

Alpha Kappa Psi – Code of Conduct

SECTION I – CONDUCT POLICIES

Alpha Kappa Psi Fraternity is a collegiate-based leadership development organization focusing on developing principled business leaders through promoting fellowship, experiential learning, and the tenets of Servant Leadership. The foundation of our Fraternity are unifying standards which transcend geography, classes of membership, or longevity in the organization.

Alpha Kappa Psi's positions are to unite members and declare we will abide by Fraternity expectations to do what is best for our members' dignity, health, safety, and well-being. Personal responsibility and accountability are the expected norms for all Alpha Kappa Psi chapters and members.

The Code of Conduct is not designed to specifically outline every possible Fraternity standard or improper conduct activity. Each member of the Fraternity is responsible for upholding these standards of conduct preserving the organization's past, present, and future.

Alpha Kappa Psi expects all members to adhere to the Code of Conduct and enforce these standards as well as take on a leadership role when it comes to protecting others, treating all people with respect, and holding the history and future of Alpha Kappa Psi in the highest regard.

The Fraternity is dedicated to educating and training members on the importance of following these policies, statements and procedures.

Alpha Kappa Psi follows a progressive discipline strategy when chapter and member conduct is incongruent with the Core Values, Guiding Principles, and policies of the Fraternity.

Alpha Kappa Psi – Code of Conduct

General Conduct Policy

All members of Alpha Kappa Psi are expected to:

- A. Refrain from engaging in conduct or activity that may raise questions as to the Fraternity's integrity, honor, or reputation or otherwise cause embarrassment to the Fraternity.
- B. Conduct their activities fairly, impartially, and in full compliance with all applicable laws, University requirements, Fraternity policies, and governing documents, and directives from Fraternity leaders.
- C. Pay all outstanding bills and invoices and care for all property and facilities rented, leased, or borrowed for Fraternity activities.
- D. Refrain from abusing or interfering with the Fraternity's conduct and discipline process.
- E. Exercise fiduciary care and responsibility for all Fraternity funds and assets.

Alumni members of Alpha Kappa Psi are welcomed and encouraged to participate in local chapter and fraternity events and are further expected to:

- A. Follow all requirements outlined by the student chapter while attending student chapter events.
- B. Respectfully honor any requests from the chapter or official fraternity volunteers not to attend chapter events.

Volunteers of Alpha Kappa Psi represent the leadership and longevity of the organization. Alpha Kappa Psi volunteers are held to a higher standard than a general alumni member as they are entrusted with the delivery of programming and development of members and leaders within the organization. Participation as an active volunteer is contingent on meeting all requirements in the Code of Conduct.

Volunteers of Alpha Kappa Psi, in addition to adhering to the General Code of Conduct, are further expected to:

- A. Faithfully, properly, and fully execute the duties of their position and the directives from Fraternity leadership.
- B. Maintain professional relationships and distances with members they are advising and leading and provide objective guidance.

- C. Maintain confidentiality of personal information where appropriate, subject to local, state, and federal laws.
- D. Refrain from engaging in any activity that might create a conflict of interest for the volunteer or the Fraternity.
- E. Avoid using their volunteer position to seek personal, professional, or financial gain through the inappropriate use of access to members of Alpha Kappa Psi during the execution of official duties or during Fraternity events.
- F. Use the Fraternity's fiscal resources judiciously and not for personal gain or frivolous expenditures. Volunteers will not use Fraternity funds to promote themselves or others in elections or purposes disconnected from Fraternity business.
- G. Promptly report any illegal conduct to the Judiciary Committee or the Fraternity staff.

Alcohol and Controlled Substances Policy

In any activity or event sponsored or endorsed by Alpha Kappa Psi or its chapters, including those occurring on or off fraternity or chapter premises:

1. No person under the legal drinking age may possess, consume, sell, provide, or be provided alcoholic beverages.
2. No person may possess, use, provide, distribute, sell, or manufacture federally illegal drugs or other controlled substances while on fraternity or chapter premises or at any activity or event sponsored or endorsed by the fraternity or chapter.
3. A chapter must not co-host or co-sponsor an event with a federally illegal or controlled substance dispensary, or an otherwise-named establishment with the primary purpose of manufacturing or distributing controlled substances.
4. Alcoholic beverages must either be (1) provided and sold on a per-drink basis by a licensed and insured third party vendor or (2) brought by individual members and guests through a bring your own beverage ("BYOB") system.
5. The presence of alcohol products above 15% alcohol by volume ("ABV") is prohibited at any chapter event except when served by a licensed and insured third-party vendor.
6. Common sources of alcohol, including bulk quantities, which are not being served by a licensed and insured third party vendor, are prohibited. This includes alcohol served in containers designed to store or mix alcohol for distribution to multiple individuals.
7. Alcoholic beverages must not be purchased with using fraternity, chapter, or pledge class funds or funds pooled by members and/or guests including but not limited to admission fees, cover fees, or collecting funds through digital applications. Members may not coordinate the collection of funds or provide funds to a collection designed to purchase alcohol in whole or in part.
8. A chapter must not co-host or cosponsor, or in any way participate in, an activity or event with another group or entity that purchases or provides alcohol.
9. A chapter must not co-sponsor an event with a brewery, vineyard, distillery, alcohol distributor, or an otherwise-named establishment with the primary purpose of manufacturing or distributing alcohol.
 - a. This does not prohibit a chapter from renting a room or area within these areas for a closed event provided all Alpha Kappa Psi policies are followed.
 - b. This does not prohibit a chapter from conducting or co-sponsoring an event with a charitable organization provided all Alpha Kappa Psi policies are followed.
10. A chapter must not admit members or guests to events if they appear to be intoxicated when they arrive at the event.

11. A chapter must designate non-drinking members at all events involving alcohol and ensure those members are present for the duration of the event.
12. Any event or activity related to the new member recruitment, induction, mid-Court of Honor, Court of Honor, or initiation processes must be free of alcohol, illegal drugs, and controlled substances. No alcohol or drugs may be present if the event or activity is related to new member activities, meetings, or initiation including, but not limited to "bid night," "Big/Little" events or activities, "family" events or activities, and any ritual or ceremony.
13. Chapters, members, or guests must not permit, encourage, coerce, glorify or participate in any activities involving the rapid consumption of alcohol, such as drinking games.

Fire and Health Safety Policy

1. All premises used for Alpha Kappa Psi Fraternity operations, prior to, during and following occupancy, must meet all local fire/health codes and standards as well as any applicable federal, state, county and municipal laws, ordinances and regulations.
2. Alpha Kappa Psi and its members must comply with all federal, state, provincial, local laws and campus policies related to firearms, explosives, or incendiary devices.

Hazing Policy

Alpha Kappa Psi defines "hazing" as any action taken or situation created, intentionally or unintentionally, on or off chapter premises, to produce physical or mental discomfort, embarrassment, harassment, ridicule or potentially cause physical harm or injury regardless of a person's willingness to participate. This includes, but is not limited to:

1. Activities which coerce members or guests into violating any federal, state, provincial, local law or university policy.
2. Activities which coerce members or guests into consuming any food, liquid, alcohol, drug, or other substance in any non-customary manner which subjects an individual or group of individuals to a substantial risk of emotional or physical harm.
3. Physically abusive or uncomfortable activities including but not limited to paddling, whipping, beating, branding, corporal punishment, exposure to the elements, and simulations or threats of such behavior.
4. Mentally abusive or uncomfortable activities including disruption of academic performance or class attendance, sleep deprivation, exclusion from social contact, kidnapping or travel to unknown destinations, blindfolding, psychological shocks, and simulations or threats of such behavior.

5. Activities which create an environment of servitude or humiliation including but not limited to public stunts of buffoonery, degrading or humiliating games and activities, line ups, verbal abuse, compulsory designated driver programs, personal or financial servitude, and simulations or threats of such behavior.
6. Pre-ritual activities which could cause persons to be physically or mentally fatigued.

Publishing Inappropriate Materials Policy

1. Alpha Kappa Psi Fraternity members are prohibited from producing, publishing, and/or distributing any material, whether written or electronically as text, audio, video, or some combination of all three that could be deemed harmful to the good name and reputation of the Fraternity.
2. The staff of Alpha Kappa Psi will assess the validity of each complaint and, if warranted, order the material to be destroyed, if printed, or removed from any website, if published electronically. The regional director of the affected chapter or member will ensure compliance with directives from the staff of Alpha Kappa Psi.
3. Members may appeal the order if they believe the material is not in violation of this Policy to the Judiciary Committee, who will serve as the final adjudicator for the matter.

Sexual Misconduct Policy

1. Alpha Kappa Psi Members must comply with all federal, state, provincial, and local laws related to sexual misconduct. This includes, but is not limited to, sexual violence, sexual harassment, domestic violence, stalking, sexual exploitation, definitions around consent, and creating environments or situations which facilitates sexual misconduct.
2. Alpha Kappa Psi recognizes university administrations and law enforcement officials as the authorities to investigate, adjudicate, and administer discipline in cases of sexual misconduct and will comply with the outcomes of these investigations.
3. Chapters of Alpha Kappa Psi will not make public statements about sexual misconduct allegations or ongoing disciplinary proceedings without prior authorization from the staff of Alpha Kappa Psi.

External Investigations

Chapters and members **must notify** the Judiciary Committee Staff Liaison in writing of any investigation by a school, college, university, student life or fraternity life department, or law

enforcement agency into a chapter or member **within 72 hours of becoming aware of the investigation.**

Scavenger Hunt Policy

Chapters, including their pledge activities, **must not** conduct a scavenger hunt, quest, or treasure hunt without the Judiciary Committee's approval prior to its execution.

SECTION II – JUDICIARY COMMITTEE OPERATIONS

Purpose

Previously referred to as the Judiciary Committee (JC) Operations Manual (OM), this section is the governing document for the Fraternity's conduct and discipline policies and procedures.

Charter

The *Board of Directors' Statement of Policy* outlines the JC's charter, duties, and responsibilities. In effect, these duties include:

- Reviewing any action by, of, or between chapter(s), brother(s), pledge(s), or guests (members may be held accountable for the actions of their guests) which it deems to be a violation of the *Constitution, Statutory Code, Board of Directors' Statement of Policy* and other governing documents, or generally inappropriate behavior detrimental to the reputation of Alpha Kappa Psi or endangers the continued smooth operation of the Fraternity.
- Serving as a consultant to any chapter disciplining its members according to the Fraternity's governing documents.
- Serving as an investigative body for any cases in which the chapter is unable or unwilling.
- Serving as the investigative body for any matters involving a student or alumni chapter, member, volunteer or any non-chapter affiliated member.
- Providing ongoing review of fraternal governing documents pertaining to discipline to ensure their integrity and consistency.
- At its discretion, reviewing cases which were adjudicated by other parties.
- Ensuring a complete investigation has been conducted, including a determination of guilt and imposing an equitable sentence when warranted.

Authority

The Alpha Kappa Psi *Board of Directors' Statement of Policy* establishes the Fraternity's JC and its purpose. Within the JC's scope of duties, the Board of Directors has directed the JC to publish and maintain the *Code of Conduct* in order to establish the Fraternity's disciplinary procedures.

The *Constitution, Statutory Code, and Board of Directors' Statement of Policy* supersede this document when conflicts exist.

Disciplinary Procedure – Allegations Against Members

Allegations

Anyone may submit an allegation of misconduct to a fraternity leader. Fraternity leaders include, but are not limited to, a member of a chapter's executive committee; a regional management team or chapter advisory board member; a Judiciary Committee member; a Management Team member; staff member of Alpha Kappa Psi; or a member of the Fraternity Board of Directors.

1. **Allegations must be submitted in writing.** They must specify the time, date, circumstances, and witnesses for each allegation.
2. When a fraternity leader receives an allegation, **they must provide this allegation to the Judiciary Committee Staff Liaison (JCSL) in writing within 72 hours.**

Preliminary Inquiry

1. When the JCSL receives an allegation, they will notify the Fraternity Officers of the circumstances of the allegation and direct the Fraternity Officers to conduct a preliminary inquiry. The Fraternity Officers may select an alumnus already serving in a volunteer capacity to conduct the preliminary inquiry on their behalf.
2. The goal of a preliminary inquiry is to determine the facts and circumstances surrounding the allegations, identify individuals aware of the allegations, and assess the validity of the allegations. The individual conducting the preliminary inquiry will return their results to the JCSL when complete.

Assessing the Preliminary Inquiry

The JC and JCSL will assess the results of the preliminary inquiry and determine if a disciplinary hearing is warranted.

If a disciplinary hearing is **not warranted**, the JSCL will notify the Fraternity Officers of the results of the decision.

If a disciplinary hearing is **warranted**, the JC will either conduct the disciplinary hearing or direct the Fraternity Officers to appoint an alumnus to conduct the disciplinary hearing.

- a. The individual responsible for conducting the disciplinary hearing is referred to as the "Hearing Official."
- b. The Fraternity Officers may delegate the responsibility of selecting a Hearing Official to a currently serving Vice President or Regional Director.

Conducting the Disciplinary Hearing

The Hearing Official will form a disciplinary hearing committee of at least two other Alpha Kappa Psi alumni to conduct a disciplinary hearing. This committee will develop formal charges of misconduct based on the results of the preliminary inquiry.

- a. The Hearing Official will notify all individuals charged with misconduct of the circumstances of the charges against them along with the time, date, and location (or call information if virtual) of the disciplinary hearing. **The notification will be transmitted in writing and will provide at least seven (7) calendar days' notice of the hearing.**
- b. If more than one individual is considered for a disciplinary hearing within the same allegation, **each individual will receive their own disciplinary hearing.**
- c. The Hearing Official may request other individuals attend the disciplinary hearing who may be able to provide information on the charges. **No notice is required to request these individuals' presence.**

Completing the Disciplinary Hearing

- a. The disciplinary hearing committee will assess all the facts and testimony and determine whether each individual is "responsible" or "not responsible" for the charges levied against them.
- b. After determining responsibility, **the disciplinary hearing committee will determine a recommendation for appropriate disciplinary measures for the charges.**
- c. The Hearing Official **will provide the disciplinary hearing committee's findings and recommendations, along with the vote count for each finding and recommendation, to the JSCL within five calendar days after the conclusion of the disciplinary hearing.**

Enacting Discipline

- a. **All disciplinary hearing findings will be submitted to the Judiciary Committee for review and modification or approval** of disciplinary action.
- b. If the disciplinary action includes a recommendation for expulsion, the Judiciary Committee will forward the case details to the Board of Directors for review.
- c. **Once disciplinary action is approved, the JSCL will notify each individual of the disciplinary hearing committee's determination of responsibility and the individual's discipline terms within ten calendar days.**

Disciplinary Procedure – Allegations Against Members (Chapter Hearings)

Collegiate Chapters **must request the authority to conduct a chapter-level disciplinary hearing from the Chief Executive Officer through the JCSL.** If the Chief Executive Officer grants this authority, chapters must follow the following steps.

1. The Chapter President (unless another individual is identified by the JC) **will appoint at least three student members to a disciplinary hearing panel ("The Panel")** to conduct the hearing.
 - a. The Chapter President (or JC appointee) will take every effort to prevent conflicts of interest when appointing members to the Panel.
 - b. If they choose, the Chapter President may use an already-formed committee to conduct these hearings.
 - c. **The members of the Panel will elect one of their own members to serve as the chair of the panel.**
2. The chair of the Panel is responsible for identifying individuals to attend hearings and notifying those individuals.
 - a. **The chair of the Panel will send an email to each accused member at least seven calendar days before the hearing. This email will contain the circumstances of the allegations against the accused member and the time, date, and location of the hearing.**
 - b. The chair of the Panel may request other individuals to attend the disciplinary hearing to provide the Panel with information about the allegations. **There is no time constraint to notify these individuals or request their attendance.**

3. After concluding the disciplinary hearings, the Panel will determine responsibility for the charges and the discipline to be levied.
 - a. The Panel will vote to determine if the member is responsible for the allegations. **This vote requires a majority to be affirmed.**
 - b. Once a determination on responsibility been made, The Panel will vote to determine the discipline against the member. **This vote requires a majority to be affirmed.**
4. The chair of the Panel will present the findings and recommend discipline to the chapter during a chapter meeting. **The chapter will then vote to affirm or reject the discipline.**
 - a. The chapter can only vote to **affirm** the recommend discipline or **reject** the discipline and send it back to the Panel to reconsider. **The chapter cannot amend the discipline.**
 - b. **Suspending or expelling a member requires a three-quarters vote** of members present and in good standing at the meeting. All other discipline requires a **majority vote**.
5. Once the chapter has made a final determination on discipline, the Chapter President (or JC appointee) **will send the outcome of the disciplinary hearing to the JCSL within five calendar days**. This email will include:
 - a. The names and contact information of the Panel members.
 - b. All information gathered by the Panel, including minutes taken.
 - c. The disciplinary measures as affirmed by the chapter and the vote count for those measures.
6. The **Chief Executive Officer retains the authority to stop chapter-level disciplinary hearing proceedings** and remand the disciplinary hearing to the Judiciary Committee at any point during the process.

Disciplinary Procedure – Allegations Against Chapters

The Judiciary Committee is the Hearing Official for all chapter-wide disciplinary hearings. These disciplinary procedures will follow the same procedures listed in “Disciplinary Procedures – Allegations Against Members,” substituting the word “chapter” for “member(s)” where applicable.

Disciplinary Procedures – Rules Governing Proceedings

1. As it relates to disciplinary hearings, members charged with misconduct and disciplinary hearing committee members **may not use or introduce legal counsel or non-member advocates during preliminary inquiries, disciplinary hearings, or meetings related to disciplinary hearings.**
2. Upon receiving notification of a disciplinary hearing, a member may admit responsibility to some or all of the charges against them. A member may request the Hearing Official consider their admission of responsibility in lieu of appearing before the disciplinary hearing. In these cases, **all Hearing Officials must request final approval from the Judiciary Committee before granting the member's request to waive their hearing.**
3. If the **Judiciary Committee receives a properly certified copy of any college or university disciplinary proceeding relating to allegations against member(s), the Judiciary Committee may find the accused responsible for violating the corresponding Fraternity policy without further investigation.**
4. If the Judiciary Committee receives information derived from a fair and reasonable process carried out in good faith which warrants a recommendation for a member's suspension or expulsion, **members recommended for suspension or expulsion will be considered "Suspended- Discipline" for thirty (30) calendar days to allow the Board of Directors or their delegate to deliberate the matter and render a decision.**
5. **Any member expelled or suspended will automatically be removed from any office or position held.** Members found responsible of lesser offenses are subject to removal from office as determined by the disciplinary hearing committee and this recommendation will be included in the motion presented to the chapter, so long as the period in which the responsible member may not hold office does not conflict with the provisions set forth in *Caput II Section 3D of the Statutory Code*.
6. Resignation from membership does not remove an individual's obligation to complete the terms of their discipline, including suspension from membership or attendance at event.
7. Members who resign after being notified of allegations against them as part of a disciplinary hearing, but before responsibility has been determined, **are prohibited from attending Alpha Kappa Psi events as a guest.** Chapters and members are responsible for enforcing this policy at their events; failure to adhere to this direction are grounds for a disciplinary hearing on the chapter's conduct.

8. If verifiable information exists to corroborate a member's conviction of a felony charge related to the charges in question by a court of appropriate jurisdiction or any college or university disciplinary proceeding relating to said charges, **the disciplinary hearing committee retains the authority to find the accused responsible for the charges without further testimony.**
9. If, during a disciplinary hearing, the disciplinary committee **discovers additional information regarding violations of governing documents, the disciplinary committee may consider this information without the need to conduct another disciplinary hearing.** In these cases, member(s) will be afforded the opportunity to respond to this new information before the conclusion of the disciplinary hearing.

Disciplinary Procedures – Appeals

Disciplined members or chapters may appeal findings of responsibility and disciplinary action.

Appeals will only be considered as the result of material procedural errors. The Board of Directors may overturn a decision if the discovery of a material procedural error may result in a new verdict should this evidence be presented at rehearing.

Material procedural errors include but are not limited to process or procedural errors or the discovery of evidence or witnesses which were not available or presented at the original hearing. **Appeals must be made in writing within fourteen (14) calendar days of the individual or chapter's notification of the disciplinary hearing committee's findings.** The Board of Directors retains the authority to accept appeal requests after thirty (30) calendar days have elapsed since the effective date of the decision. If the original decision is overturned, the case will be remanded to the proper party for rehearing.

Members found responsible by a chapter-level disciplinary hearing committee may appeal to the Judiciary Committee. The decisions of the Judiciary Committee may be appealed to the Board of Directors.

Members or chapters who have been found responsible for charges as the result of a disciplinary hearing by the Judiciary Committee may appeal to the Board of Directors.

In the event the Fraternity incurs cost for an action as a result of an incident by a chapter or its members, the **Board of Directors may assess a part of all of the cost incurred back to the chapter.** This may include attorney fees, settlement cost, or any other cost associated with the incident.

Discipline Procedures – Cost of Action

In the event the Fraternity incurs cost for an action as a result of an incident by a chapter or its members, the **Chief Executive Officer may assess a part of all of the cost incurred back to the chapter or members.** This may include Alpha Kappa Psi's attorney fees, settlement cost, or any other cost associated with the incident.

Discipline Procedures – Students Disciplined by a University

If a member is expelled or suspended by their university, the Fraternity may accept the university's process and resulting action to discipline a member in a like manner. This includes any original adjudication by the university and any subsequent appeals.

SECTION III – DEFINITIONS

Fraternity Leaders: Includes, but is not limited to, a member of a chapter's executive committee; a regional management team or chapter advisory board member; a Judiciary Committee member; a Management Team member; a staff member of Alpha Kappa Psi; or a member of the Fraternity Board of Directors.

Fraternity Officers: Fraternity President and Fraternity Executive Vice President.

Fraternity Staff: An individual employed by Alpha Kappa Psi in a full-time, part-time, or intern status.

Governing Documents: Alpha Kappa Psi's *Constitution and Statutory Code*, *Board of Director's Statement of Policy*, and *Chapter By-laws*.

Hearing Official: The individual responsible for conducting a disciplinary hearing.