

Judicial Board Process & Best Practices

Member Accountability

Accountability is a positive attribute in that it encourages us to behave in a manner that is expected, and reminds us to live up to the high standards that we have agreed to as Sigma Chis. Accountability is about monitoring behaviors and actions, and focusing to keep them in alignment with Sigma Chi values.

So why is it so difficult to hold another person accountable?

- Requires sharing personal feelings

- Involves confrontation

- Creates perceived and/or real tension

- Requires us to be accountable to a higher standard as well

Not being accountable or failing to hold others accountable only creates more difficult situations in the future. Each time we overlook a current situation we create a new acceptable condition of behavior, and thereby give the signal of our acceptance to the behavior.

The Judicial Board

The Judicial Board operates on behalf of the chapter and is charged with addressing all issues of member accountability. It's comprised of appointed members of the Executive Committee, at-large members, and a chapter advisor/mentor. With serious issues, you may also consider including the Grand Praetor.

Any member in good standing can recommend another member for review by submitting a written statement of charges to the board chairman.

Best Practices

1. Use the RISC model to guide your discussions:

- Report – What specific behavior(s) or action(s) are in question?

- Impact – What is the impact of the behavior(s) or action(s) on the chapter? Individual?

- Specify – What is the preferred behavior or action?

- Consequence – What are the consequences if the preferred behaviors or actions are not employed?

2. Fully understand the member's point of view before expressing your own.

3. Choose your words wisely. Avoid escalating the confrontation by not:

- Ordering or Directing "You have to..."

- Warning or Threatening "You'd better not..."

- Preaching or Moralizing "You ought to..."

- Evaluating or Blaming "You're wrong..."

- Name-calling or Shaming "You're stupid..."

- Interpreting or Analyzing "What you need is..."

- Questioning or Probing "What were you thinking when you..."

- Withdrawing or Avoiding "Let's just forget it..."

- Attacking or Assaulting "You're going to pay..."

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4. Be Calm. Do not argue, lose your temper, or use profanity
5. Be Assertive. Do not threaten or bully, nor back away and apologize for doing what is right.
6. Confront the behavior, not the person. Respect their sense of dignity by looking only at the inappropriate behavior.
7. Do Not Split Hairs. If standards and expectations have been established, the middle of a confrontation is not the time to debate their merits – follow up at another time.

Conduct Discipline Procedures (From the Standard Operating Procedures pp. 137-138)

Every individual Sigma Chi takes a voluntary oath to conduct himself as a high-minded man and a gentleman. Our Ritual asks each brother to hold himself first and then his fellow brothers accountable to a higher standard. As such it is incumbent on every brother to be mindful of his conduct and that of his brothers. When the occasion arises that a brother's behavior is in conflict with the high standards of our Order, his fellow brothers are obligated to confront him in a brotherly way so that he may be reminded of the ill effects brought on by the stain of dishonor.

For most occasions of conduct violations, this form of brotherly confrontation is sufficient, resulting in behavioral change. However, circumstances may arise in which a brother is unresponsive to individual confrontation or his behavior is so egregious that it reaches the level of conduct unbecoming of a Sigma Chi. These occasions may necessitate the chapter's use of a judicial board, as proscribed in the Model bylaws (Article VII).

The judicial board process is designed to reflect the Great Aim of justice within our Fraternity. The chapter should take great care to be mindful of this aim when:

- Selecting judicial board members
- Investigating the incident in question
- Involving local/regional alumni
- Conducting the trial proceedings
- Reaching a just resolution
- Communicating the resolution to the brother, chapter and General Fraternity

It is imperative for all involved parties to understand the ramifications for such actions and to make sure that all the appropriate documentation has been collected by the chapter, chapter advisor, and Grand Praetor prior to notifying Headquarters of the disciplinary action taken. As such, it is the chapter's responsibility to know the Governing Laws and Executive Committee Regulations. The pertinent Statute and ECR is 7.01.

The Formal Process

Document the Incident, Investigation and Judicial Board Hearing

Once the undergraduate chapter has executed a judicial board hearing according to the Governing Laws and the chapter by-laws, it may submit a Form 51 to the General Fraternity. The Form 51 requires complete documentation of the incident that has occurred, as well as the adjudication process utilized by the chapter in reaching a resolution.

Complete the Form 51: Notification of Disciplinary Action

Please be sure to fill this form out in its entirety. Incomplete forms will not be processed.

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The Form 51 (Notification of Disciplinary Action) is received at Headquarters

After the form 51 has been submitted to the associate director of accountability, he will review and verify the information provided:

A. If the form indicates any disciplinary measure other than conduct expulsion/suspension, the associate director of accountability will notify the Chapter and Member Accountability Committee (CAMAC), which will review the action taken by the undergraduate chapter or alumni and either confirm the decision or provide instruction for an alternate resolution.

B. If the form indicates expulsion/suspension, the associate director of accountability will contact principals (Consul, chapter advisor, Grand Praetor, brother(s), involved in the conduct violation) of the chapter/alumni decision and inform them of the appeal process. The brothers being disciplined will have 30 days to appeal their penalty in writing.

Appeal

A. If there is no appeal requested, the aforementioned individuals will receive confirmation of conduct expulsion/suspension, a decision which will be final.

B. If an appeal is received, the associate director of accountability will contact the CAMAC to notify them of the request. The CAMAC will review the appeal and decide upon its merit. If appeal is denied, the principals will be notified as such and the decision will be final. If the appeal is granted, the CAMAC will request that the Grand Praetor recommend a three member Trial Board to hear the case. The Grand Praetor will have 14 days to make these recommendations. The

Chairman of the CAMAC will then appoint a Trial Board to hear the case. The Trial Board will contact the principals and ensure that the trial takes place at a destination arranged by the accused and the Trial Board no later than 30 days after its appointment by the CAMAC. The Trial Board will conduct the proceedings and inform the brothers being disciplined, the associate director of accountability, and Grand Praetor of the decision within seven days.

C. Following the notification, all brothers involved will have 15 days to present new evidence to the associate director of accountability before the CAMAC meets to review the decision. If the Trial Board recommends any disciplinary action other than expulsion, the CAMAC will either confirm the decision or provide instruction for an alternate resolution. If the Trial Board recommends expulsion, the CAMAC will then meet to review the trial board recommendation and make a recommendation to the Executive Committee.

Executive Committee Action

Once the recommendation from the CAMAC has been received, the Executive Committee will deliberate and make a decision. All parties involved will be notified of this decision, which will be final.

The Form 51

The Form 51 can be found on at www.sigmachi.org/Form 51