



Rules Enforcement Process for Active Members and Chapters

PURPOSE AND SCOPE

This Process is developed to provide the Fraternity and its individual Chapters with the procedure for investigating, evaluating and adjudicating behavior by members and chapters which is inconsistent with Zeta Psi policies, regulations and overall mission.

The objective is to provide a transparent program which is **an expedient, fair, consistent** application of sanctions and **appropriate** to the actions involved to maintain the highest goals of the Fraternity and its Members.

Article I. Offenses, Jurisdiction, and Authority

Section I.1 The purpose of this Rules Enforcement Process shall be the fair, expeditious, and accurate resolution of all offenses and claims that are 1) the commission of a flagrant offense against the laws of the land or a college or university; 2) violation of the laws, by-laws and lawful orders of any regularly constituted body of the Fraternity; 3) violation of the oath taken at the time of initiation; 4) conduct prejudicial to good order and discipline, or unbecoming a gentleman; 5) delinquency in accounts; and 6) delinquency in scholarship.

Section I.2 The scope of this Rule Enforcement Process is applicable to any member of Zeta Psi Fraternity who is a member of an active chapter, as well as to the active chapter itself, whatever the legal form of the active chapter. Section I. 3 This Rules Enforcement Process is established pursuant to the authority of the Constitution of the Zeta Psi Fraternity and the applicable By-Laws.

(a) This Rules Enforcement Process may be amended by action of the Executive Committee, which amendment shall become effective as to a given chapter or member upon notice to said chapter or member, unless a later effective date be specified.

(b) Pursuant to such authority, this Rules Enforcement Process may be amended by action of the Grand Chapter of the Zeta Psi Fraternity, which amendment shall have immediate effect unless specified otherwise.

(c) Notwithstanding the above provisions (a) and (b), no amendment to this Rules Enforcement Process shall have retroactive or ex post facto effect.

Article II. Definitions and Construction

Section II.1 The following definitions shall apply within this Policy:

(a) "Public Activity" shall mean any event, gathering, or course of action undertaken by one or more members of an active chapter, which event, gathering, or course of action occurs under

the name of Zeta Psi Fraternity or the active chapter as such, or is reasonably associated to a reasonable observer with the Zeta Psi Fraternity or the active chapter as such;

(b) "Ritual Activity" shall mean any course of action by one or more members of an active chapter

(i) relating in any way to the ritual of the Zeta Psi Fraternity; or

(ii) relating to the recruitment, education, training, or induction of new members to an active chapter; or

(iii) relating to a formal meeting of the chapter as a chapter.

(c) "CSA" shall refer to the Committee on Standards and Accountability, or the combination of the membership of the Committee and any Legal Advisors deemed appropriate by the Phi Alpha.

Article III. Charges and Hearing

Section III.1 Preferment of Charges. Any member, whether an undergraduate or alumnus, or any regular constituted Chapter of the Fraternity, having reasonable cause to believe that an offense cognizable under this Rules Enforcement Process has been committed by a member or Chapter, may prefer charges against him or the Chapter. Such charges shall be in writing, signed by the complainant, specify the alleged offense, and be submitted by the complainant either to the Standards Committee or the Executive Director. In addition, charges may become known to the IHQ from any source including but not limited to referral from law enforcement agencies, campus administration, IHQ staff, or the EthicsPoint system.

Section III.2 Preliminary Investigation. The Executive Director or his designee shall make a preliminary investigation of the charges submitted and, if the charges appear to be well founded, shall attempt to resolve the charges. During the investigation the Executive Director or his designee has the authority to place any member or an entire chapter on a status of investigative probation or suspension at his sole discretion. These statuses may not be appealed but expire after 30 days when the College/University is in regular session. The investigative period may be extended by mutual agreement among the parties or if requested by the Executive Director and approved by the Committee on Standards and Accountability.

Section III.3 Joint Investigations. The Executive Director, as a part of the investigation is permitted to undertake a joint investigation with a campus authority or other entity. Before agreeing to the joint investigation, the Executive Director must notify the Chair of the Committee on Standards and Accountability, Litigation Counsel, and the Phi Alpha. Any investigative status and all stipulations remain in effect until the joint investigation is completed and a report is prepared as outlined in the section below.

Section III.4 Report of the Executive Director. At the conclusion of the investigation the Executive Director or his designee will issue a report. The report may find that the member or chapter is not responsible for the charges and the matter is reported to the Committee on Standards and Accountability and closed. If the member or chapter is found responsible, the report shall indicate the violation(s) and if warranted assign sanctions. The member or chapter may accept this decision and the matter is consider closed or may appeal the findings.

Section III.5 Sanctions.

- A. Members found responsible for offenses are subject to one or more of the following sanctions: 1) revocation of Zeta Psi membership, 2) suspension of Zeta Psi membership, 3) imposition of Elder status, 4) fine, 5) limitation of activities or privileges in the chapter, and 6) reprimand.
- B. Chapters found responsible for offenses are subject to one or more of the following penalties: 1) revocation of Zeta Psi charter, 2) suspension of Zeta Psi charter, 3) imposition of a membership review, 4) fine, 5) limitation of activities or privileges for the chapter, and 6) reprimand.
- C. Procedures for Revocation of Membership. A revoked member shall lose all connection with the Fraternity and all the rights and privileges of membership, but shall not be released from the pledge of secrecy given at the time of his initiation. When a member has been revoked, the Executive Director shall at once notify the members of the Chapter where located, and any other interested parties. The notice shall state the member's full name, date, penalty, and reason for revocation; and a copy of the accusation, together with a summary of the proceedings, shall be filed with Headquarters. Reinstatements shall be reported in a similar manner.
- D. Procedures for Revocation of a Charter. A revoked charter causes the Active chapter, Elder chapter, and any affiliated housing corporations to immediately lose all connection with the Fraternity and the rights and privileges of holding a charter. The previously initiated members of the chapter continue to be recognized as Brothers. When a charter has been revoked, the Executive Director shall at once notify the members of the Chapter where located, and any other interested parties. The notice shall state the chapter, date, penalty, and reason for revocation; and a copy of the accusation, together with a summary of the proceedings, shall be filed with Headquarters. A revoked charter can be reestablished at a later date by following the new chapter process as outlined in the Constitution and By Laws.

Section III.6 Appeal to the Committee on Standards and Accountability. Any decision of the Executive Director under these procedures may be appealed to the CSA. Appeals must be initiated in writing within 14 calendar days of the decision by informing the Executive Director of the reasons for the appeal and the relief sought by the member or chapter. During the pendency of all further appeals, the assigned penalty will remain in effect.

Section IV.1 Standards Committee Appeal Hearing. The hearing shall be conducted based on the approved appeal procedures (attached as Exhibit A). The CSA may modify the determination or sanction applied by the Executive Director as it sees fit.

Section IV.2 All decisions of the Committee on Standards and Accountability may be appealed to the Executive Committee of the Zeta Psi Fraternity, Inc. Appeals must be initiated in writing within 14 calendar days by informing the Executive Director of the reasons for the appeal and the relief sought by the member or chapter. During the pendency of all further appeals, the assigned penalty will remain in effect.

Section V.1 Executive Committee Appeal Hearing. The hearing shall be conducted based on the approved appeal procedures (attached as Exhibit B). The Executive Committee may modify the determination or sanction applied by the Committee on Standards and Accountability as it sees fit.

Section V.2 All decisions of the Executive Committee of the Zeta Psi Fraternity, Inc., may be appealed to the Board of Delegates of the Grand Chapter of the Zeta Psi Fraternity, Inc., at its next regularly scheduled meeting. Appeals must be initiated in writing within 14 calendar days of receipt of the Executive Committee report by informing the Executive Director of the reasons for the appeal and the relief sought by the member of chapter. During the pendency of all further appeals, the assigned penalty will remain in effect.

Section VI.1 Board of Delegates Appeal Hearing. The hearing shall be conducted based on the approved appeal procedures. The Board of Delegates may modify the determination or sanction applied by the Executive Committee as it sees fit.

Section VI.2 All decisions of the Board of Delegates of the Grand Chapter of the Zeta Psi Fraternity, Inc., are final.

Section VI.3 Additional Due Process for Charter Revocation decisions. The Constitution of Zeta Psi requires that the Executive Committee and Board of Delegates must affirm or reverse any revocation decision. The Board of Delegates will typically consider the appeal of any revocation decision at its next regularly scheduled meeting, however, the chapter that has been revoked may request an expedited hearing by electronic means.

Section VII. Summary Actions by the Executive Director.

A. In addition to the standard rules enforcement process, when a member commits an offense cognizable against this Rules Enforcement Process and in the event that there is extraordinary threat to the prosperity and general welfare of the Zeta Psi Fraternity requiring such action, the Executive Director may summarily suspend that member. An appeal of the summary suspension may be made in writing within thirty days to the Executive Committee. The decision of the Executive Committee may be appealed to the Board of Delegates of the Grand Chapter whose decision is final.

B. When a chapter commits an offense cognizable against this Rules Enforcement Process and in the event that there is extraordinary threat to the prosperity and general welfare of the Zeta Psi Fraternity requiring such action, the Executive Director may summarily suspend or revoke the charter. The Executive Committee will meet at its earliest opportunity by video conference (and in no case more than 21 days) to review any summary decision of the Executive Director. The Executive Committee may affirm, modify or reverse the decision of the Executive Director. The decision of the Executive Committee may be appealed to the Board of Delegates of the Grand Chapter whose decision is final. During the pendency of all appeals, the charter will remain suspended or revoked.

C. Cease and Desist Orders. When an accusation of violation of the laws of Zeta Psi exists against a Chapter and there is an ongoing threat to the prosperity and general welfare of the Zeta Psi Fraternity or the Chapter, the Chapter may be placed under a Cease and Desist Order. The order will remain in place until such time as an investigation of the accusation can be completed or the reason for the violation is remedied. The Cease and Desist order must be approved in writing by the Executive Committee or Executive Director to be instituted or removed. During the duration of the Cease and Desist order, the Chapter shall cease and desist any specified Chapter operation which may include restrictions on chapter activities such as recruitment, member education, intramural sports, campus activities and social activities. During this time, the Chapter is permitted to have activities that have not been restricted by the cease and desist or as specifically approved in writing by the Executive Committee or Executive Director.