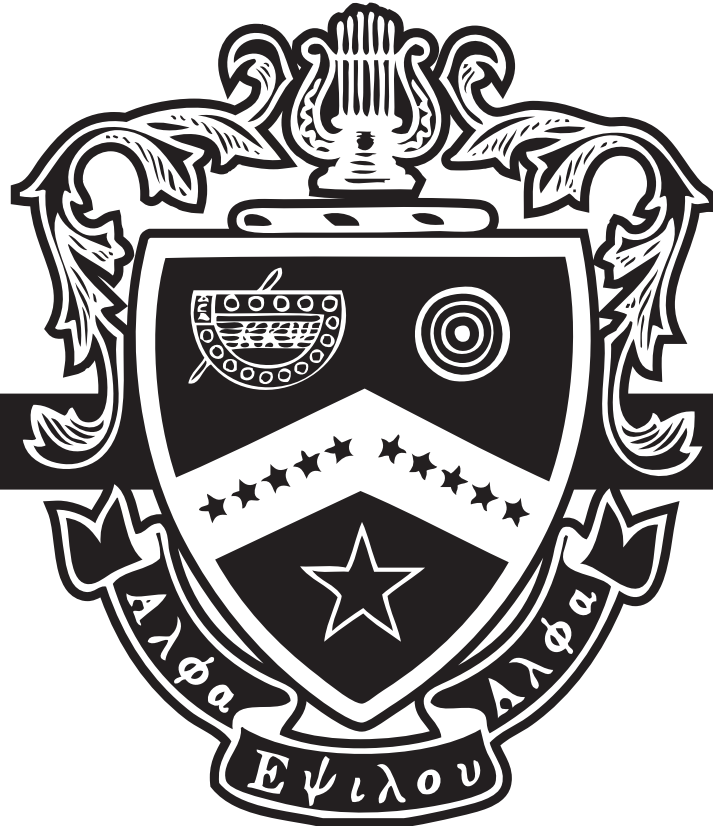


**NATIONAL**

**KAPPA KAPPA PSI**  
**NATIONAL HONORARY BAND FRATERNITY**



# Investigation Protocol



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# Foreword

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Ten years ago, the initial investigation protocol was written by Kappa Kappa Psi Past National President Jack D. Lee and Yvonne Daye, to ensure we had a consistent and equitable protocol. That document opened with the following text:

“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 spirit of the original document is maintained in this version, in which we aim 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.”

The current form of this document was revised in 2024, with these revisions reflecting minimal changes to process and procedure, and instead focused on updates to provide clarity to members on how investigations affect individuals and how the procedures align with our National Constitution.

The Kappa Kappa Psi National Council continues to be 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 active, associate, conditional, honorary, and alumni Brothers, Life Members, and membership candidates to become familiar with our National Policies and this 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 at [kkytbs@kkytbs.org](mailto:kkytbs@kkytbs.org) or 405-372-2333.

Fraternally,



Nicholas A. Rorrer, PhD

# **Kappa Kappa Psi Investigation Protocol**

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*For alleged violations of Risk Management Policies*

This document outlines a typical framework for an investigation on a chapter or individual 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**

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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 members from harmful activities while educating them, university staff, and other relevant parties 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 as detailed below and in the Kappa Kappa Psi National Constitution, or if the Chapter or Individual should be moved back onto Active Status. Investigations are designed to obtain facts and greater understanding of the actions of the Chapter and/or Individual 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 a 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 Executive Director will discuss campus findings with the National Vice President for Membership & Expansion (NVPME). In the absence of a National Executive Director, the National President or Vice President for Membership and Expansion will make the inquiry directly.

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 and/or individual(s) on Investigative Hold.

When a Chapter is placed on Investigative Hold, all activities and functions of the chapter are to cease. Additionally, all active, associate, and conditional members of the Chapter, alongside any membership candidates, are also considered to be on Investigative Hold. Functions of the Chapter which are to cease include, but are not limited to, meetings, service projects, fundraisers, or social events, unless permission is granted by the VPME. 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.

When an Individual is placed on Investigative Hold, that individual cannot attend Chapter, District, or other Fraternity meetings or events. When an individual is placed on Investigative hold, and that Individual occupies any position of leadership within the Fraternity, that individual may be asked to step aside from their leadership position during the investigation. This additional step is intended solely to prevent any hindrance of the organization.

Investigative Hold status is not a presumption of guilt for the relevant Chapter and/or Individual(s). Likewise, any individual asked to step aside from a position of leadership in connection with an Investigative Hold is not associated with a presumption of guilt.

The Director of Bands, Chapter Sponsor, and Chapter President will be notified by the National Headquarters staff of the National Council's decision to place a Chapter and/or individual on Investigative Hold. This notification will be sent via e-mail to the addresses that are on-file at the National Headquarters. In the case of a Chapter investigation, the Office of Student Affairs and/or the College/University President (or campus equivalent) may be informed.

*Title IX Investigations.* Upon the report of a potential sexual assault and harassment case, including Title IX Investigations, into an active member, associate member, conditional member, an alumni member, or a membership candidate, the National Council or National Headquarters may inform the reporter that they should submit the report to their University's Title IX office or other appropriate law authority. Upon notification of a filed report or investigation, the National Council may vote to place an individual on Investigative Hold until an investigation is concluded by the appropriate entity, such as a university Title IX office or law authority, and the National Council is notified of the result.

*University Places an Individual or Chapter on Status.* If a university places a Chapter or an Individual on an investigative status, it is the responsibility of the Chapter President, Sponsor, Director of Bands, or other officials to inform National Headquarters and the National Council. Upon doing so, the National Council will defer to the University process and await its completion. Upon receiving notification of the completion of the University Investigation, the National Council will take appropriate action depending on the information provided. This action could include a return to active status, making an appropriate status change, or holding our own investigation.

### *Selection of Investigators*

Investigators that are selected to represent the National Council must be impartial. 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.

In the case of the investigation of a chapter, 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 may be conducted for any Chapter or individual 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(s), campus representatives, and the chapter, as all parties often have other professional obligations and busy calendars.

- **Within 1-4 weeks of the start of Investigative Hold:** Investigation scheduled (after selection of Investigator(s)). The investigation does not need to occur within 1 to 4 weeks.
- **Within a period of seven (7) business days: Investigation conducted either on-site or virtually, determined at the discretion of the NVPME.**
- **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 of receipt of investigation report:** The NVPME will make recommendations to the National Council for deliberation and voting.
- **Within 10 business days of receipt of NVPME recommendations:** Decision by the National Council and notification to Director of Bands, Chapter Sponsor, and Chapter President of the outcome of the investigation. In the case of a Chapter investigation, the Office of Student Affairs and/or the College/University President (or campus equivalent) may be informed as well.
- **Within 30 days after receipt of notification of National Council decision:** Chapters or individuals have the opportunity to appeal disciplinary decisions of the National Council resulting from investigations to the Fraternity's Board of Trustees.
- **The timeline may be subject to change if there are holidays, school breaks, 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: an executive summary of findings, chapter background, nature of the inquiry, previous disciplinary history; college, band, and chapter profile, investigation findings, and additional material(s) 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.

## 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 individuals or chapters found responsible for violations of Fraternity policy after investigations.

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

1. The relevant Chapter or individual(s) can identify a deviation from the Fraternity's documented investigation or disciplinary procedures and/or a denial of their opportunity to be heard.
2. The relevant Chapter or individual(s) can provide significant and relevant information that was not available at the time of the investigation and/or disciplinary decision. Significant and relevant new evidence is information which was not available prior to or during the investigation or decision making process and would affect the outcome of those processes. Such information does not include information that was available to the relevant chapter or individual(s), but was not obtained or shared with investigators or the National Council prior to the National Council's decision.
3. The relevant Chapter or individual(s) can show that the imposed sanctions are unduly harsh or arbitrary and do not follow past precedents. Unduly harsh or arbitrary sanctions are not sanctions with which an individual or chapter merely disagrees, but must instead consist of sanctions that are inconsistent with past precedents or disproportionate with relevant violation(s).

An appeal cannot be made more than once on the same case without new information. If the Board of Trustees previously made a decision, a different decision can not be made by a different entity at a later date.

### **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 their support. This requirement is consistent with our Fraternity's 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 focus on a written review of the investigation process, the related report, and the disciplinary decision made by the National Council, it is important that those making the appeal spend significant time addressing the grounds for appeal and refrain from addressing subject matters not relevant to the decision rendered. Those making the appeal should include specific reason(s) for the appeal and a detailed explanation in the submitted 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 quickly as possible.

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

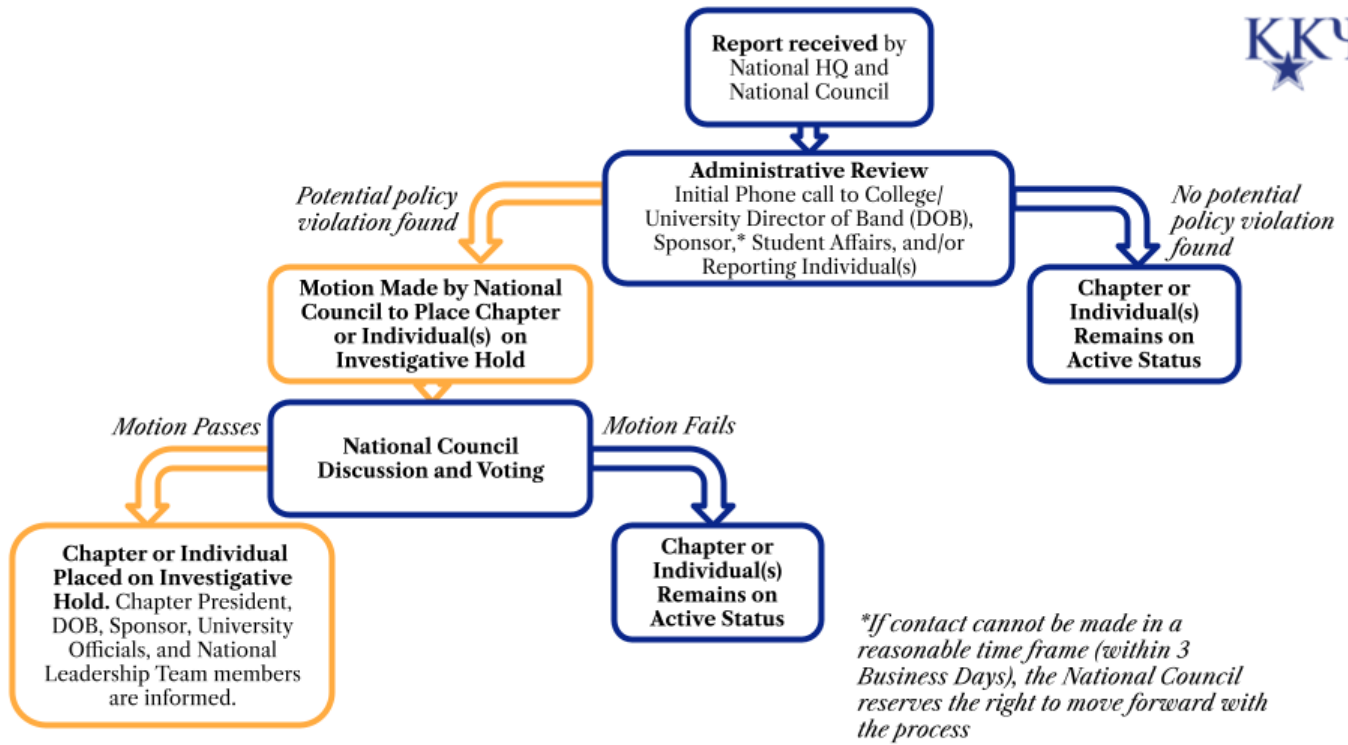
The Board of Trustees' appeal decision is final. All actions on appeals will be communicated in writing to the individual(s) or Chapter and their respective Director of Bands.



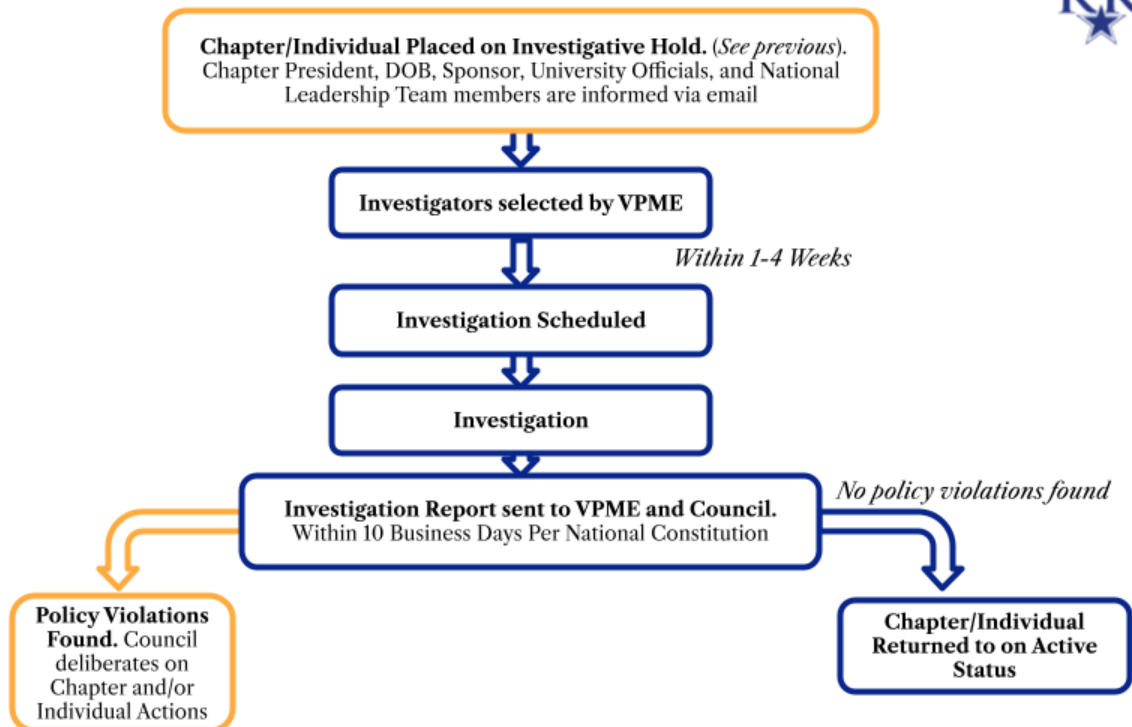
# Investigative Hold Flow Charts

- Chart I. Initial Receipt of Report
- Chart II. Investigation Flowchart
- Chart III. Chapter Disciplinary Action
- Chart IV. Individual Disciplinary Action
- Chart V. Individual Disciplinary Action
- Chart VI. University Places a Chapter or Individual on Status

# Chart I. Initial Receipt of Report

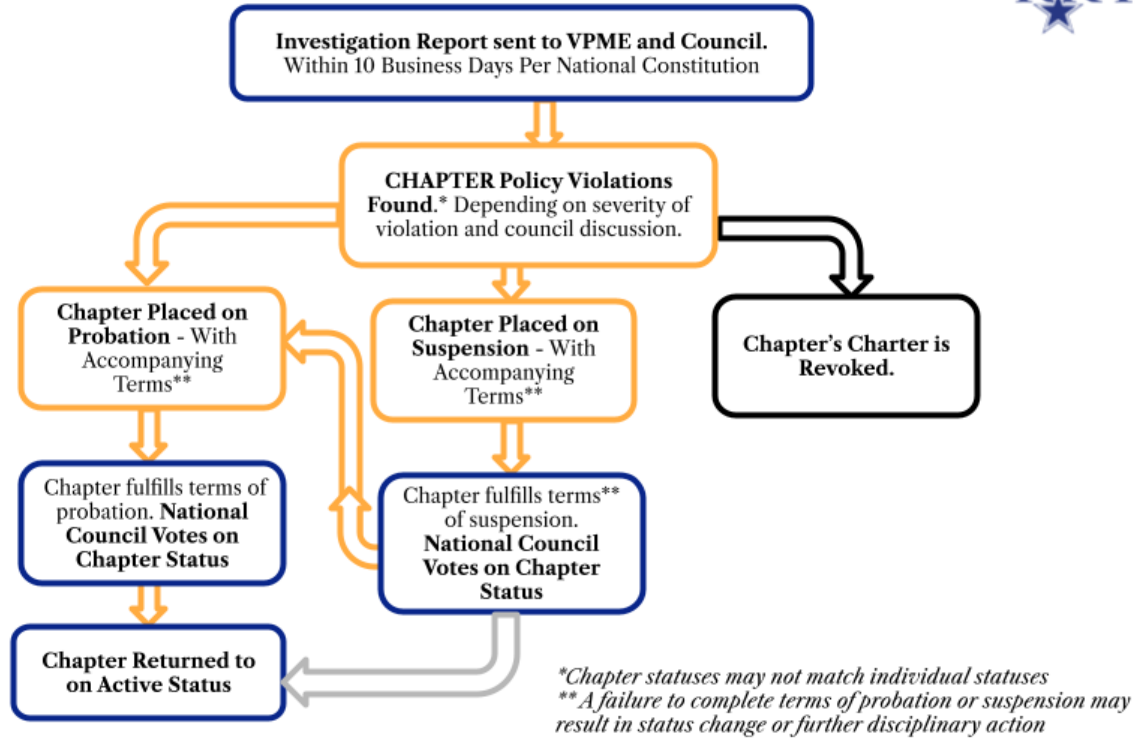


# Chart II. Investigation Flowchart

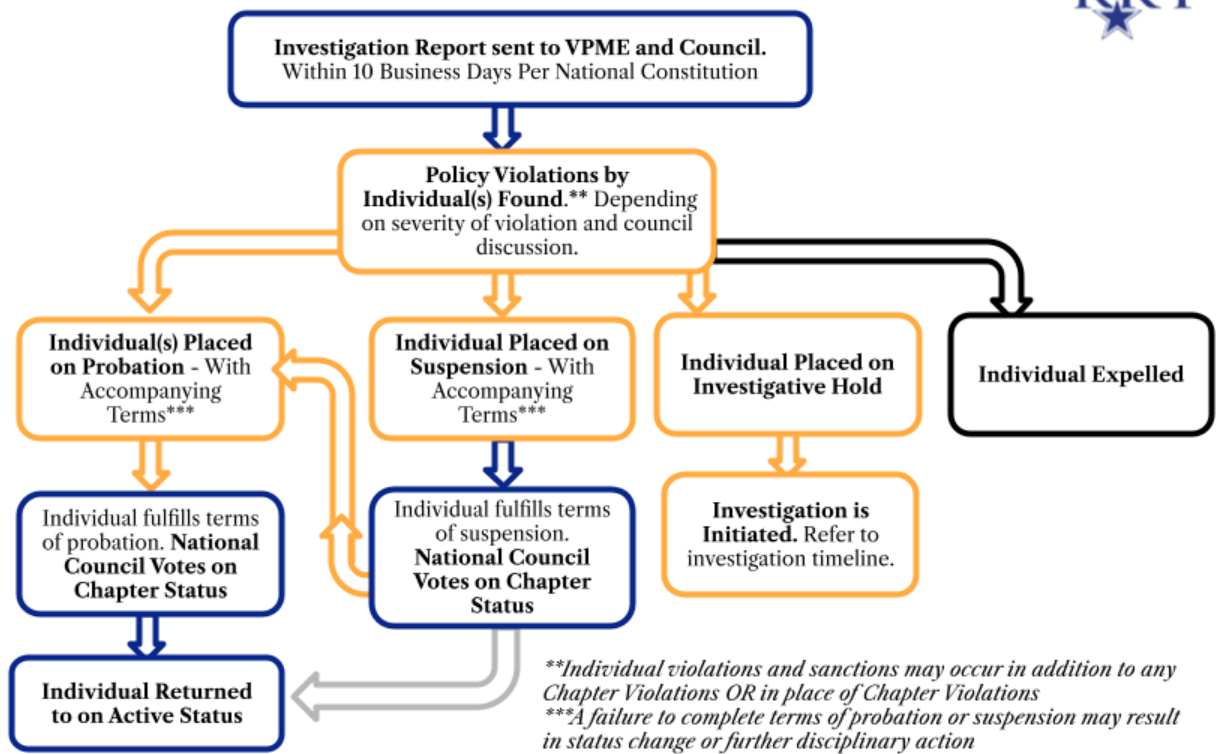




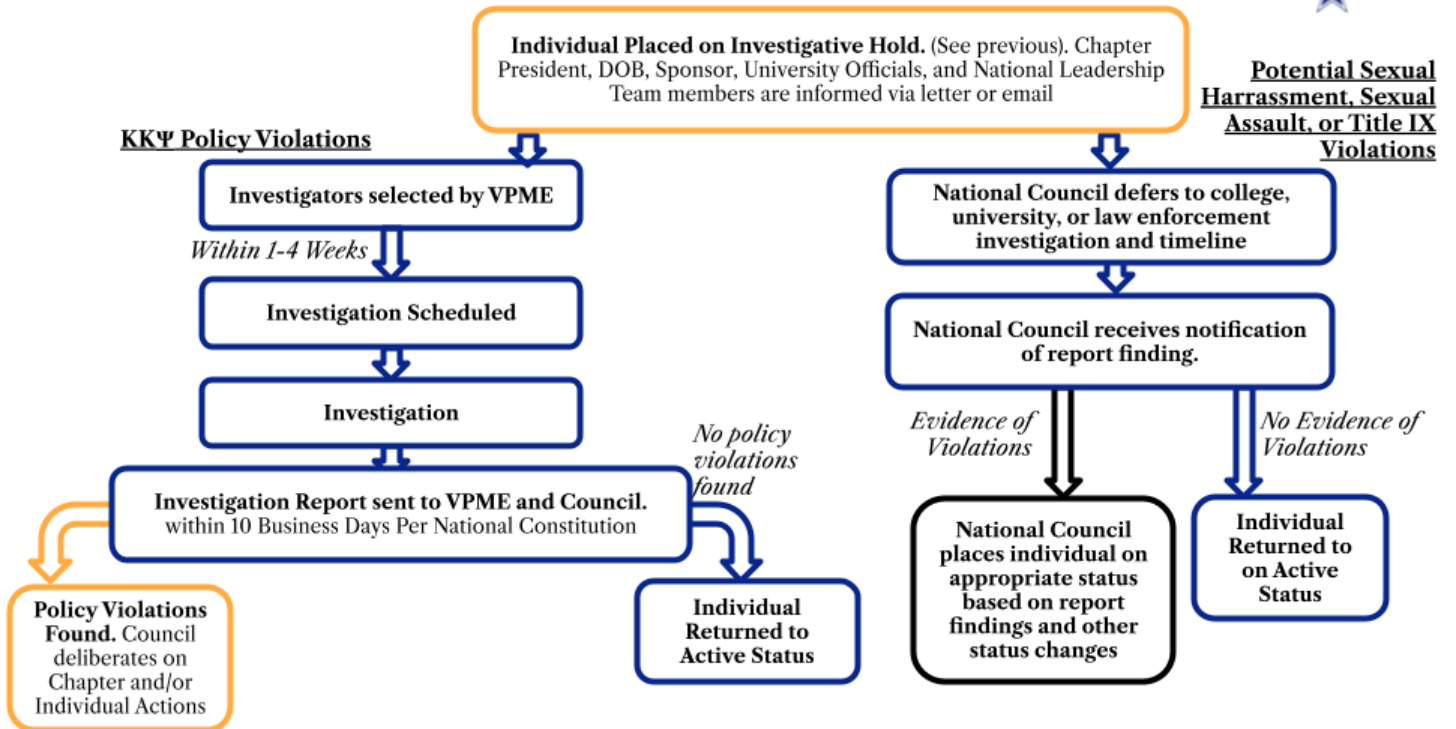
# Chart III. Chapter Disciplinary Action



# Chart IV. Individual Disciplinary Action



# Chart V. Individual Disciplinary Action



# Chart VI. University Places a Chapter or Individual on Status

