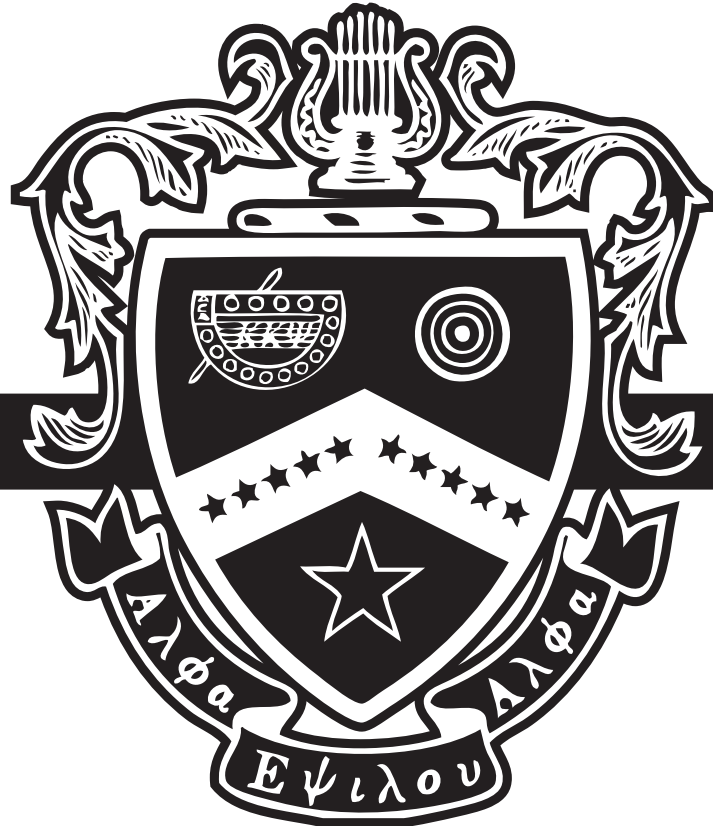


NATIONAL

KAPPA KAPPA PSI
NATIONAL HONORARY BAND FRATERNITY



Investigation Protocol



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Foreward

As Brothers, we are charged to devote our zeal to the advantage and strengthening of this brotherhood, abiding faithfully to the rules and edicts of the national council as they are made known to us. Each brother should strive to accomplish this. When our brotherly duties are not met, or when there is a substantiable allegation of Fraternity policy violations made, we are obligated to investigate the matter. This document contains the specific requirements of our National Constitution as it pertains to reporting and investigating allegations made against chapters and individual members of Kappa Kappa Psi.

The publication and transparency of the investigation protocol of the Fraternity began in 2015 under the charge of National President, Jack Lee. The intent was to provide all members of Kappa Kappa Psi with a clear and definitive process that would be utilized when situations requiring an investigation of possible Fraternity policy violations occur. This document was created in its current form in 2016.

The mission of Kappa Kappa Psi is purposeful:

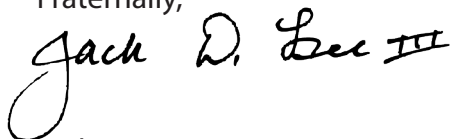
Kappa Kappa Psi is a co-educational fraternal organization that advances college and university bands for the benefit of its members and society through dedicated service and support to bands, encouragement of musical growth, lifelong educational experiences, leadership opportunities, and recognition.

The Kappa Kappa Psi National Council is committed to advancing college and university bands while maintaining a pleasant and meaningful environment for brothers to flourish as leaders, musicians, and people. Allegations made against any component part of the organization are taken seriously and handled with urgency and professionalism. We encourage all brothers, from active to honorary, to become familiar with our National Policies and the Investigation Protocol.

In keeping with our mission and values, Kappa Kappa Psi holds all chapters and individual members accountable to fraternity policies and procedures. An allegation of potential policy violations will cause chapters and individuals to be subject to the Investigation Protocol of the fraternity.

Should there be any questions, please contact the National Headquarters.

Fraternally,



Jack D. Lee, III
National President
2015-2017

Kappa Kappa Psi Investigation Protocol

For alleged violations of Risk Management Policies

This document outlines a typical framework for a chapter investigation conducted by Kappa Kappa Psi and may be changed depending on the situation.

The document works as protocol for the investigation process in response to possible policy violations reported to the Kappa Kappa Psi National Headquarters and National Council. This includes an outline of the investigation process and a recommended timeline for its implementation.

Purpose of Investigation

The primary purposes of any investigation is to: (1) gather information and report detailed facts in connection with the alleged violation(s) and (2) protect students from harmful activities while educating them and university staff about Kappa Kappa Psi policies.

The information gathered is intended to provide the National Council with sufficient information to determine if the incidents/allegations warrant disciplinary action (Probation, Suspension, or Charter Revocation), or if the Chapter should be moved back onto Active Status. Investigations are not a disciplinary status, but are designed to obtain facts and greater understanding of the Chapter's actions in connection to alleged violations.

Guidelines

Please take note that each alleged violation is unique and situational and could vary from the framework below.

Notification

After notification of suspected violation of Fraternity policy, an initial inquiry will be made by the National Executive Director to the Director of Bands and/or Sponsor of the chapter in question. The Director of Bands and Sponsor will report back their findings to the Executive Director. The Executive Director will discuss campus findings with the National Vice President for Membership & Expansion (NVPME).

Once an allegation is received and contact has been made with the Director of Bands and/or Chapter Sponsor, the National Council, upon recommendation of the NVPME, will vote to place the chapter on **Investigative Hold**.

When a Chapter is placed on **Investigative Hold**, all activities and functions of the chapter are to cease. This includes meetings, service projects, fundraisers, or social events, unless permission is granted by the National Council. The Chapter must also cease all activities and events in regards to Membership Education and cannot attend any Fraternity functions (e.g. Workshops, Regional Meetings, District Convention), unless the Hold status is lifted or approval is granted by the National Council.

Investigative Hold status is not a presumption of guilt; it is an opportunity for the fraternity and local chapter to cooperate in a manner that protects students and fraternity integrity.

The Director of Bands, Chapter Sponsor, Chapter President, Office of Student Affairs, and the College/ University President (or campus equivalent) will be notified by the National Headquarters staff of the National Council's decision to place a chapter on **Investigative Hold**. This notification will be sent via e-mail and letters via United States Postal Service to the addresses that are on-file at the National Headquarters.

Selection of Investigators

Investigators that are selected to represent the National Council must be impartial and cannot investigate a chapter in which they were ever an active member, a chapter for which they have served as sponsor, or at the host institution where they are employed. The National Vice President for Membership & Expansion (NVPME) is responsible for the selection of the individual(s) and should ensure that the investigation is conducted

impartially and the report submitted in a timely manner.

The Investigator(s) will contact the school, Director of Bands, Chapter Sponsor, and Chapter President to make them aware that they are the representative who will be conducting the investigation and provide them with preferred dates to conduct the investigation. Once the date(s) has been decided, the Investigator(s) will then report the selected dates to the NVPME.

Investigations

Investigations will be conducted for any chapter placed on Investigative Hold for an alleged violation of the Fraternity and Risk Management Policies.

Timeline: Investigators are often volunteers of the Fraternity that have full-time jobs and commitments outside of the organizations. It can often take up to a month to schedule an investigation that works for the investigator, campus representatives, and the chapter, as all parties often have other professional obligations and busy calendars.

- **1-4 weeks:** Investigation scheduled (after selection of Investigator)
- **1-2 days:** On-site Investigation conducted
- **In accordance with the National Constitution:** within 10 business days following the conclusion of the investigation, an investigation report will be submitted to the National Council. Copies will also be submitted to the National Executive Director and the National Membership & Expansion Coordinator
- **Within 1 week:** The NVPME will make recommendations to the National Council for deliberation and voting.
- **Within 10 business days:** Decision by the National Council and notification to Director of Bands, Chapter Sponsor, Chapter President, Office of Student Affairs, and College/University President (or campus equivalent) of outcome of the investigation
- **Within 30 days after receipt of notification:** Chapter has the opportunity to appeal
- **The timeline may be subject to change if there are holidays and/or other major events.**

Investigation Reports

The investigator(s) will create a written report of the findings of the investigation. The report template includes: chapter background, nature of the inquiry, previous disciplinary history; college, band, and chapter profile, investigation findings, the conditions necessary for a chapter to thrive in this environment, recommendation of an appropriate disciplinary action, and any additional material the investigator finds to be relevant.

Once the report is finalized, it must be submitted to the National Council within ten (10) business days of the conclusion of the investigation. Copies will also be submitted to the National Executive Director and the National Membership & Expansion Coordinator.

Notification of Outcome

Within one (1) week of receipt of the investigation report, the National Vice President for Membership & Expansion will forward his/her recommendations to the National Council for a decision. The National Council will notify the Director of Bands, Chapter Sponsor, Chapter President, Office of Student Affairs, and College/University President (or campus equivalent) within ten (10) business days of its decision. This notification will be sent via e-mail and United States Postal Service.

Appeals Process

The Kappa Kappa Psi National Council respects the rights of its members and chapters. Keeping this ideal in mind we have drafted the following appeals process concerning decisions made by the National Council for members or chapters found responsible for violations of fraternity policy that resulted in expulsion and/or charter revocation.

If the National Council determines a Chapter or an individual is responsible for violations of Kappa Kappa Psi Policy or Standards that resulted in expulsion and/or charter revocation, an appeal of the decision can be made. An appeal may only be filed in the event of one of the following:

1. Failure to follow documented procedures and/or denial of the opportunity to be heard.
2. The chapter or individuals can provide significant or relevant information that was not available at the time of the investigation/decision. Significant and relevant new evidence is information which was not available prior to, or during the investigation or

decision making process. This is not information not shared or obtained prior to the decision.

3. The imposed sanctions are unduly harsh or arbitrary and do not follow past precedence. Unduly harsh or arbitrary sanctions are not sanctions an individual/chapter disagrees with, but sanctions that are not consistent or are disproportionate with conduct or precedent.

An appeal cannot be filed simply because an individual/chapter is unhappy with the decision.

All appeals must be submitted in writing or electronic format to the National President, National Vice President for Membership & Expansion, and National Executive Director within 30 days of the notification of the decision of the National Council. In the case of Chapter Appeals, the appeal must be supported by the Director of Bands with a letter detailing his/her support. This is consistent with our National Constitution which states, "the Director of Bands has ultimate authority in matters pertaining to the chapter" (*Kappa Kappa Psi National Constitution 6.101*).

Since appeals are a written review, it is important that the individual/chapter spend significant time addressing the grounds for appeal, and refrain from addressing subject matter not relevant to the decision rendered. The specific reason for the appeal and a detailed explanation should be included in the document. The Kappa Kappa Psi Board of Trustees will review the grounds for appeal; incident information; investigation information; and any previous violations of policy. There is no definitive timeline for receiving an appeal response. It depends on the complexity of the case and the information mentioned in the appeal, as well as the Board of Trustees' availability and work load at that time. However, it is the goal of Kappa Kappa Psi to decide appeals as expeditiously as possible.

The Board of Trustees will have the ability to reverse the current outcome and sanction or modify the sanctions that were given as a result of the decision. This includes the possibility of reducing sanctions or making them more stringent.

The Board of Trustees' appeal decision is final. All actions on appeals will be communicated in writing to the member or chapter/Director of Bands.

