



THE PHIMUDELTA FRATERNITY

Code of Conduct

1	PREAMBLE
3	THE CONDUCT BOARD
7	CONDUCT PROCEDURES
8	JURISDICTION
10	MEETING GUIDE
18	SPECIAL CASES

preamble.

WHAT IS A CODE OF CONDUCT?

The Code of Conduct serves as the universal accountability process for Phi Mu Delta chapters, collegiate members, and alumni. The enforcement of this Code is essential to the daily operations of a successful organization.

WHO DOES THE CODE OF CONDUCT APPLY TO?

The Code of Conduct applies to all members, including new members, collegiate members, and alumni. It applies to all conduct both within the operation of the chapter/colony and in their personal conduct in the name of the Fraternity.

HOW IS THE CODE OF CONDUCT ENFORCED?

Collegiate members, alumni, and the National Fraternity are able to bring charges against those that may have violated the Code of Conduct before the chapter/colony. The procedure for bringing charges against members and conducting a conduct meeting are provided in this document.

WHAT IS MY OBLIGATION?

In order to fulfill our solemn obligation to help its members reach the highest standards of educational attainment, moral values, and social responsibility, Phi Mu Delta Fraternity has adopted the following Code of Conduct for the daily lives of each of our members:

1. I will strive for academic excellence and encourage it in other members.
2. I will follow Phi Mu Delta's policies against the illegal use and abuse of alcohol and drugs.
3. I will respect the dignity of all persons and therefore I will not physically, psychologically, or sexually haze or abuse any person.
4. I will respect the property rights of others. Therefore, I will neither abuse nor tolerate the abuse of private, chapter, or public property.
5. I acknowledge that a safe, clean, and attractive environment is essential to both physical and mental health. Therefore, I will work with other members to properly maintain the chapter property.
6. I will pay my fraternity bills and other financial obligations when due and recognize the need for all other members to do the same.
7. I will recommend for membership only those men of outstanding personal character, who join me in seeking to achieve excellence in all we do.
8. I will exemplify and encourage self-discipline, responsibility, and leadership within my chapter/colony.
9. I will work to make my chapter the most respected on campus and within the community.
10. I will encourage and support other members in pursuit of the ideals of this code of conduct.

risk management policy

ALCOHOL AND DRUGS

1. The possession, sale, manufacture, use or consumption of ALCOHOLIC BEVERAGES, while on chapter premises or during a fraternity event, in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity, must be in compliance with any and all applicable laws of the state, province, county, city and institution of higher education, and must comply with either the BYOB or Third Party Vendor Guidelines.
2. The possession, sale, manufacture, or use of any ILLEGAL DRUGS or CONTROLLED SUBSTANCES while on chapter premises or during a fraternity event or at any event that an observer would associate with the fraternity is strictly prohibited.
3. No alcoholic beverages or controlled substances may be purchased through or with chapter funds, nor may the purchase of same, for members or guests be undertaken or coordinated by any member in the name of or on behalf of the chapter. The purchase or use of a bulk quantity or common source(s) of alcoholic beverage, for example, kegs or cases, is prohibited.
4. OPEN PARTIES, meaning those with unrestricted access by non-members of the fraternity, without specific invitation, are forbidden.
5. No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages or controlled substances to any minor (i.e., those under legal drinking age).
6. No chapter may co-sponsor an event with an alcohol distributor or tavern defined as an establishment generating more than half of annual gross sales from alcohol) at which alcohol is given away, sold or otherwise provided to those present. This includes any event held in, at or on the property of a tavern as defined above for purposes of fundraising. However, a chapter may rent or use a room or area in a tavern as defined above for a closed event held within the provisions of this policy, including the use of a third party vendor and guest list. An event at which alcohol is present may be conducted or co-sponsored with a charitable organization if the event is held within the provisions of this policy.
7. No chapter may co-sponsor, co-finance or attend or participate in a function at which alcohol is purchased by any of the host chapters, groups or organizations.
8. All recruitment activities associated with any chapter/colony will be free of alcohol and/or controlled substances. No recruitment activities associated with any chapter/colony may be held at or in conjunction with a tavern or alcohol distributor as defined in this policy.
9. No member or associate/new member or novice shall permit, tolerate, encourage or participate in "drinking games". The definition of drinking games includes but is not limited to the consumption of shots of alcohol, liquor or alcoholic beverages, the practice of consuming shots equating to one's age, "beer pong", "century club", "dares" or any other activity involving the consumption of alcohol which involves duress or encouragement related to the consumption of alcohol.
10. No alcohol or controlled substance shall be present at any associate member/new member/novice program, activity or ritual of the chapter. This includes but is not limited to activities associated with "bid night", "big brother night" and initiation. This would apply to all on-boarding and/or membership development activities.

HAZING

No chapter, colony, student, or alumnus shall conduct nor condone hazing activities. Hazing activities are defined as: “Any action taken or situation created, intentionally, whether on or off fraternity premises, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include but are not limited to the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside of the confines of the chapter house; wearing of public apparel which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; and any other activities which are not consistent with academic achievement, fraternal law, ritual or policy or the regulations and policies of the educational institution or applicable state law.”

SEXUAL ASSAULT/HARASSMENT

The fraternity will not tolerate or condone any form of sexist or sexually abusive behavior on the part of its members, whether physical, mental or emotional. This is to include any actions which are demeaning to any individual, ranging from but not limited to verbal harassment to sexual assault by individuals or members acting together.

FIRE, HEALTH AND SAFETY

1. All chapter houses should meet all local fire and health codes and standards.
2. All chapters should post by common phones and in other locations emergency numbers for fire, police and ambulance and should have posted evacuation routes on the back of the door of each sleeping room.
3. All chapters should comply with engineering recommendations as reported by the insurance company or municipal authorities.
4. The possession and/or use of firearms or explosive devices of any kind within the confines and premises of the chapter house is expressly forbidden.
5. Candles should not be used in chapter houses or individual rooms except under controlled circumstances such as initiation.

EDUCATION

Each colony/chapter shall annually instruct its members on the Risk Management Policy of Phi Mu Delta Fraternity. Additionally, all students and key volunteers shall annually receive a copy of the Risk Management Policy and a copy of the policy shall be available on the fraternity website.

the conduct board.

WHAT IS A CONDUCT BOARD?

The Conduct Board is the committee of collegiate members tasked with reviewing all potential violations of the Code of Conduct.

WHAT IS THE PURPOSE OF THE CONDUCT BOARD?

Phi Mu Delta Fraternity was founded to provide a positive fraternity experience for today's college man, encouraging high personal standards, morally, mentally, and spiritually, and, to help its members live the ideals of our founders: democracy, brotherhood, and service. The Conduct Board is charged with upholding the standards of membership as outlined in this Code of Conduct and for ensuring positive member development through accountability. This is not a legal process. Therefore, the Conduct Board does not have the "burden of proof." They will make decisions based on what was most likely to have occurred and on the information presented in the documents provided and/or the conduct meeting.

WHO SERVES ON THE CONDUCT BOARD?

The Vice President of Membership oversees the Conduct Board process but the chair of the Conduct Board is the Sergeant of Arms. Additionally, there will be 4 other collegiate members serving on the board that will be appointed by the chapter/colony leadership.

CONDUCT BOARD JURISDICTION

The Conduct Board is the committee of collegiate members tasked with reviewing all potential violations of the Code of Conduct. The specific issues are outlined in the guide for what the Conduct Board has the jurisdiction to cover.

CONFIDENTIALITY AND PRIVACY

Confidentiality is the cornerstone of success for the Conduct Board. Therefore, all parties involved should keep the conversations, and outcomes confidential and private.

Members should hold the information discussed in confidence and agree that it shall be used only for the intended spirit and purposes of the Conduct Board, not for gossip.

Some outcomes may result in a chapter/colony vote, during this conversation only the needed information to determine the vote should be discussed.

MEMBERS' RIGHTS

Members in question will have a reasonable notice of a Conduct Meeting and the opportunity to reschedule if they have a personal conflict. Members may only reschedule their meeting once per incident/situation.

Failure to attend a Conduct Meeting will result in the Conduct Board determining the outcome without the member in question's perspective.

Prior to the meeting, the member in question will be provided (this can be sent via email or hand delivered):

- A meeting notification letter
- A copy of the Conduct Board procedures
- A copy of the appeal process

NATIONAL FRATERNITY INVOLVEMENT

The Conduct Board is a chapter-run process, unless the notification of a potential violation is directly reported to the National Office. The National Fraternity will not intervene on individual chapter/colony Conduct Meetings unless due process rights were violated for a member in question.

HIGHER MEMBERSHIP EXPECTATIONS

Some chapters/colonies may choose to increase some of the membership expectations/standards at the local level. As long as these are a higher standard, and approved by the National Fraternity, they are acceptable.

These standards must be written in the chapter/colony's local constitution and approved by the National Fraternity before implementation.

conduct procedures.

1

- File a formal complaint to the chapter/colony executive board or the National Fraternity.
- *This can be filed by any collegiate member, alumnus, advisor, or host institution representative.*

2

- *If referred to the chapter/colony:* The chair of the Conduct Board will review the complaint and decide if there is merit to move forward.
- *If referred to the National Office by the host institution:* Any documentation or evidence should be provided.

3

- The Sergeant-at-Arms (chair) will send all participants a notification letter detailing the alleged violations and the details of the conduct meeting.
- This should be held within 48 hours of the receipt of the complaint.

4

- The Conduct Board will convene a meeting to discuss and address the alleged charges.
- This meeting should be private and professional.
- All Conduct Board members, both parties, and an advisor should be present.

5

- After the meeting, the Conduct Board will meet privately to discuss the outcome and determine if the member in question is found responsible or not responsible.
- If found responsible, the Conduct Board will also provide restoration processes.

6

- If found responsible, the member in question has the right to appeal to the chapter/colony during the next chapter meeting.
- The chapter/colony may overturn the decision by a 3/4 majority vote.
- The vote made by the chapter/colony are final.

jurisdiction.

WHAT CAN THE CONDUCT BOARD REVIEW?

This Code of Conduct covers the basic expectations of all members of Phi Mu Delta. While it is not an exhaustive list, it provides an outline for Chapter Conduct Boards to hold members accountable.

The Code of Conduct is broken into six jurisdictional categories: Violation of National Policies, Conduct Unbecoming of a Brother, Scholarship, Finances, Participation, and Non-Compliance.

CAN CHAPTER OFFICERS BE SENT TO THE CONDUCT BOARD?

Yes. No members are exempt from being held accountable for their actions, or inactions. If an officer is sent to the Conduct Board, depending on the situation, the officer may face impeachment from his position. If an officer is impeached, he is ineligible for office in the next election.

PREPONDERANCE OF EVIDENCE

This is NOT a court of law. Members serving on the Conduct Board will determine if the alleged violation is more than likely than not to have occurred. It is not based on a reasonable doubt.

The Conduct Board will determine if a member is found responsible by a majority vote.

ACCEPTING RESPONSIBILITY

If the member in question decides to accept responsibility for the charges, he may do so at any time during the Conduct Meeting.

If he chooses to accept responsibility, the Conduct Board should take that into consideration when determining the restorative approach.

VIOLATION OF NATIONAL POLICIES
Alcohol/Illegal Drug Use <i>(Underage consumption, excessive use of alcohol, use of illegal drugs/substances)</i>
Possession of Illegal Drugs/Substances
Distribution/Sale of Illegal Drugs/Substances
Hazing
Violence Against Others
Sexual Harassment
Sexual Assault
CONDUCT UNBECOMING OF A BROTHER
Individuals whose behavior misrepresents the purpose, mission, vision, ritual, or ideals of Phi Mu Delta Fraternity <i>(Disrespecting members/guests, behavior during events/functions, communication whether verbal, nonverbal, or electronic; attending a chapter/colony function intoxicated)</i>
SCHOLARSHIP
Failure to maintain a 2.5 cumulative GPA
Failure to comply with determined academic program
FINANCES
Financial Delinquency <i>(Outstanding balance greater than \$250 that is 30 days past due)</i>
Failure to follow payment plan
PARTICIPATION
Failure to attend required programs/functions
Failure to meet civic engagement expectations
Failure to attend Ritual events
NON-COMPLIANCE
Failure to meet restorative process from previous conduct meeting

conduct meeting guide.

WELCOME AND INTRODUCTIONS

Once all participants are present:

- Formally start the meeting by thanking everyone for being present.
Record those present in the meeting minutes.
- Set an expectation for calm, caring, appropriate conduct and communication during the meeting.
- Explain this is a conversation and discussion to help the Conduct Board understand all perspectives.
- All details of this meeting should be confidential (review the confidentiality form and have everyone sign the hard copy of the printed form at this time).
- The member in question has an opportunity to appeal (provide the member with the appeals form, have him review, ask questions, and sign).

DISCUSSION OF ALLEGED CHARGES

- Read the charges from the charge letter
- The member in question will respond “responsible” or “not responsible”

Record all responses in the meeting minutes.

STEP 1: UNDERSTAND THE ISSUE

The member submitting the request will provide a statement.

- What is the issue that needs to be resolved from both of your perspectives?
- What is going on? How long has it been going on?

If there are any witnesses for this person, allow them to provide their perspectives.

The member in question will now provide his statement, if he wishes.

- What were some other choices that could have been made in this situation?

If the member in question has any witnesses, allow them to provide their statements.

In sensitive circumstances, the Conduct Board may decide to meet with the parties separately. In this case, schedule the meetings spaced out so there are no conflicts.

STEP 2: UNDERSTAND THE IMPACT

Ask the member in question and the member submitting the following to help understand the impact of his actions:

- How is this currently impacting/affecting you?
- How might this situation be impacting others, whether they are brothers or otherwise?

STEP 3: UNDERSTAND FUTURE IMPLICATIONS

Ask the member in question the following to help understand the impact of his actions:

- If nothing changes, what is likely to happen?
- What is at stake for others? For our chapter/colony?

STEP 4: PERSONAL CONTRIBUTIONS

Ask the member in question the following to help understand the impact of his actions:

- What are your personal contributions to this issue?
- How have you contributed to this problem/concern?
- What could have been prevented?

STEP 5: IDEAL OUTCOME

The member in question has the ability to contribute to the possible outcomes determined by the Conduct Board.

- What does the best resolution look like to you?
- What can you do to better this current situation?
- When this issue/concern is resolved, what difference will that make?

All questions and responses should be recorded in the minutes for the meeting.

STEP 6: COMMITMENT

The member in question has the ability to contribute to the possible outcomes determined by the Conduct Board.

- What is the most impactful step you could make to rectify this situation?
- What barriers prevent you from rectifying this situation? How will you overcome those?

STEP 7: FINAL THOUGHTS/CLOSING

- Allow both the member in question and submitting member the opportunity to add any final thoughts or comments that were not previously addressed.
- Allow the members of the Conduct Board to ask any remaining questions.
- Thank them for their participation in the meeting.

The Conduct Board chair should excuse both parties to allow the Conduct Board and advisor to discuss the decisions and outcomes privately. The member in question will receive notice of the outcome in writing within 5 business days.

CONDUCT BOARD DISCUSSIONS

- Just as the Conduct Meeting, all discussions had by the Conduct Board should remain confidential.
- First, determine if you believe the member in question should be found responsible or not responsible for the actions described during the meeting.
- If found responsible, determine the restorative process.

restorative process

RESTORATIVE APPROACH

- The Conduct Board is not designed to punish members for their behaviors, but help members understand the harm caused by their actions and correct the behavior.
- Traditional sanctioning is designed to be punitive and does not help members reconcile the actions.
- When appropriate, chapters/colonies should use restorative approaches during Conduct Meetings.

TIERED PROCESS

- For each violation, there is a tiered system. This is designed to help chapters and colonies hold members accountable for repeated violations.
- The chapter/colony Conduct Board should move to the next tier if the same member is meeting for a similar violation within six months of previous violation or did not meet the expectations following a previous finding.

DETERMINING A RESTORATIVE APPROACH

- Talk with both parties to gain their input in determining how to best move forward. Is there something that would help both sides believe there was restitution?
- Think about correcting the behavior, not punishing the member. What can he do to help understand the harm caused and learn from this experience?
- What can the chapter/colony do to support this member? The Conduct Meeting process can be an eye-opening experience and the member needs support, not sanctions.
- Use your chapter advisors and campus resources!
- Set deadlines for the restorative approach; all parties need to move forward after this process.
- Civic engagement and community service hours should never be a restorative approach added.
- The following are strong recommendations for approaches. Chapters/colonies can add to this list but all approaches should be restorative in nature, not punitive.

VIOLATION	RESTORATIVE APPROACH
Alcohol related (<i>underage consumption, over-intoxication, etc</i>)	<p style="text-align: center;">Tier 1 (Depending on behavior)</p> <ul style="list-style-type: none"> • Professional Counseling • Apology conversation with affected parties • Develop and execute educational program • Loss of privileges (outlined for member)
	<p style="text-align: center;">Tier 2 (Depending on behavior)</p> <ul style="list-style-type: none"> • Professional Counseling • Loss of privileges (outlined for member) • Membership Suspension
	<p style="text-align: center;">Tier 3 (Depending on behavior)</p> <ul style="list-style-type: none"> • Loss of privileges (outlined for member) • Membership Suspension • Removal of membership
Illegal Substance/Drug (<i>possession or use related</i>)	<p style="text-align: center;">Tier 1 (Depending on behavior)</p> <ul style="list-style-type: none"> • Professional Counseling • Loss of privileges (outlined for member) • Suspension of membership
	<p style="text-align: center;">Tier 2 (Depending on behavior)</p> <ul style="list-style-type: none"> • Loss of privileges (outlined for member) • Develop and execute an educational program • Membership Suspension • Removal of membership
	<p style="text-align: center;">Tier 3 (Depending on behavior)</p> <ul style="list-style-type: none"> • Loss of privileges (outlined for member) • Membership Suspension • Removal of membership
Distribution/sale of Illegal Drugs/Substances	<p style="text-align: center;">Tier 1 (Depending on behavior)</p> <ul style="list-style-type: none"> • Loss of privileges (outlined for member) • Membership Suspension • Removal of membership
	<p style="text-align: center;">Tier 2 (Depending on behavior)</p> <ul style="list-style-type: none"> • Loss of privileges (outlined for member) • Membership Suspension • Removal of membership

VIOLATION	RESTORATIVE APPROACH
Hazing	<p style="text-align: center;">Tier 1 (Depending on behavior)</p> <ul style="list-style-type: none"> • Apology conversation with affected parties • Develop and execute educational program • Loss of privileges (outlined for member)
	<p style="text-align: center;">Tier 2 (Depending on behavior)</p> <ul style="list-style-type: none"> • Loss of privileges (outlined for member) • Membership Suspension
	<p style="text-align: center;">Tier 3 (Depending on behavior)</p> <ul style="list-style-type: none"> • Membership Suspension • Removal of membership
Violence Against Others	<p style="text-align: center;">Tier 1 (Depending on behavior)</p> <ul style="list-style-type: none"> • Professional Counseling • Apology conversation with affected parties • Loss of privileges (outlined for member) • Suspension of membership
	<p style="text-align: center;">Tier 2 (Depending on behavior)</p> <ul style="list-style-type: none"> • Loss of privileges (outlined for member) • Membership Suspension • Removal of membership
	<p style="text-align: center;">Tier 3 (Depending on behavior)</p> <ul style="list-style-type: none"> • Membership Suspension • Removal of membership
Sexual Harassment/Assault	<p style="text-align: center;">Tier 1 (Depending on behavior)</p> <ul style="list-style-type: none"> • Loss of privileges (outlined for member) • Membership Suspension • Removal of membership
	<p style="text-align: center;">Tier 2 (Depending on behavior)</p> <ul style="list-style-type: none"> • Loss of privileges (outlined for member) • Membership Suspension • Removal of membership

VIOLATION	RESTORATIVE APPROACH
Conduct Unbecoming of a Brother	<p style="text-align: center;">Tier 1 (Depending on behavior)</p> <ul style="list-style-type: none"> • Apology conversation with affected parties • Conversation with executive board • Develop and execute educational program (situation depending) • Loss of privileges (outlined for member)
	<p style="text-align: center;">Tier 2 (Depending on behavior)</p> <ul style="list-style-type: none"> • Loss of privileges (outlined for member) • Membership Suspension
	<p style="text-align: center;">Tier 3 (Depending on behavior)</p> <ul style="list-style-type: none"> • Membership Suspension • Removal of membership
Scholarship (<i>failure to maintain a cumulative 2.5 GPA, failure to comply with determined academic program, etc.</i>)	<p style="text-align: center;">Tier 1 (First offense)</p> <ul style="list-style-type: none"> • Develop and execute an academic plan that is approved by the scholarship chair and advisor
	<p style="text-align: center;">Tier 2 (Second offense)</p> <ul style="list-style-type: none"> • Seek professional assistance (on campus) • Develop and execute an educational program • Loss of privileges (outlined for member)
	<p style="text-align: center;">Tier 3 (Third offense)</p> <ul style="list-style-type: none"> • Membership Suspension

VIOLATION	RESTORATIVE APPROACH
<p>Finances (<i>financial delinquency, failure to comply with payment plan, etc</i>)</p>	<p>Tier 1 (First offense)</p> <ul style="list-style-type: none"> • Develop and execute payment plan • Attend financial literacy education program
	<p>Tier 2 (Second offense)</p> <ul style="list-style-type: none"> • Develop and execute payment plan • Loss of privileges (outlined for member) • Membership suspension
<p>Participation (<i>failure to attend required programming, failure to meet civic engagement expectations, not attending Ritual events, etc.</i>)</p>	<p>Tier 1 (First offense)</p> <ul style="list-style-type: none"> • Conversation with affected parties • Attend or develop a time management education program
	<p>Tier 2 (Second offense)</p> <ul style="list-style-type: none"> • Conversation with affected parties • Loss of privileges (outlined for member)
<p>Non-compliance (<i>failure to meet restorative process from previous conduct meeting</i>)</p>	<p>Tier 1</p> <ul style="list-style-type: none"> • Conversation with Conduct Board and affected parties (What caused this? How can we find a solution to this?)
	<p>Tier 2</p> <ul style="list-style-type: none"> • Loss of privileges (outlined for member)

special cases.

OFFICER REMOVAL/IMPEACHMENT

- Chapter/colony officers can be sent to the Conduct Board for potential violations and they are treated the same way as non-officers.
- If the Conduct Board determines that the officer should be removed as a part of the restorative process, that must be a chapter/colony vote.
- The chapter/colony may remove/impeach an officer by a 3/4 majority vote.
- If an officer is removed through the Conduct Board process, he is ineligible to run for office in the following election.

MEMBERSHIP REMOVAL

- If the Conduct Board determines that the member in question should be removed as a part of the restorative process, that must be a chapter/colony vote.
- The chapter/colony may remove any member with a 3/4 majority vote.
- If this decision is made, the chapter/colony must submit an Expulsion Report and provide the proper documentation to the National Office within 48 hours of this chapter meeting.
- Once approved, the chapter/colony must surrender his badge and certificate to the office within seven business days of the expulsion.
- The National Fraternity has the right to remove any member, collegiate or alumni, following a Conduct Meeting.