

# **Bylaws of the Greek Activities Review Panel**

**University of Michigan**  
*August 2015*  
*(effective November 10, 2015)*

## **ARTICLE I NAME & PURPOSE**

The official name of this body shall be the “Greek Activities Review Panel” (GARP). The purpose of GARP is to be the judicial body for the Panhellenic Association (Panhel), the Interfraternity Council (IFC), the National Pan-Hellenic Council (NPHC), and the Multicultural Greek Council (MGC), (hereinafter referred to collectively as “the Greek Councils”).

## **ARTICLE II JURISDICTION**

- A. Governance Councils
  - a. Four (4) Councils have been established to facilitate the self-governance of fraternities and sororities at the University of Michigan:
    - i. The Interfraternity Council
    - ii. The Panhellenic Association
    - iii. The National Pan-Hellenic Council
    - iv. The Multicultural Greek Council
  - b. Each Greek Council may adopt these Bylaws, after which the Bylaws shall apply to the respective members of that Council. It is the intent of the Bylaws that all Greek Councils adopt these Bylaws and utilize GARP for the judicial function in the Greek community, and in satisfaction of the SOAR judicial function for Sponsored Student Organizations.
- B. GARP is authorized to adjudicate or resolve allegations of misconduct resulting from the actions or inactions of any Chapter or of individual members of any Chapter affiliated with the Greek Councils at the University of Michigan.
- C. These powers of adjudication, including levying sanctions for violations, shall extend to all alleged violations of the Constitutions, Bylaws, policies and procedures, codes of conduct, other governing documents, or any other rules or regulations established by the Greek Councils, whether individually or collectively, excepted as otherwise established herein.
- D. In the event of any conflict or inconsistency between these Bylaws and the governing documents, as noted above, of any of the Greek Councils, the governing documents of the respective Greek Council shall prevail.

**ARTICLE III**  
**COMPOSITION & TERM OF OFFICE**

- A. GARP shall consist of twenty-four (24) members hereafter referred to as Justices, selected in accordance with the Constitution and Bylaws of each Greek Council.
  - a. IFC and Panhel shall each have eight (8) Justices.
  - b. NPHC and MGC shall each have four (4) Justices.
- B. In addition to the Justices, each Greek Council shall have one executive board member designated in their Constitution or Bylaws to serve as a Chief Justice.
- C. GARP members shall be selected during the normal election period of the Council to which they belong and serve a term of one (1) calendar year.

**ARTICLE IV**  
**DUTIES**

- A. The duties of the Chief Justices shall include, but are not limited to:
  - a. Preside over all meetings, mediations and hearings of GARP, as needed, and conduct any and all deliberations of GARP in a manner that is fair to all parties involved.
  - b. Receive all complaints pertaining to violations of the Constitutions, Bylaws, policies and procedures, codes of conduct, other governing documents, or any other rules and regulations established by the Greek Councils, except as otherwise established herein.
  - c. Read written statements of testimony during hearings.
  - d. Be responsible for writing and disseminating all case correspondence and memoranda, including Notices to Appear and Decisions of GARP.
  - e. Maintain the confidentiality of the substantive content of all GARP matters prior to the disposition of those matters.
  - f. Report all applicable information from GARP matters to their respective executive boards and Councils.
  - g. Act as the official spokespersons of GARP.
  - h. Coordinate, with the assistance of the Greek Advisors, semi-annual training sessions.
  - i. Recuse oneself from any mediation or hearing in which there is a conflict of interest.
  - j. Faithfully carry out other duties and responsibilities as established herein, as well as any others that may be necessary.
- B. The duties of the Justices shall include, but are not limited to:
  - a. Attend meetings, mediations and hearings of GARP, as needed.
  - b. Hear and decide cases brought before GARP.
  - c. Maintain the confidentiality of the substantive content of all GARP matters prior to the disposition of those matters.

- d. Recuse oneself from any mediation or hearing in which there is a conflict of interest.
- e. Faithfully carry out other duties and responsibilities established herein, as well as any others that may be necessary.

## **ARTICLE V** **VACANCIES**

- A. Vacancies for Chief Justice shall be filled as expeditiously as possible in accordance with the Constitution and Bylaws of the respective Greek Council.
- B. Vacancies for Justice positions shall be filled by the respective Greek Council in accordance with the Constitution and Bylaws of that Council.

## **ARTICLE VI** **PROCEDURES**

- A. Complaint Procedure
  - a. Filing a Complaint
    - i. Complaints may be submitted by any person or entity.
    - ii. Complainant is to complete all relevant fields of the Greek Life Complaint Form and submit the Form to the Chief Justices.
      - 1. Submission can be done electronically, as noted on the Form, or in person to the Office of Greek Life.
      - 2. If the Form is submitted in person, an electronic copy will be made and disseminated to the Chief Justices.
      - 3. As indicated on the Form, upon agreement by both the Primary Complainant and the Director of Greek Life, the Director may act as a proxy complainant.
  - b. Within five (5) business days of receipt of a complaint, the Chief Justices will review the complaint and decide to proceed with one of the following:
    - i. Dismiss the complaint and provide a written memorandum indicating the reasons upon which the case was dismissed.
    - ii. Call for a Council Mediation.
    - iii. Call for a Council Hearing.
    - iv. Call for a Community Mediation.
    - v. Call for a Community Hearing.
  - c. If GARP decides to hear a complaint, all non-contact information on the Complaint Form will be disseminated to the relevant parties.
    - i. If the Complainant agrees to use the Director as a proxy, all information will be initially disclosed to the Director. Anonymity will be maintained when disclosing information upon agreement by the Complainant and the Director.

## B. Council Process

### a. Council Mediation

- i. The Chief Justice of the Council to which the defendant belongs will assemble a panel and notify both defendant and complainant parties of the mediation location and time within three (3) business days of the decision to proceed with mediation.
- ii. The composition of the panel will adhere to the following:
  1. At least three (3) Justices must sit on the panel in addition to the Chief Justice.
  2. The number of voting Justices on the panel must be odd.
  3. No more than 75% of a Council's Justices may sit on the panel.
  4. The Chief Justice is a non-voting Justice.
  5. If the Chief Justice cannot preside due to a conflict of interest or other circumstance, one of the remaining Chief Justices will preside.
  6. If a Council panel cannot satisfy the requisite number of Justices, the Chief Justice may temporarily appoint member(s) of the Council executive board to the panel.
  7. The Chief Justice will also act in the capacity of secretary and as such be responsible for recording minutes and all record keeping related to the mediation.
- iii. The following persons may attend a Council Mediation:
  1. Chief Justice of the appropriate Council.
  2. Defendant.
  3. Complainant.
  4. Greek Adviser(s).
  5. Anyone else deemed necessary by the Chief Justice.
  6. Lawyers are prohibited from attending.
- iv. The Chief Justice shall facilitate discussion between the two parties until a settlement is reached.
  1. If mediation fails, the case will move to a Council Hearing.
  2. If mediation is successful, the settlement will be reduced to writing and brought to the panel for review. The panel will have three (3) business days to accept or deny the settlement. A majority vote is required to deny a settlement.
    - a. If the panel denies the settlement, the panel will recommend an alternative settlement to be further mediated.
      - i. The secondary mediation will follow the same process and timings as the initial mediation as previously described.
      - ii. If the panel denies the settlement of the secondary mediation, it will draft another alternative settlement. The four settlements (two from mediation, two from the panel) will then be sent to the four Chief Justices for review. Within three (3)

business days, the Chief Justices will accept one of the settlements and provide written notice to all parties of the decision.

b. Council Hearing

- i. Council Hearings will be closed to the public.
- ii. The Chief Justice of the Council to which the defendant belongs will assemble a panel and provide a Notice to Appear to both parties within three (3) business days of the decision to proceed with a hearing. The written Notice to Appear will detail the following:
  1. Date, time and location of the hearing.
  2. Any requests for Special Witnesses (see appendix for definition of “Special Witness”).
  3. Time limits for each section of the hearing.
- iii. The composition of the panel will adhere to the following:
  1. At least three (3) Justices must sit on the panel in addition to the Chief Justice.
  2. The number of voting Justices on the panel must be odd.
  3. No more than 75% of a Council’s Justices may sit on the panel.
  4. The Chief Justice is a non-voting Justice.
  5. If the Chief Justice cannot preside due to a conflict of interest or other circumstance, one of the remaining Chief Justices will preside.
  6. If a Council panel cannot satisfy the requisite number of Justices, the Chief Justice may temporarily appoint member(s) of the Council executive board to the panel.
  7. The Chief Justice will also act in the capacity of secretary and as such be responsible for keeping time, recording minutes and all record keeping related to the hearing.
- iv. See Article VI.C.b. (Community Hearing) for description of Pre-Trial matters and Hearing structure. Council Hearings will proceed in the same manner.
- v. Deliberations
  1. After the close of the hearing, the panel will have up to five (5) business days to deliberate and notify all parties of the decision and any sanctions.
  2. Deliberations will be closed. Only the panel may participate in the decision process.
  3. The panel must decide whether any violation occurred. A majority of the panel must vote in favor of a violation having occurred for the vote to pass. The Chief Justice will take no part in voting. The Chief Justice will instead facilitate discussion. The panel is meant to base their decision on the information presented during the hearing and only on this information.
  4. If a decision has been made that a violation occurred, the panel will then develop a set of sanctions appropriate to the violation.

5. Once a decision has been made and, if necessary, sanctions set, a formal notice must be provided to all parties. This notice is to include detailed descriptions of each of the following:
  - a. Timeline of events (receipt of complaint, notice to parties, receipt of response documents, etc.)
  - b. Summary of complaint and allegations
  - c. Summary of response
  - d. Findings of the panel
    - i. Include specific violations and justifications
  - e. Sanctions (include duration, description, etc.)
  - f. Rationale for sanctions

### C. Community Process

#### a. Community Mediation

- i. The Chief Justice of the Council to which the defendant belongs will assemble a panel and notify both defendant and complainant parties of the mediation location and time within five (5) business days of the decision to proceed with mediation.
- ii. The composition of the panel will adhere to the following:
  1. At least five (5) Justices must sit on the panel in addition to the Chief Justice.
  2. The number of voting Justices on the panel must be odd.
  3. An additional Chief Justice must sit on the panel and serve in the capacity of secretary, ensuring that minutes are taken and records are properly kept.
  4. No more than 75% of a Council's Justices may sit on the panel.
  5. The Chief Justices are non-voting Justices.
  6. If the Chief Justice cannot preside due to a conflict of interest or other circumstance, one of the remaining Chief Justices will preside.
  7. If a Council panel cannot satisfy the requisite number of Justices, the Chief Justice may temporarily appoint member(s) of the Council executive boards to the panel.
- iii. The following persons may attend a Community Mediation:
  1. Chief Justice of the appropriate Council.
  2. Secretary.
  3. Defendant.
  4. Complainant.
  5. Greek Adviser(s).
  6. Anyone else deemed necessary by the Chief Justice.
  7. Lawyers are prohibited from attending.
- iv. The Chief Justice shall facilitate discussion between the two parties until a settlement is reached.
  1. If mediation fails, the case will move to a Community Hearing.
  2. If mediation is successful, the settlement will be reduced to writing and brought to the panel for review. The panel will have five (5)

business days to accept or deny the settlement. A majority vote is required to deny a settlement.

- a. If the panel denies the settlement, the panel will recommend an alternative settlement to be further mediated.
  - i. The secondary mediation will follow the same process and timings as the initial mediation as previously described.
  - ii. If the panel denies the settlement of the secondary mediation, it will draft another alternative settlement. The four settlements (two from mediation, two from the panel) will then be sent to the four Chief Justices for review. Within five (5) business days, the Chief Justices will accept one of the settlements and provide written notice to all parties of the decision.

b. Community Hearing

- i. The Chief Justices may decide to make a Community hearing open or closed to the public.
- ii. The Chief Justice of the Council to which the defendant belongs will assemble a panel and provide a Notice to Appear to both parties within five (5) business days of the decision to proceed with a hearing. The written Notice to Appear will detail the following:
  1. Date, time and location of the hearing.
  2. Any requests for Special Witnesses (see appendix for definition of “Special Witness”).
  3. Time limits for each section of the hearing.
- iii. The composition of the panel will adhere to the following:
  1. At least five (5) Justices must sit on the panel in addition to two (2) Chief Justices. The Chief Justice of the Council to which the defendant belongs will serve as the Presiding Justice.
  2. The number of voting Justices on the panel must be odd.
  3. No more than 75% of a Council’s Justices may sit on the panel.
  4. The Chief Justices are non-voting Justices.
  5. If the Chief Justice cannot preside due to a conflict of interest or other circumstance, one of the remaining Chief Justices will preside.
  6. If a Council panel cannot satisfy the requisite number of Justices, the Chief Justice may temporarily appoint member(s) of the Council executive boards to the panel.
  7. The additional Chief Justice is to be the secretary for the hearing. The secretary will keep time, take minutes from the hearing and be responsible for all non-SNCS related record keeping.
- iv. Parties in Attendance
  1. Complainant Party
    - a. Complainant

- b. Adviser, if any
    - c. Witnesses and Special Witnesses, if any
  - 2. Defendant Party
    - a. Defendant
      - i. If defendant is a Chapter, the Chapter President shall act as the defendant and represent the interests of the Chapter as well as carry the full authority of binding the organization to any and all imposed sanctions. If the Chapter President is not capable of such duties for whatever reason, an appointed member of the organization may serve as a representative.
      - b. Adviser, if any
      - c. Witnesses and Special Witnesses, if any
  - 3. Involved parties and witnesses retain the right to refrain from attending the hearing. Any individual or Chapter who does not wish to be present at the hearing may submit a written statement with any and all relevant information he/she/it wishes to have presented at the hearing. Any such statements shall be read into the record at the hearing. The Justices shall make no inferences, positive or negative, of any individual's or Chapter's decision to provide a written statement in lieu of appearing at the hearing.
- v. Speaking Rights
  - 1. Both complainant and defendant may address and respond to the panel, confer with advisers, and examine and cross-examine witnesses in turn.
  - 2. Advisers may only speak with their respective party.
  - 3. Witnesses may respond to questions from the panel, complainant, and defendant.
  - 4. The above speaking rights are exhaustive. Failure to comply will result initially in a verbal warning and subsequently with removal from the hearing.
- vi. Decorum
  - 1. All participants shall remain civil and adhere to the speaking restrictions as outlined. Violations of decorum will be met first with a verbal warning and subsequently with removal from the hearing.
- vii. Preliminary Matters and Pre-Trial Motions
  - 1. Prior to opening statements, the Presiding Justice will read to all in attendance the preliminary matters. This will include a basic explanation of the process as outlined in the next section, the Speaking Rights and Decorum provisions, the following item (2), as well as a basic explanation of the deliberation process.
  - 2. Parties can motion to add/strike witnesses, present new material or evidence, etc.

- a. In the case of new evidence, the party must explain the relevance of the evidence. The panel will decide whether or not to accept the evidence.
    - b. Party is not to explain the content of the evidence, but rather the nature and importance of it.
    - c. For all pre-trial motions, the panel may accept or dismiss at its discretion
  - viii. Hearing Process
    1. Opening Statements
      - a. The complainant will give the first opening statement after preliminary matters and pre-trial motions have been completed. The defendant will then have an opportunity to make an opening statement.
      - b. A maximum of 15 minutes will be allotted to each opening statement.
    2. Examination of Witnesses
      - a. Witnesses will be examined in the following manner:
        - i. First, by the party to which the witness belongs
        - ii. Second, cross-examination by other party
        - iii. Finally, any questions from the panel
        - iv. A maximum of 10 minutes will be allotted to each witness examination. Cross-examination and questions from the panel will not be included in this time limit.
        - v. After both parties have completed their examinations, either party may motion to recall witnesses if necessary.
        - vi. The complainant's witnesses will be examined first.
    3. Closing Statements
      - a. The defendant and then the complainant will give closing statements after the examination of witnesses. A maximum of 15 minutes will be allotted to each closing statement.
      - b. The panel may ask any questions of any party or witness after closing statements have concluded.
      - c. Once the panel has finished with its questions, the hearing will be concluded.
  - ix. Deliberations
    1. After the close of the hearing, the panel will have up to seven (7) business days to deliberate and notify all parties of the decision and any sanctions.
    2. Deliberations will be closed. Only the panel may participate in the decision process.
    3. First the panel must decide whether any violation occurred. A majority of the panel must vote in favor of a violation having occurred for the vote to pass.

4. If a decision has been made that a violation occurred, the panel will then develop a set of sanctions appropriate to the violation. The Chief Justices will take no part in voting. The Chief Justices will instead facilitate discussion. Further, the panel is meant to base their decision on the information presented during the hearing and only on this information.
5. Once a decision has been made and, if necessary, sanctions set, a formal notice must be provided to all parties. This notice is to include detailed descriptions of each of the following:
  - a. Timeline of events (receipt of complaint, notice to parties, receipt of response documents, etc.).
  - b. Summary of complaint/allegations.
  - c. Summary of response.
  - d. Findings of the panel, including specific violations and justifications.
  - e. Sanctions (include duration, description, etc.).
  - f. Rationale for sanctions.

## **ARTICLE VII** **SANCTIONS & FOLLOW-UP**

- A. Once a hearing or mediation has closed and all parties have been notified of the verdict, the verdict may be made available to the public. Details of the proceedings may be released at the discretion of the Presiding Justice.
- B. The Presiding Justice (herein referred to as Managing Justice) from a hearing or mediation shall be responsible for following up with any sanctions given. The Managing Justice shall also be responsible for all further record keeping. The Presiding Justice of an appellate board will not assume this role.
- C. The Managing Justice and the defendant shall determine a series of meetings during the effective period of sanctions in order to discuss progress and questions or concerns regarding sanctions.
- D. GARP shall ensure that the sanctions imposed are fair, reasonable, just, and proportional to the offense found to have been committed. GARP has authority to ensure that the defendant carries out the requirements of the sanctions in a timely and appropriate manner.
- E. Once sanctions have been set the organization will enter into the Sanction Non-Compliance System, a tiered system defining potential actions to be taken in the event of non-compliance with sanctions. The Managing Justice (or the successor) will sit as Presiding Justice on all related mediations and hearings.
- F. Sanction Non-Compliance System (SNCS)
  - a. This tiered system is intended to handle situations of non-compliance with standing sanctions. The first tier describes initial sanctions and then each successive tier defines further action to take if an organization fails to comply with a given set of sanctions.

- b. If an organization commits an infraction unrelated to its standing sanctions, the organization may be in two separate sets of SNCS tiers. For instance, if an organization is in Tier II for social infractions and it then is found guilty of a hazing violation, it is possible for the organization to remain in Tier II for social and be in Tier I for hazing. Alternatively, multiple violations may cause placement into a higher tier from the start. This decision rests with the panel.
  - c. Tier I
    - i. Initial sanctions resultant of SRC, mediations, hearings, or the University.
  - d. Tier II
    - i. Extension of Tier I sanctions or additional measures appropriate to the violation at the discretion of the Managing Justice.
    - ii. At the discretion of the Managing Justice, the organization may recycle through Tier II once in addition to the initial imposition of Tier II measures (See Appendix for related examples).
    - iii. Issuance of Tier II measures does not require mediations or hearings.
  - e. Tier III
    - i. Provisional suspension
    - ii. In addition to provisional suspension, the organization will be given extended or enhanced sanctions appropriate to the violation at the discretion of the Managing Justice.
    - iii. Issuance of Tier III measures requires at least mediation.
  - f. Tier IV
    - i. Suspension or expulsion.
    - ii. Issuance of Tier IV requires a hearing.
- G. The type, manner, duration, and other details of sanctions shall be determined by the panel. See Appendix for examples of possible sanctions.

## **ARTICLE VIII** **APPEAL PROCEDURES**

- A. Greek Appellate Board
  - a. All decisions of GARP which impose sanctions other than expulsion or suspension shall be appealed through the Greek Appellate Board. The decision, including sanctions imposed, shall remain in effect during the appeal process.
  - b. The composition of the Greek Appellate Board shall accord with the following:
    - i. At least five (5) Justices, none of which were involved with the initial hearing or mediation.
    - ii. Representation from at least two (2) Councils.
    - iii. Number of voting Justices must be odd.
    - iv. The Chief Justice who served as Secretary during the hearing or mediation that resulted in the sanctions being appealed shall serve as Presiding Justice of the appellate board as well as continue secretarial duties.
    - v. The Chief Justice is a non-voting Justice.

- vi. If the Appellate Board cannot satisfy the requisite number of Justices, the Chief Justice may temporarily appoint member(s) of the Council executive board(s) to the panel.

#### B. Appeals to the Greek Appellate Board

- a. To appeal, the Defendant shall submit a written Notice of Appeal within seven (7) business days after receiving the GARP decision to the Presiding Justice of the hearing or mediation being appealed. If the defendant fails to submit the Notice of Appeal in a timely manner, the Defendant shall have no further recourse of appeal and shall forever forfeit the right to appeal the decision of GARP.
- b. The Defendant is to submit all necessary supplementary documents and witness lists, if any, with the written Notice of Appeal
- c. The Notice of Appeal shall set forth the grounds of the appeal which shall be limited to one or more of the following:
  - i. The procedure outlined in these Bylaws was not followed.
  - ii. The decision was not supported by the evidence presented at the hearing or mediation.
  - iii. The sanction(s) was not appropriate for the violation.
  - iv. New evidence is available that was not readily available at the time of the hearing or mediation.
- d. Upon receipt of the Notice of Appeal, the Chief Justice shall immediately notify the other Chief Justices and they shall meet to select the members of the Greek Appellate Board in accordance with Section A.b.
- e. The Greek Appellate Board shall schedule a hearing within fourteen (14) days after receipt of the Notice of Appeal, or as soon as practicable thereafter.
- f. The hearing will proceed in the following manner:
  - i. Opening statement (15 minutes maximum).
  - ii. Statement of case and (if applicable) examination of witnesses (10 minutes maximum per witness).
  - iii. Closing statement (15 minutes maximum).
- g. Any time limit may be extended at the discretion of the panel.
- h. Panel may ask questions of any participant at any time.
- i. Only the defendant, defendant's adviser, witnesses, and appropriate Council adviser may attend the hearing. Additional persons, including special witnesses, may attend at the request of the panel.
- j. Within five (5) business days after the hearing, the panel shall decide to overturn or uphold the decision. A 2/3 vote of the panel is necessary to overturn GARP's decision.
- k. Copies of the decision shall be delivered to the defendant and Council Adviser.
- l. The decision of the Greek Appellate Board shall be final.

#### C. Appeals of Suspension/Expulsion Decisions

- a. All Decisions of GARP that suspend or expel a Defendant may be appealed to the Defendant's respective governance Council. The GARP decision shall be held in abeyance during the appeal process.
- b. To appeal, the Defendant shall submit a written Notice of Appeal to the President of the Defendant's respective Greek Council within seven (7) business days after receiving GARP's decision. If the Defendant fails to submit the Notice of Appeal

in a timely manner, the Defendant shall have no further recourse of appeal and shall forever forfeit the right to appeal the decision of GARP.

- c. Upon receipt of the Notice of Appeal, the Council President shall immediately provide a copy to the Council's executive board, which shall conduct a thorough review of the facts and circumstances related to GARP's decision and recommended sanction(s).
- d. Upon conclusion of its review, the executive board shall submit a written and verbal report to the full Council at the next meeting. The complainant and the Chapter President from the defendant Chapter shall have the right to address the Council as well as ask and answer any questions.
- e. After the conclusion of the presentation of the parties, the governance Council shall then hold a secret ballot vote whether to support GARP's decision. Each Chapter eligible to vote shall have one vote.
- f. Council members shall be provided a ballot which reads as follows: "I hereby vote to \_\_ uphold \_\_ overturn the decision of GARP."
  - i. Each Council member shall place a check mark in the appropriate blank. The ballot shall be counted by the Council President and the Greek Adviser.
- g. A two thirds (2/3) vote in favor of overturning the decision of GARP shall be required to overturn the decision. The result and the vote totals shall be announced at the meeting and entered in the minutes. The decision of the governance Council shall be final.

## **ARTICLE IX** **AMENDMENTS**

### A. Proposal Procedure

- a. Any of the following may introduce amendments to the GARP Bylaws:
  - i. Any fraternity or sorority which holds membership in, and which is in good standing with, any of the respective Greek Councils.
  - ii. Any Executive Board of any of the Greek Councils.
  - iii. Any Justice from GARP.
- b. Amendments shall be proposed in writing, specifying the article, section, and/or sub-section to be amended, and distributed to all fraternity and sorority representatives at the respective Council meetings at least one week prior to the vote on the amendment.

### B. Voting

- a. At least two thirds (2/3) of those eligible voting members must be present in order to vote on the proposed amendment.
- b. A two thirds (2/3) vote of those voting is necessary for the amendment to be approved. Abstentions shall not be counted in the vote total.
- c. All four Greek Councils must approve the amendment for the amendment to pass.
- d. If approved, the amendment shall be effective immediately.

- e. The GARP Chief Justices shall amend the current GARP Bylaws to include the new amendment and distribute the updated Bylaws to each Chapter President, the executive boards of the Greek Councils, as well as all GARP Justices, and the Greek Advisers within fifteen (15) business days from the date of approval.

**ARTICLE X**  
**APPENDIX**

A. Definitions

- a. Community Matter - A matter that the Chief Justices deem necessary to be addressed by collaboration among the Councils' GARP representatives and that follows the Community Mediation or Hearing procedures.
- b. Community Process - The collaborative multi-Council GARP procedure.
- c. Complaint - The formal written document submitted by the Primary Complainant detailing the relevant allegations.
- d. Council Matter - A matter that the Chief Justices deem to be sufficiently addressed without collaboration with other Councils' GARP representatives and that follows the Council Mediation or Hearing procedures.
- e. Council Process - The non-collaborative single-Council GARP procedure.
- f. Defendant - The person or entity accused by the Primary Complainant.
- g. Greek Life Complaint Form - The form that all Primary Complainants must complete and submit in order to have their complaint reviewed.
- h. Panel - The set of Justices and Chief Justice(s) assembled for mediation or a hearing.
- i. Presiding Justice - The Chief Justice who leads a mediation or hearing.
- j. Primary Complainant - The person or entity that first files a complaint.
- k. Provisional Suspension - Provisional suspension entails that any infraction committed by the organization, regardless of the relation of the infraction to the current sanctions, will result in a Tier IV sanction.
- l. Proxy Complainant - A stand-in complainant for when the Primary Complainant either cannot or does not wish to personally pursue a complaint. The Director of Greek Life will act as the proxy complainant in all cases where the Primary Complainant chooses to use a proxy.
- m. Special Witness - A witness specifically requested to appear by the panel. Special Witness requests may be denied by the appropriate party.

B. Illustrative Examples

- a. The following are meant to act as guidelines, not strict provisions, nor are these examples meant to constitute an exhaustive list of possibilities.
- b. Council versus Community
  - i. Whether a matter is considered Council or Community is left to the discretion of the Chief Justices, but these are some common examples:
    - 1. NPHC Calendar violation – Council
    - 2. Panhellenic recruitment violation – Council
    - 3. Hazing – Community

4. Major risk management failure – Community

c. SNCS

- i. The SNCS tiers are meant to effectively and consistently handle situations of non-compliance with a given set of sanctions. They also provide a general measure for defining the severity of a set of sanctions. The panel must be careful and deliberate in the way it utilizes the tiers, however, for not all infractions may warrant escalating tiers. Consider the following examples when determining how to best use the SNCS:
  1. Organization XYZ receives two weeks of social probation from SRC for a glass bottle. This is a Tier I sanction.
  2. While still in the effective sanctioning period for the social infraction, XYZ is found guilty of a minor hazing violation. Depending on the degree of the violation, it may be more effective to create a second set of Tier I sanctions in response to the hazing rather than combine the hazing and social sanctions into a Tier II set. This allows GARP to set more reasonable sanctions as opposed to starting with a disproportionately onerous set.
  3. Organization ABC commits a major risk management violation that gets some public attention. GARP may decide that ABC should bypass Tier I and the initial sanctions would fall under a higher tier.
  4. This will address Article VII.F.d.ii.: Consider, for instance, a Tier I sanction of social probation for two weeks. Two days prior to the end of the probation, the organization violates their probation. They are given a Tier II sanction of community service. The organization then falls short of the requirements by 5-10%. It does not seem just to move the organization to Tier III in this scenario. Instead, they should be recycled through Tier II.

d. Potential Sanctions

- i. Written reprimand
- ii. Financial restitution
- iii. Monetary fines
- iv. Charitable acts and community service
- v. Educational programming
- vi. Probation, entailing one or more of the following:
  1. No participation in any event with any other organization.
  2. Limited participation in events with other organizations.
  3. Loss of intramural athletic rights.
  4. Loss of voting rights.