



# Key Components of Due Process

- 1 Member Education**

Help Members understand the expectations and the consequences of failing to meet Chapter and National standards. The first conversation with a Member regarding an issue with their conduct should include discussion of how failure to improve could impact their standing with the Chapter or the National Fraternity.
- 2 Consistent Application**

Members have the right to consistent and predictable Chapter response when a rule is violated. Issues will arise when the disciplinary process is seen as arbitrary, unreasonable or discriminatory, and past practices will be scrutinized for consistency. Infractions need not be treated identically, but should be treated consistently.
- 3 Appropriate Consequences**

Occasional poor performance or a minor transgression is certainly actionable, but probably not cause for expulsion. When doling out consequences, a Member's track record and prior disciplinary history must certainly be taken into account. Remember, too, that failure to follow through on threatened consequences damages the credibility of the disciplinary system, so consequences must be able to be enforced.
- 4 Opportunity to Respond**

It's important for the Member to have the opportunity to give their side of the story. Have them provide a written response to ensure that all aspects of the issue are properly documented.
- 5 Time to Improve**

Allow the Member a reasonable period of time to improve their performance. This will convey good faith in the pursuit of disciplinary action for issues that are able to be resolved.

## ADDITIONAL ISSUES RELEVANT TO DUE PROCESS

### Changing Policy

As a Chapter, you have the right to change your policies at any time. Give your Members advance notice of the change and its effective date, so that all are prepared to meet the new expectations.

### Conflict of Interest

A conflict of interest arises when what is in an individual's best interest is not in the best interest of another person or organization to which that individual owes loyalty, or when the needs of an individual and a group are at odds with each other. It is very important in the due process of a Chapter for those handling an issue to be aware of and address any conflicts of interest.