

National Pan-Hellenic Council at The University of Texas at Austin

CONSTITUTION AND BYLAWS

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CONSTITUTION AND BYLAWS

**PREAMBLE**

Whereas, the National Pan-Hellenic Council emerged in an effort for African-American collegiate fraternities and sororities to participate co-actively in the spirit of unity, we, the body of historically Black Greek-lettered organizations at The University of Texas at Austin do hereby agree to participate in an effort to both coordinate the activities of inter-collegiate Greek-lettered organizations and provide guidance and service to the African-American community at large.

National Pan-Hellenic Council recognizes that certain principles of all historically Black Greek-lettered organizations have unanimity of purpose, principle, and interest within the Black community. Our interests together reflect a duty toward both racial uplift and African-American solidarity upon which the National Pan-Hellenic Council and indeed all of our organizations were founded.

Our differences may at times seem to separate us: Alpha Phi Alpha, Alpha Kappa Alpha, Kappa Alpha Psi, Omega Psi Phi, Delta Sigma Theta, Phi Beta Sigma, Zeta Phi Beta, Sigma Gamma Rho, and Iota Phi Theta; however our goals as Greeks are the same. The intent of the National Pan-Hellenic Council since 1930 has been to bring together our organizations in the understanding that we all possess a different perspective of the very same vision.

The stated purpose of the National Pan-Hellenic Council is “Unanimity of thought and action as far as possible in the conduct of Greek-lettered collegiate fraternities and sororities, and to consider the problems of mutual interest to its member organizations.” Invariably, we must endeavor for the unity of purpose that our differing letters seem to disparage. To achieve unanimity, we, the individual members of the National Pan-Hellenic Council must overcome what divides us and forge a unity whole-heartedly dedicated to the principles of service, education, and leadership. To ignore these duties is to deny the very foundation of our collective and individual existence.

**ARTICLE I: NAME**

The name of this organization shall be the National Pan-Hellenic Council (NPHC) at The University of Texas at Austin

## **ARTICLE II: PURPOSE**

The purpose of the National Pan-Hellenic Council at The University of Texas at Austin shall be to create and maintain high standards in the life of fraternities and sororities by addressing, coordinating, and developing actions on matters of mutual concern to the affiliate organizations such as community service, educational programming, and the promotion of student leadership; and to serve as a conduit for such action plans as may be developed to perpetuate constructive fraternity and sorority relations.

## **ARTICLE III: MEMBERSHIP**

### Section 1- Council Chapters

The Council shall be composed of affiliate chapters of the national organizations that comprise the National Pan-Hellenic Council.

### Section 2 – Voting Privileges

Any chapter that is registered at The University of Texas at Austin and recognized by the national organization during a given semester shall be allowed membership voting privileges.

- a. Each member organization shall be entitled two votes given to two (2) voting representatives; each representative will have one vote. Presidents of each chapter chooses their delegates and they themselves can be a delegate if they are not on the NPHC executive board.
- b. An executive board member shall be allowed to cast one vote in the absence of his/her organization's representative.
- c. An organization representative may only proxy one vote for their own organization.
- d. If an organization's membership is at the minimum requirements to be a registered organization at The University of Texas during a given semester, the member organization's representative may be entitled 2 votes.

### Section 3 – Active Membership

In order to remain an active member organization of the National Pan-Hellenic Council at The University of Texas at Austin, the following criteria must be met and maintained. An organization not meeting criteria is inactive and will lose all voting privileges, cannot hold officer positions, and their calendar will be rendered nullified.

- a. Each organization's cumulative GPA for active members shall be no lower than a 2.5. Additionally, voting representatives must have maintained at least a 2.5 cumulative G.P.A., be in good standing with The University of Texas at Austin, and be reported as active to Sorority and Fraternity Life via roster submission.
- b. Be in good standing with The University and with Sorority and Fraternity Life.

- c. Each member organization shall submit a current chapter roster to Sorority and Fraternity Life by the third general meeting of each academic semester.
- d. In order for an individual to hold an office in NPHC, the individual must be enrolled for the current academic year and be in good standing with their national organization and have a cumulative G.P.A of 2.5.

#### Section 4 - Dues

A dues paying chapter shall be considered active and must abide by the rules of the constitution until the dues are due the following semester. New/Returning chapters are not recognized until their dues are paid. They must also be a registered student organization at The University of Texas at Austin.

#### Section 5 – Required Meetings

Active affiliate organizations' voting delegate(s) must attend all regularly scheduled business meetings. If active affiliate organization's voting delegate(s) fail to attend two meetings in an academic semester the status of that affiliate organization shall immediately be moved to inactive.

- a. Any active affiliates deemed inactive due to lack of attendance shall only be reinstated after a fine of \$100 has been paid.

#### Section 5 - Reinstatement of inactive organizations

Organizations that wish to reinstate their membership status must:

- a. Be in Good Standing with The University of Texas at Austin and SFL
- b. Pay all financial obligations-reinstated organizations will pay NPHC at a prorated rate
  1. \$75 in September/February
  2. \$50 in October/March
  3. \$25 in November/April
- c. Reach a mutually agreed upon decision about remaining calendar dates, based upon active status, if an inactive organization becomes reinstated. Dates would be determined by seniority (charter date).

## **ARTICLE IV: AFFILIATE MEMBERSHIP**

### Section 1 – Definition

- a. Affiliate members are those who are members of a national organization that is affiliated with the National Pan Hellenic Council but are not part of an RSO on campus.
- b. Those seeking affiliate membership cannot be part of an organization that has an active chapter on campus.

### Section 2 – Qualifications

- a. Affiliate members will adhere to all requirements as member organizations.
- b. Dues for affiliate members are \$50 per semester. (until active)
- c. Sanctions for affiliates will be determined by the Judicial Board.

### Section 3- Privileges

- a. Affiliate members are allowed one vote.
- b. Affiliate members may chair Council events.
- c. Affiliate members are allowed five calendar dates per semester, but get last priority.

## **ARTICLE V: FUNDS AND OBLIGATIONS**

### Section 1 – Membership Dues

- a. Membership dues are \$100 per semester per organization.
- b. Dues will be due at the second general body meeting of each semester.
- c. If an organization fails to adhere to this financial obligation, they are subject to a late fine of \$50. that accrues at every general body meeting to the limit of \$200.
- d. Dues along with the late fine are due by the third general meeting.
- e. Any organization who is not financially active by the fourth general meeting of the semester forfeits their active rights for that semester (i.e. voting privileges and plenary for one additional semester.the following semester)

### Section 2 - Banking

All monies belonging to this Council shall be deposited and disbursed through an off-campus bank account established and agreed upon by the elected officers. All funds must be deposited by the treasurer or their designee within 48 hours.

## **ARTICLE VI: OFFICERS**

### Section 1 - Positions

The elected officers of the Council shall be: President, Vice-President, Treasurer, Secretary, Parliamentarian, and Public Relations.

- a. No organization shall hold more than two elected offices.

- b. An elected officer shall have one vote in the event one voting representative cannot attend from that organization.
- c. In the event of a tie in officer elections, the executive board will revote.
- d. No individual shall hold office for more than two consecutive terms, nor shall any organization hold office of both president and vice-president, or president and treasurer within the same year.
- e. There should be at least one member from each chapter on the executive board unless you come in after the election.
- f. An individual member can run for multiple positions on the board.

### Section 2 - Advisor

The Council shall have as a primary advisor, a full time staff member of The University of Texas at Austin, Sorority and Fraternity Life area of the Office of the Dean of Students.

### Section 3 - Elections

The Executive officers shall be elected during the next to last meeting of the fall academic semester.

- a. All candidates shall be required to give a speech, not exceeding five (5) minutes, detailing their reasons for seeking office and their qualifications. Candidate speeches shall be followed by a question and answer period
- b. The mode of elections shall be by secret ballot by the delegates from the chapters after the application process. The applicant receiving simple majority shall be elected. In the case of a tie the President will vote to break the tie with advice from the advisor.
- c. If an officer is elected and their membership changes from active to affiliate, they are allowed to finish their term of office.

### Section 4 - Officer Vacancy

In the event of a vacancy in office, all vacant offices shall be appointed by the Executive Officers in place with the approval of the Advisor.

- a. All elected officers may be subject to impeachment.
- b. Any active member organization may bring an officer of the Council up for impeachment with due cause. The alleged violations must be presented in writing and appear with the sponsoring organization on the established agenda.
  - i. Any officer with two (2) consecutive unexcused absences in any given semester may be subject to removal from office.
  - ii. Any officer with three (3) total unexcused absences, this includes all meetings and events, in any given semester may be subject to removal from office.
  - iii. An acceptable excused absence must be submitted via email, to the President and advisor 24 hours prior to the meeting. Extenuating circumstances will be handled on a case by case basis.

- c. All chapter Presidents will be notified in writing of the alleged charges, the Council officer accused, and the date and time of the complaint.
- d. The Executive board will convene and formally hear the accusation of the sponsoring organization and the rebuttal from the accused NPHC officer.
- e. Sanctions:
  - i. Removal from office (2/3 vote executive board required)
  - ii. Probation and review.
  - iii. Combination of the above.
- f. The decision of the executive board is final.

## **ARTICLE VII: QUALIFICATIONS OF OFFICERS**

### Section 1 – Officer Qualifications

All officers shall have the following qualifications:

- a. In good standing with their respective National Pan-Hellenic Council affiliate organization and have a minimum 2.5 G.P.A.
- b. Anyone pursuing the office of the President should have been an officer any preceding year semester or their organization’s representative, actively attending at least 50% of the general council meetings for the semester of elections.
- c. Anyone pursuing the office of Vice President should have been their organization’s representative or held the position of president, vice president, secretary, or treasurer of their perspective chapter. They also need to attend at least 50% of the general council meetings for the semester of elections.

## **ARTICLE VIII: OFFICERS AND THEIR DUTIES**

**All NPHC officers are responsible for upholding NPHC’s core values and must ensure the passage of officer records to the incoming officers**

### Section 1- President

The President shall be the Chief Executive of the Council. It shall be the duty of the President:

- a. To be the official representative of NPHC
- b. To hold regular executive board meetings
- c. To preside at all meetings of the Executive Board and the Council
- d. To appoint committees and serve as Ex-Officio member of all committees
- e. To authorize the disbursement of Council funds and to sign checks whenever necessary
- f. To ensure the National Pan-Hellenic Council operates in accordance with the Constitution and Handbook of the National Pan-Hellenic Council, Inc. and University Policy and Procedures.
- g. To attend Black Presidents Council Meetings and actively participate in its initiatives.
- h. To coordinate the annual NPHC retreat in the fall semester

## Section 2 - Vice President

It shall be the duty of the Vice President:

- a. To assume all duties in the absence of the President
- b. To serve as the chair of the judicial board
- c. To serve as chairperson of programming committee of the NPHC and organize at least one program per semester. (i.e. Greek 101)
- d. To exercise coordinating supervision over the activities of the NPHC committees and to hold at least one joint meeting of all committee chairpersons

## Section 3 - Secretary

The recording secretary shall:

- a. Keep a strict record of the preceding of the Council and shall keep the record of all papers and documents of the Council
- b. Shall pass on all files and documentation to the next secretary
- c. Prepare minutes of each Council meeting and keep them available at all times
- d. Take attendance at all meetings
- e. Perform other secretarial duties as assigned by the President
- f. Issue all necessary correspondence on behalf of the Council g.  
Maintain NPHC list-serve
- h. Read and announce all Council correspondence at general meetings i.  
Serve as communication liaison with other organizations
- j. Notify all council members of regular meetings
- k. Coordinate and maintain Council activity calendar.

## Section 4 - Treasurer

The treasurer shall:

- a. Collect all dues and other monies for the Council and deposit all monies within 48 hours of receipt
- b. Prepare budgets in accordance with the chairs of events
- c. Shall submit a financial report at every council meeting the first Council meeting of each month
- d. Perform other financial duties assigned by the President
- e. Prepare in cooperation with the President, application for University funding
- f. Record all monies/invoices in a receipt book

## Section 5 - Parliamentarian The

Parliamentarian shall:

- a. Advise on all questions of parliamentary procedure upon request by the President



- b. Maintain decorum and order at all meetings and shall certify all persons in attendance
- c. Shall be over all community service events

#### Section 6 - Public Relations

The Public Relation shall:

- a. Serve as public relations coordinator and maintain digital records in Google Drive for future use
- b. Take pictures only at NPHC events
- c. Manage NPHC promotions and social media

### **ARTICLE IX: MEETINGS**

#### Section 1- Meeting Dates

The meetings of the Council will be held the second and fourth week of every month, unless a meeting falls on a university or religious holiday. Exceptions will also be made for University events requiring the attendance of Council members.

#### Section 2- Meeting Attendance

Required attendance per each chapter is 2 delegates at each meeting.

#### Section 3 - Quorum

A quorum to convene and transact business shall consist of a simple majority of the voting members.

- Quorum is set at 2 delegates.

#### Section 3- Special Meetings

The President shall call all special meetings. Each organization shall be notified in writing at least three (3) class days prior to the meeting.

### **ARTICLE X: THE NATIONAL PAN-HELLENIC EXECUTIVE BOARD**

#### Section 1 – Executive Members

The executive board shall consist of all the elected officers.

#### Section 2 – Executive Meetings

The executive board shall meet at the discretion of the President.

- a. The board shall develop policies and programs which are in accordance with the National Pan-Hellenic Council constitution and those of this campus's chapter
- b. The board shall make a report of its activities at the general meetings
- c. In extenuating circumstances, the board shall take action between general meetings with the advisor's approval that are in the best interests of the Council, Such actions shall be reported out at the following general body meeting of the Council

## **ARTICLE XI: SCHEDULING OF EVENTS**

### Section 1- Chapter Calendars

All member organizations **MUST** furnish a copy of their individual chapter's calendar of activities for the upcoming academic year (tentative or confirmed) to the *NPHC Secretary* by a predetermined date. The plenary meeting will be scheduled and announced by the President and Advisor every semester.

### Section 2 - Party Dates/Activity Policies

- a. Event is defined as a program, function, and/or gathering that require publicity. b. NPHC shall be granted the first activity date of their choice.
- c. The activity date calendar shall be voted in by NPHC before being submitted as the official activity date calendar.
- d. A week is any seven consecutive days reserved by a member organization.
- e. A weekend begins at 10am on Friday and ends at 10pm on Sunday.
- f. Member organizations shall receive a copy of the official activity date calendar.

### Section 3 - Weeks

Each affiliated organization shall be allotted the following per academic year: Three weeks, with no more than two weeks per semester.

- a. One seven-day Founders' Week per academic year, in which no organization may host an event without permission from the organization in possession of that week.

Founder's Week shall be defined as any week that has been held at the same calendar time for the past two consecutive years. If an organization is coming back from inactivation, this organization shall follow the constitution's policies and procedures.

- b. One seven-day *traditional* week, in which no organization may host an event without permission from the organization in possession of that week.

Traditional shall be defined as any week that has been held at the same calendar time for the past two consecutive years.

- c. In the event of a shift in the calendar, the weeks shall occur in the same order as the two previous years, unless an organization is reclaiming their founder's day.
- d. One seven-day optional week with the same rights as a traditional week. e.

Rights of the founder's/ traditional week:

- i. *During plenary, traditional weeks are automatically set.*
  - ii. *If the traditional week is moved, the organization must reestablish the week's traditional status for the next two consecutive years*
  - iii. *Co-sponsored weeks/days shall belong to a host organization and count as one of their weeks/days.*
- f. One weekend, excluding the weekend of the seven-day week.
  - g. One joint weekend, whereas joint shall be defined as the sharing of events on the weekend with another NPHC organization. All joint events must be approved by the organizations sharing the weekend and will be counted as days.
  - h. *Texas Relays weekend shall remain open for all organizations to sponsor events.*  
*Texas Relays weekend begins on Thursday at 12am and ends Monday at 12am.*

#### Section 4 - Open dates/weekends

- a. Each organization shall have the ability to petition for no more than 2 days per week on unclaimed weeks.
- b. Priority for calendar days shall be given to the organization with less open calendar dates
- c. An organization shall have the right to drop open calendar dates to obtain a specific date, but cannot re-petition for that same date later.
- d. In the event that two organizations have the same number of dates, the number of weeks will be the next determinant.
- e. If the tie remains, then the organizations must share the date.
- f. If the conflicting organization does not obtain written permission from the organization in possession of the day they will be subject to the sanctions as defined in Article XIII - Section 4 of this constitution. If the organization fails to obtain written consent from the organization initially in possession of the day,

then the negotiation is not recognized. In the event of a formal complaint, the verbal negotiation will not be recognized as actual consent, or as a factor in deciding the outcome.

- g. For New/Returning organizations: all dates on the calendar will be counted as days until the organizations has established one of their weeks, except for Founder's Week.
- h. Organizations that move week(s) will lose them, including Founder's Week. When re-establishing their new week(s). The organization's "new" week will be counted as days until that week becomes a traditional/founders week.
- i. Returning organizations shall be guaranteed their Founder's Week, other weeks and days have to be re-established according to the Constitution.

#### Section 5 - Release of dates by Active Organizations

An organization wanting to hold a non-profit or profit event on another NPHC organization's official activity date must abide to the following:

- a. Obtain written permission from the organization in possession of the date at least 5 business days prior to the event.
- b. Must not overlap in time and/or audiences, unless specified in the written approval.
- c. Obtain NPHC advisor's *written approval or acknowledgement of the agreement prior to the event.*
- d. If the conflicting organization does not obtain written permission from the organization in possession of the date they will be subject to the sanctions as defined in Article XV.

#### Section 6 - Release of Dates due to inactive status

- a. An Organization who has been rendered inactive as stated in Article III, Section 3, will have their dates returned to the council.
- b. Remaining organizations may request activity dates from the council advisor on a day by day basis
- c. Weeks may not be requested.
- d. Organizations **MUST** use the NPHC Official Date Request form.
- e. Requests will be granted on a first come first serve basis, by the NPHC advisor.

#### Section 7 - Obtaining dates after returning from inactive status

An organization returning to the Council from inactive status, may request open dates. a. An organization must use the NPHC Official Date Request form b.

Founder's Week will be granted automatically.

- c. Weeks may not be requested.
- d. The reinstated organization can regain their traditional/ Founder's weeks in the following plenary session, unless the inactive status has been for 1 or more years.

## **ARTICLE XIII: JUDICIAL BOARD**

### Section 1. Responsibilities

The Judicial Board will be responsible for any discipline hearings and/or sanctions against an affiliate organization or an officer of the National Pan-Hellenic Council.

- a. The Judicial Board shall consist of the presidents of each of the affiliate organizations and the Council advisor. The National Pan-Hellenic Council Vice-President shall preside as Chair of the Judicial Board unless unable to because his/her organization is an involved party in which case the next highest ranking officer shall preside.
- b. Any organizations accused of a violation shall be notified of such and given a maximum of seven class days to present its case before the Judicial Board.
- c. Accused organizations/involved organizations will receive and distribute, 3 class days prior, all information that will be presented at the hearing
- d. The Judicial Board may administer any sanction(s) with due cause.
- e. The organization must abide by all levied sanctions.
- f. An organization can be penalized for an action or non-action if such action would violate University policy, the policy of its respective national organization's policies, or the policies set forth within this constitution.

## **ARTICLE XIII: JUDICIAL CODE**

### Section 1- Judicial Board Chairperson

The National Pan-Hellenic Council Vice-President shall preside as Chair of the Judicial Board. The Chair shall:

- a. Receive written complaints and inform the charged organization in writing, no later than seven (7) class days, following the alleged incident.
- b. Decide, in consultation with the Executive Board the date of time and location of the proceeding within seven (7) days of receiving the written complaint.
- c. Inform the involved organizations in writing of the date, time, and location of the proceedings, within seven (7) class days of the Executive Board's decision.
- d. Receive all information that will be presented at the hearing.
- e. Preside over hearing
- f. In the event the Chair's organization is among the involved parties, the Parliamentarian will preside at the hearing.
- g. In the event the Parliamentarian is unable to preside, the National Pan-Hellenic President will preside.

## Section 2 - The Judicial Board

- a. The Judicial Board shall consist of the Presidents of each National Pan-Hellenic Council organization, the NPHC advisor and Judicial Board Chairperson.
- b. If the President of any organization is unable to attend, the Vice-President of that organization may serve in his/her absence.
- c. In the event that neither the President nor the Vice-President can attend, only one of the organization's two (2) voting representatives will be allowed to sit in the Board.
- d. Each organization shall have one vote.
- e. The Council advisor shall serve as a mediator on the Judicial Board.
- f. A quorum shall be composed of the entire Judicial Board, excluding the Chair.  
Voting members must be from each active organization.

- g. The hearing will be open only to members of the Judicial Board, and the presenting and defending organizations and any of their witnesses.

### Section 3 - Judicial Procedure

#### a. Pre-Hearing Procedure

- i. The organization bringing allegations against another organization files charges with the Judicial Board Chair.
- ii. The Judicial Board Chair informs the accused organization of the charges.
- iii. The Judicial Board Chair sets the hearing date, location, and time.
- iv. The Judicial Board Chair informs organization's President(s) in writing of the hearing date, location, and time.
- v. President(s) of involved organization(s) will have three (3) class days to appeal, in writing, the time, and date of the hearing.

#### b. Hearing Procedure

- i. The Judicial Board reads the charges. Organization(s) bringing forth allegations presents its case including evidence and witnesses.
- ii. The Judicial Board questions presenting organizations and witnesses only.
- iii. The accused organization has the opportunity to present its defense including evidence and witnesses.
- iv. Judicial Board questions those presenting information in defense.
- v. Judicial Board Chair requests all non-Board members to vacate the hearing room.
- vi. The Judicial Board deliberates and makes a decision on the organization's guilt or innocence and renders sanctions if applicable. The judicial board reserves the  
right to ask members from the pursuant and accused organizations to enter the room. Decisions must be made by a simple majority Judicial Board vote.
- vii. Only members of the presenting and defending organizations will be asked to reenter the hearing room. The Judicial Board Chair reads the decisions and sanctions, if applicable.
- viii. The hearing is immediately adjourned.

#### c. Post-Hearing Procedures

- i. The decisions will be put in writing, within seventy-two (72) hours, by the Judicial Board Chair and delivered to presenting and defending organizations.
- ii. Any appeal must be made in writing within seventy-two (72) hours of the notification from the Judicial Board's decision.
- iii. A copy of the appeal should be submitted to the Judicial Board Chair and the National Pan-Hellenic Council's Recording Secretary.

## **ARTICLE XIV: APPEALS PROCESS**

### **Section 1 - The Appellate Review Board**



- a. The Appellate Review Board shall at all times consist of five members. These members are the Director of Sorority and Fraternity Life, the Assistant Director of Sorority and Fraternity Life, the NPHC Advisor, the Judicial Board Chair for the case in question, and the highest-ranking member of the NPHC Executive Board who is not a member of the organization in question.
- b. Each Appellate Review Board member shall have one vote. The decision of the Appellate Review Board and any sanctions will be decided by majority vote.
- c. All five members of the Appellate Review Board must be present in order to conduct the review. If it is necessary to substitute or replace a member of the Appellate Review Board the remaining Appellate Review Board members will unanimously vote and agree on said individual.
- d. The review will only be open to members of the appealing organization and any witnesses called.

### Section 2 - The Appeals Process

The appeals process is not a rehearing of the original case. It provides an opportunity to review the record of a case and the procedures followed in decision-making.

- a. The request for appeal must contain:
  - i. The name of all organizations involved in the original case.
  - ii. A tape recording or minutes from the original hearing.
  - iii. All materials and witness statements that were provided at the original hearing.
  - iv. The decision of the judicial board and any sanctions that were imposed.
  - v. The grounds for appeal.
  - vi. A recommended solution.
  - vii. Incomplete requests for appeal will be denied.
- b. Grounds for appeal:
  - i. *Inappropriate sanction.* The organization must show that the sanction imposed was inappropriate based on the organization's prior record or the usual sanctions imposed for this violation.
  - ii. *Procedural error.* The organization must show that unusual procedures were followed or due process errors occurred that reasonably affected the decision to the detriment of the accused.
  - iii. *Additional evidence.* The organization must possess information that is relevant to the case, which they were not aware of at the time of the original hearing. The information must be such that it would have changed the outcome of the original hearing.
  - iv. *Judicial Board bias.* The organization must show that a bias held by the Judicial Board likely influenced the outcome of the hearing, or that evidence presented in the original hearing was not substantial enough to prove that a violation had occurred.
- c. Pre-Review Procedure

- i. The request for appeal must be submitted in writing to the NPHC Advisor within seven (7) university working days of the Judicial Board's decision.
- ii. Failure to submit a request for appeal within the allotted time will render the original decision final.

- iii. The NPHC Advisor will review the request and determine if there is a basis for appeal.
- iv. If the NPHC Advisor determines that there is no basis for appeal, a written decision will be issued to the organization stating the appeal denial and the basis for denial. This decision is final.
- v. If the NPHC Advisor determines that there is a basis for appeal, he/she will notify the organization in writing of the date, time, and location of the review within seven (7) university working days of receiving the request for appeal.
- vi. The date of the review will be no more than twenty one (21) university working days after the receipt of the request for appeal.
- vii. Prior to the review the NPHC Advisor will supply each member of the Appellate Review Board with a copy of the written request, relevant documents, and the names of witnesses the organization has requested to appear at the hearing.

d. Review Procedure

- i. The Appellate Review Board will focus solely on information presented in the request for appeal. Evidence not mentioned in the request may not be presented at the review.
- ii. Members of the Appellate Review Board may question the organization and its witnesses.
- iii. Members of the organization may not present a case, or respond to anything other than the questions they are asked by the Appellate Review Board.
- iv. When the Appellate Review Board is finished asking questions, all members of the organization and witnesses will be asked to leave the room. Deliberations will be conducted in private.
- v. The Appellate Review Board may decide to uphold the original decision, as it is, modify the sanctions imposed in the original decision, reverse the original decision, or order a new hearing by the Judicial Board taking into account new evidence. No sanction may be increased by the Appellate Review Board.
- vi. Members of the organization will be asked to reenter the room, and the Director of SFL will read the decision.

e. Post-Review Procedure

- i. The written decision will be issued to the organization and the NPHC Judicial Board within seven (7) university working days of the hearing.
- ii. The decision of the Appellate Review Board is final.
- iii. No case may go through the appeals process more than once.

## **ARTICLE XV: SANCTIONS**

### Section 1 - Sanctions of organization(s)

For violation of any Article of the constitution, the following penalties are applicable and will be decided by the Judicial Board. The judicial board reserves the right to review a

member organization's prior sanctions to determine sanctions in current cases. One or any combination listed, or not listed, may apply.

- a. Voting rights revoked for a specified period of time
- b. Future dates revoked and distributed via a lottery system with the inclusion of the Council
- c. Suspension from the NPHC council for a specific end period of time
- d. A fine appropriate to violation to be determined by the Judicial Board
- e. Any combination of the above.

#### Section 2 - Sanction of officers

Failure of an officer to perform his/her duties is punishable by impeachment. (Article V, Section 4)

#### Section 3 - Sanctions for outstanding debt/dues

A fine levied must be paid by the next General Council meeting. Outstanding debts must be paid by the date determined by the Judicial Board

- a. The repercussions for not adhering to the above will be as follows:
  - i. future organization dates revoked
  - ii. Voting rights revoked until Financial status is regained
  - iii. Suspension from NPHC until Financial status is regained
  - iv. Any combination of the above
- b. It is the duty of the Treasurer and the Parliamentarian to work closely to be sure of the financial status of each member organization before any voting may take place.

#### Section 4 - Sanctions for violation of any scheduled date

Punishment for disregarding a NPHC organization's official activity date shall result in the following:

- a. A fine of up to \$1,000 of which 70% will be paid to the organization whose date was violated and 30% will be paid to NPHC. The amount of the sanction shall be determined by the Judicial Board.
- b. This particular fine must be paid within 30 days of notification from the Judicial Board. If the organization does not comply with payment of fine amount in the above time, they will be subject to the sanctions defined in Article XIII Section 3 (B).

### **ARTICLE XVI: PARLIAMENTARY AUTHORITY**

All matters not covered by the *Constitution and Bylaws* and other basic documentation of the Council shall be governed by the current edition of *Robert's Rules of Order, Newly Revised*.

**ARTICLE XVII: AMENDMENTS**

Section 1 - Proposal of Amendments

All chapters may propose amendments to this Constitution through their representatives.

## Section 2. Constitution Amendments The

Constitution may be amended as follows:

- a. Proposed amendments to the Constitution shall be submitted to the Executive Board at least ten (10) class days before the meeting at which they will be presented.
- b. The Executive Board, through the Secretary, shall circulate the proposed amendment to all chapter presidents before the meeting at least seven (7) days in advance.
- c. The proposed amendment will be voted upon at the following general meeting.
- d. The General Body shall have the ability to make friendlies to the proposed amendment. The Council will then have the ability to vote on the amendment once the friendly has been accepted.

## Section 3. Proposed Amendments

Proposed amendments to the Constitution shall be considered adopted by a simple majority vote of voting representatives.