Advance U
Thinking Differently. Working Differently.
This program is made possible through a gift from Zeta Tau Alpha
NPHC and Council Governance

Dr. Michael V. Bowie, Collegiate Chair
National Pan-Hellenic Council, Inc.
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Dr. Michael V. Bowie

- Director of Recruitment, Retention & Multicultural Affairs for the College of Education
- Courtesy Assistant Professor in the Department of Infectious Diseases & Pathology in the College of Veterinary Medicine.
- Collegiate Chair for the National Pan-Hellenic Council, Inc. (NPHC)
- Immediate Past (32nd) National NPHC President
- International Chair of Chapter Advisors for Omega Psi Phi Fraternity, Inc.
About the Program

A workshop provided by the NPHC at the 2015 annual conference of the Association for Fraternity/Sorority Advisors led to a discussion about judicial committees and council governance of collegiate NPHC councils. All NPHC councils (collegiate and alumni) serve as umbrella organizations that coordinate the activities of the member organizations in their respective communities and/or on their respective campuses. It is our hope that this webinar provides guidance in addressing issues that may have an impact on a council’s effectiveness in coordinating the activities of the NPHC on a campus.
Learning Outcomes

(1) Define what sanctions can be administered and by what entity;

(2) Provide guidance to chapters that wish to appeal the sanction(s) and request that the appeal process be written and approved in either the bylaws or policies of local councils;

(3) Outline additional appeal processes for chapters; and

(4) Address what will happen if a chapter refuses to adhere to the rulings established by the council or institution.
Coordinating Bodies

All NPHC councils (collegiate and alumni) serve as umbrella organizations that coordinate the activities of the member organizations in their respective communities and/or on their respective campuses. No council can serve as a governing body and it is important that the language above is clear to the communities and campuses where there is a council.
NPHC Structure

Council of Presidents (Governing Body)

NPHC National Executive Board
(National Coordinating Body)

NPHC Alumni and Collegiate Councils
(Local Coordinating Bodies)
Constitution & Bylaws

• NPHC National Constitution & Bylaws
• Local Bylaws*

*Note: All Bylaws should be submitted to NPHC National Parliamentarian Dr. Frances Jackson (fjackson@nphchq.org)
Bylaws

• n. the written rules for conduct of a corporation, association, partnership or any organization.

• Generally provide for meetings, elections of a board of directors and officers, filling vacancies, notices, types and duties of officers, committees, assessments and other routine conduct.

• A contract among members and must be formally adopted and/or amended.
Policies

• n. a deliberate system of principles to guide decisions and achieve rational outcomes.
Approval of Bylaws or Policies

• A NPHC council may list in their bylaws or policies requirements for each chapter to follow in order to be in good standing with the council.

• This may include:
  – attendance at council meetings
  – reasonable attendance numbers in council events
  – policies that assist in the coordination of activities on the campus (established weeks, Founders Days, etc).
Approval of Bylaws or Policies

• Bylaws or policies must be approved by the local council membership
• The minutes reflecting the council vote and the approved bylaws or policies with date and signature of the Council secretary should be sent to the NPHC National Parliamentarian.
• Once approved by the NPHC National Parliamentarian, the Council will be notified and these documents will be filed at the NPHC National Headquarters.
Reasonable Sanctions

• Approved bylaws or policies may include *reasonable sanctions* that may be administered if a chapter does not adhere to sections of the approved bylaws or policies.
Reasonable Sanction Defined

• *Reasonable sanctions* provided by the NPHC councils may include:
  – Fines
  – Restrictions
  – Performance Management Plans

• If a chapter addresses the sanction(s), then it has met its obligation to the council.
Several Best Practices

• Create policies that exist outside of the bylaws that are more fluid that address fines, restrictions and performance management plans.

• Restrictions are mandates that limit the activity of a chapter, not the status of the chapter, due to a particular behavior, i.e., fights, academic performance, etc. **Councils cannot restrict chapters from Intake or enforce any sanction that appears to be probationary.**

• Performance management plans are improvement plans either developed by the chapter or in agreement with the chapter that outlines activities that assist a chapter in becoming a more successful member of the community, i.e. academic improvement plan, behavior modification plan, etc.
Examples

• Commonly used at campuses in their bylaws, policies, or standard operating procedures are statements like:
  – “In the event that the affiliate chapter does not have adequate participation at a Council meeting, a fine of XX dollars ($XX) shall be assessed.
  – “Affiliate chapters shall be represented at all Council sponsored activities, not otherwise provided for, by a minimum of XX percent (XX%) of its membership, unless otherwise stated by the Council.”
**Harsher Sanctions**

- Often a harsher sanction that impacts the chapter status means that the chapter has failed to follow university, college, local, state, or federal policies. However, this may include excessive non-attendance at NPHC meetings or events, since their membership in the council and protection under Title IX exemption requires participation in a council.

- When a sanction impacts the chapter status including probation, suspension, and expulsion, then the sanction must be administered by University or college officials.

- A copy of the sanction must be sent to the headquarters of the individual organization along with a rationale and if appropriate, a copy of the approved NPHC bylaws or policy.

- **A council cannot place a chapter on probation, suspension, or expulsion.**
Possible Initial Chapter Appeal Processes

• If a chapter refuses to meet its obligation to the council, then one or more of the actions can be listed in the council’s bylaws:
  – The chapter can be referred to the University’s Student Conduct Office or its equivalent entity on a campus and appeal the decision;
  – The chapter can be referred to a University official that oversees the appeals process for sorority and fraternity issues.
Possible Initial Chapter Appeal Processes

- The chapter can appeal to the local NPHC Executive Committee by providing a rationale and supporting documents explaining its reason for non-compliance with a section of the bylaws or a council policy. The NPHC Executive Committee shall only have the ability to uphold a sanction within their power (i.e. fine, restriction, or chapter management plan) or recommend a harsher sanction to the University official that oversees this process.
Possible Initial Chapter Appeal Processes

- The chapter can appeal to an all Greek Judicial Board, which must be made up of members from different councils on the campus. The appeals process should be well-defined including deadlines.

- The chapter can appeal to a local NPHC Judicial Recommending or Advisory Board. This board will be provided with a rationale and supporting documents explaining the chapter’s reason for non-compliance with a section of the bylaws or a council policy. The appeals process should be well-defined including deadlines. The NPHC Judicial Recommending or Advisory Board shall only have the ability to uphold a sanction within their power or recommend a harsher sanction to the University official that oversees this process.
Second Level Appeals Process

• The chapter should always have at least an additional appeals process once a sanction has been rendered by a body or University official.

• If the decision or recommendation is made by one of the bodies, a chapter can appeal the decision to the University official directly responsible for the council. If the chapter is not pleased with the decision of the University official, the chapter can appeal to the supervisor of the University official.

• If the University official administers the original sanction, then the chapter will have the ability to appeal to her or his supervisor.
Non-Compliance with Sanctions

• If a chapter refuses to comply with the sanction, then the following items shall be sent to the headquarters of the organization:
  (1) a copy of the sanction;
  (2) (an) example(s) of how the chapter has demonstrated noncompliance; and
  (3) a copy of the approved bylaws.

• In addition, the institution will take the behavior by the chapter and render a chapter status decision when they are not in compliance with a NPHC decision that has been upheld by the institution.

• When a chapter status sanction has been rendered, the behavior of members of the inactive or probationary chapter will be considered when the chapter is scheduled to be fully activated on the campus.
Summary

• It is our hope that this document provides guidance in addressing issues that may have an impact on a council’s effectiveness in coordinating the activities of the NPHC on a campus. It is important to note that this not an inclusive document and if unique issues are identified in the bylaws or policies that the NPHC National Parliamentarian and National Collegiate Chair will, when necessary, consult with the Council of Presidents for direction.
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QUESTION & ANSWER
THANK YOU FOR PARTICIPATING
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Advance U is a virtual based classroom with educational programs specifically designed to enhance the alignment of the fraternity/sorority experience with the changing dynamics of higher education. Advance U programs provide APA members the opportunity to engage on a wide range of topics with content experts who develop curriculum with a specific set of learning outcomes geared at achieving higher levels of professional competence in our members.

Due to the generous support of Zeta Tau Alpha, Advance U is free to all members of the Association. This virtual classroom experience provides members with supplemental reading materials, a learning guide for each seminar, and the opportunity to engage with seminar participants following the program. The goal is to provide seminars that range from new skill development to application of new concepts. Participants are exposed to new best practices in higher education and then encouraged to apply these concepts in their own setting.

Every Advance U session provides members the opportunity to

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