

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

PATSY LEVANG)
c/o Wegman Hessler Valore)
6055 Rockside Woods Blvd.)
Cleveland, OH 44131,)

Case No.

Judge:

CHERYL TUCK-SMITH)
c/o Wegman Hessler Valore)
6055 Rockside Woods Blvd.)
Cleveland, OH 44131,)

VERIFIED COMPLAINT

(Jury Demand Endorsed Hereon)

And)

SUSAN JENNINGS,)
c/o Wegman Hessler Valore)
6055 Rockside Woods Blvd.)
Cleveland, OH 44131,)

MARGO KNORR)
c/o Wegman Hessler Valore)
6055 Rockside Woods Blvd.)
Cleveland, OH 44131,)

KAREN POPE,)
c/o Wegman Hessler Valore)
6055 Rockside Woods Blvd.)
Cleveland, OH 44131,)

And)

ANN WITT)
c/o Wegman Hessler Valore)
6055 Rockside Woods Blvd.)
Cleveland, OH 44131,)

derivatively on behalf of KAPPA KAPPA)
GAMMA FRATERNITY,)

Plaintiffs,)

v.)

BETH BLACK, Panhellenic Delegate)
 Kappa Kappa Gamma Fraternity)
 6640 Riverside Drive Suite 200)
 Dublin OH 43017)
)
 Defendants.)
)

Now come Plaintiffs, Patsy Levang (“Ms. Levang”), Cheryl Tuck-Smith (“Ms. Tuck-Smith”), for themselves, and Susan Jennings (“Ms. Jennings”), Margo Knorr (“Ms. Knorr”), Karen Pope (“Ms. Pope”) and Ann Witt (“Ms. Witt”) (collectively “Plaintiffs”), derivatively on behalf of Kappa Kappa Gamma Fraternity (“KKG” or “the Fraternity”), by and through their attorneys, Wegman Hessler Valore, and for their Complaint against Defendants KKG and KKG Fraternity Council members Mary Pat Rooney, Maria Brown, Nancy Campbell, Barb Goettleman, Liz Wong, Kyle Donnelly, and Beth Black (collectively “Fraternity Council”)(collectively “KKG Defendants”), allege as follows:

I. PRELIMINARY STATEMENT

1. Ms. Levang and Ms. Tuck-Smith are former members of KKG.
2. Ms. Levang and Ms. Tuck-Smith were initiated as lifetime members of KKG when they were college students more than fifty (50) years ago and remained active alumnae members until their dismissal by the Fraternity Council on October 27, 2023.
3. Throughout her membership, Ms. Levang served KKG in various positions: Traveling Field Secretary, Province Director, Regional Program Team, Trustee of the KKG Foundation, President of KKG Foundation, and co-leader of the KKG Leadership Academy Campaign, and Trainer.

4. Cheryl Tuck-Smith was a founding member of the Alumnae Association in Chico, California and devoted several years as an advisor to the Historian of the KKG Gamma Omicron chapter at the University of Wyoming.

5. Ms. Jennings, Ms. Knorr, Ms. Pope, and Ms. Witt are current alumnae members of KKG.

6. Ms. Levang and Ms. Tuck-Smith became aware of facts underlying the litigation filed in the U.S. District Court for the District of Wyoming, filed under the caption *Westenbroek v. Kappa Kappa Gamma, et al.*, No. 2:23 CV 00051-ABJ (D. Wyo. Aug. 25, 2023), *appeal docketed*, No. 23-8065 (10th Cir. Sep. 26, 2023) (“the Lawsuit”) that asserted derivative claims on behalf of the Fraternity related to allegations of misconduct by the Fraternity’s leadership in an effort to secure the membership of a man as a new member.

7. Ms. Levang and Ms. Tuck-Smith openly supported the plaintiffs in the Lawsuit and challenged KKG’s conduct that gave rise to the Lawsuit. On October 27, 2023, KKG expelled Ms. Levang and Ms. Tuck-Smith from membership in retaliation for their efforts.

8. This case raises issues about whether a private, non-profit organization can disregard its mission and fiduciary duties, disavow its governing rules and bylaws, ignore its legal and ethical obligations, deceive and silence its members, and retaliate against those members who object to this conduct.

II. PARTIES, JURISDICTION, AND VENUE

9. Ms. Levang is a citizen of North Dakota, in the county of McKenzie.

10. Ms. Tuck-Smith is a citizen of Wyoming, in the county of Laramie.

11. Ms. Jennings is a citizen of California, in the county of Orange.

12. Ms. Knorr is a resident of North Dakota, in the county of McLean.

13. Ms. Pope is a resident of Texas, in the county of Travis.

14. Ms. Witt is a resident of Texas, in the county of Harris.

15. KKG is a non-profit organization organized under the laws of the State of Ohio, with its principal place of business in Franklin County, Ohio.

16. Defendants Mary Pat Rooney, a resident of Chicago, Illinois; Maria Brown, a resident of Columbus, Ohio; Nancy Campbell, a resident of Cookeville, Tennessee; Barb Goettelman, a resident of Englewood, Colorado; Liz Wong, a resident of Toronto, Canada; and Kyle Donnelly, a resident of Falls Church, Virginia are elected members of KKG's leadership team. Defendant Beth Black, a resident of Dublin, Ohio was appointed to KKG's leadership team by the other members of the Fraternity Council as the delegate to the National Panhellenic Conference and serves as an ex-officio member of Fraternity Council (the "Panhellenic Delegate").

17. Plaintiffs bring this action in the United States District for the Southern District of Ohio under 28 U.S.C. 1332(a)(1) as the parties are citizens of different states.

18. Plaintiffs assert that the amount in controversy exceeds \$75,000.00, and Defendants' conduct has resulted and will result in injury to Plaintiffs in an amount in excess of \$75,000.00.

19. Venue is proper in this judicial district under 28 U.S.C. 1391(b)(1) because Defendant KKG resides in this District.

III. FACTUAL BACKGROUND

A. KKG Was Formed As A Single-Sex Organization

20. KKG is a national fraternity, formed in 1870 – thirty (30) years before the term "sorority" was used to refer to a university or collegiate women's society. *See* "Sorority,"

OXFORD ENGLISH DICTIONARY ONLINE,

<https://www.oed.com/search/dictionary/?scope=Entries&q=sorority> (last visited Jan. 5, 2024).

21. KKG was formed at a time when women were pushing social boundaries to achieve equality.¹ In 1871, for instance, men outnumbered women by nearly five to one on college campuses, and many colleges did not permit women to enroll at all.² Those female students who were able to attend college were unable to participate in extracurricular activities and were often segregated from male students in the classroom.

22. KKG's founders sought to create an environment that offered female students the same opportunities that were available to male students. They formed KKG as a single-sex organization, conferring membership to women only. *Exhibit 1*, Bylaws, Revised through 2022, Art. II, at 1.

23. KKG's initial Bylaws provided that "[a]ny lady may become a candidate for membership who shall be of good moral character, and of above average talent; and who, at the time of proposal, either is or has been in attendance at some college or seminary." *See* Denise Tessier, HISTORY 2000: KAPPA KAPPA GAMMA THROUGH THE YEARS 126 (2000).

24. The support networks provided by sororities contributed to early achievements of women in a variety of areas including athletics, medicine, science, and government. For instance, KKG alumnae include women who became leaders in the suffragist movement, competed in (and won gold) in the first Olympic track event for women, and the first female ambulance surgeon.

¹ *See e.g.* "Sorority History is Women's History," HISTORY IT: WE GIVE HISTORY A FUTURE (Mar. 8, 2022), <https://historyit.com/sorority-history-is-womens-history/>.

² *See* Patsy Parker, Ph.D., *The Historical Role of Women in Higher Education*, in ADMINISTRATIVE ISSUES JOURNAL: CONNECTING EDUCATION, PRACTICE, AND RESEARCH, Vol. 5, No. 1: 3-14, DOI: 10.5929/2015.5.1.1 at 6-7 (Spring 2015).

See Fran Becque, Ph.D., *Women's Suffrage and Sororities*, FRATERNITY HISTORY & MORE (June 20, 2019) www.franbecque.com/feminists-and-sororities; "Sorority History is Women's History," HISTORY IT: WE GIVE HISTORY A FUTURE (Mar. 8, 2022), <https://historyit.com/sorority-history-is-womens-history/>.

25. Indeed, women only-spaces allow women to put their own experiences front and center. Research has shown that women-only or all-girl spaces provide significant advantages. For example, students attending all-girl schools feel more comfortable being themselves and expressing their ideas, report greater gains on core academic and life skills, and feel as supported or more supported in their endeavors.³

26. The benefits of women-only spaces have been recognized by KKG's own community. In or about 2002, KKG conducted focus groups and personal interviews to identify the traits that exemplify the KKG experience. According to the more than 500 collegiate members, alumnae, parents of KKG members, KKG volunteers, and university administrators who participated in the survey, KKG not only provided members with sisterhood and a single-sex haven in a mainly coed campus environment, and diminished campus size and impersonality, but it also provided diversity of background and interest among its members. *In the Company of Leaders*, THE KEY (A KAPPA KAPPA GAMMA PUBLICATION), Vol 119, No. 2 (Summer 2002), at 9. (Emphasis added).

27. KKG's current mission statement recognizes the continuing purpose of KKG as a women-only sorority: "We unite women to learn, grow, and inspire positive change throughout

³ Richard A. Holmgren, Ph.D., Vice President for Information Services and Assessment, Allegheny College, "Steeped in Learning: The Student Experience at All-Girls Schools: A report prepared for the National Coalition of Girls' Schools," (2013), <https://blog.collegevine.com/should-you-attend-a-womens-college/>.

their lives.” KAPPA KAPPA GAMMA, <https://www.kappakappagamma.org/why-kappa/about-us/mission-values/> (last visited Jan. 13, 2024).

28. As recently as December 2018, KKG took legal action to defend the importance of women-only organizations. KKG participated in the “Stand Up to Harvard Campaign” and joined Kappa Alpha Theta and other social organizations in filing a lawsuit against Harvard University, defending the rights of fraternities and sororities to maintain single-sex spaces. *Kappa Alpha Theta et al. v. Harvard University*, 397 F.Supp.3d 97 (D. Mass. 2019), ECF 1, Complaint.

29. In bringing the *Kappa Alpha Theta* lawsuit, the sorority-plaintiffs asserted that Harvard University’s sanctions policy⁴ had a devastating effect “on all-women’s social organizations despite their proven value.”⁵

30. Consistent with its core mission to unite and support women, KKG is a founding member of the National Panhellenic Conference (NPC), a cooperative organization of women’s fraternities and sororities. Though the formation of the NPC evolved over time, its origins begin in 1891, when KKG invited all the Greek-letter women’s collegiate fraternities (sororities) to a meeting in Boston. **Exhibit 2**, NPC Manual of Information, 28th ed. 2024 (“NPC Manual”), at 10.⁶

31. NPC member organizations are women’s-only private social organizations. **Exhibit 2**, NPC Manual, at 24.

⁴ The policy, which was to take effect with the class of 2021, barred members of single-gender clubs and Greek organizations from holding campus leadership positions, varsity team athletic captaincies, and from receiving College endorsement for prestigious fellowships. Notably, on June 29, 2019, Harvard discontinued the policy in response to the litigation. “Harvard Drops Its Sanctions Policy,” KAPPA ALPHA THETA (July 3, 2020), <https://www.kappaalphatheta.org/blog/fraternity/harvard-drops-its-sanctions-policy>.

⁵ “Kappa Kappa Gamma joins litigation and Stand Up to Harvard movement,” KAPPA KAPPA GAMMA (Dec. 3, 2018), <https://www.kappakappagamma.org/stay-connected/news/2018/sororities-fraternities-students-file-federal-and-state-suits-that-challenge-harvards-ban-on-single-sex-organizations/>.

⁶ Cited excerpts of the NPC Manual are attached hereto as **Exhibit 2**. The complete manual can be accessed through the NPC website: <https://npcwomen.org/wp-content/uploads/2023/03/MOI-Update-July-2023-1.pdf>.

B. KKG is Bound to Defend the Single-Sex Nature of KKG Through Its Membership in NPC

32. The Unanimous Agreements entered into by KKG and 25 other NPC organizations are binding upon the member organizations. *Exhibit 2*, NPC Manual, at 17. The Unanimous Agreement IX, “Protecting the Right of NPC Members to Remain Women’s-Only Organizations,” protects the single-sex nature of NPC-member organizations and expressly relies upon the support provided by the exemptions under Title IX and the freedom of association protected by the First Amendment of the U.S. Constitution. *Exhibit 2*, NPC Manual, at 27.

33. Unanimous Agreement IX provides that women’s sororities of the NPC not only have the right to limit membership to women, but they “*shall* defend their right to exist as single-sex organizations.” *Id.* at 27 (Emphasis added).

34. The single-sex nature of Greek organizations like NPC and KKG has been recognized through an exception to Title IX of the 1972 Education Amendments. 20 U.S.C. § 1681(a)(6).

35. Sex and gender are not the same concepts. “Sex” refers to biological differences between males and females⁷; while “gender” refers to a classification of individuals based on the social constructs distinguishing between males and females.⁸

⁷ See e.g., “Sex, sexual,” NIH Style Guide, NATIONAL INSTITUTES OF HEALTH (Nov. 14, 2023), <https://www.nih.gov/nih-style-guide/sex-gender-sexuality#:~:text=Sex%20is%20a%20biological%20descriptor,cellular%2C%20and%20basic%20biological%20phenomena>.

⁸ See e.g., “Gender,” NIH Style Guide, NATIONAL INSTITUTES OF HEALTH (Nov. 14, 2023), <https://www.nih.gov/nih-style-guide/sex-gender-sexuality#:~:text=Sex%20is%20a%20biological%20descriptor,cellular%2C%20and%20basic%20biological%20phenomena>.

36. “[T]he meaning of ‘sex’ in Title IX refers to the biological and anatomical differences between male and female students at birth.” *Franciscan Alliance Inc., v. Burwell*, 227 F. Supp.3d 600, 687 (N.D. Tex. 2016), citing *Texas v. U.S.*, 201 F. Supp.3d 810, 833 (N.D. Tex. 2016); *Johnston v. Univ. of Pittsburgh of Com. Sys. of Higher Educ.*, 97 F. Supp.3d 657 (W.D. Pa. 2015). See also *Adams v. Sch. Bd. of St. Johns Cty.*, 57 F.4th 791, 812 (11th Cir. 2022).

37. The Panhellenic Delegate is empowered to act and vote on behalf of KKG at the annual meeting of the NPC Council of Delegates. **Exhibit 2**, NPC Manual, at 10.

C. KKG’s Current Governing Documents Support The Single-Sex Nature of The Fraternity

38. Under Ohio law, an association’s constitution and bylaws “constitute a contract between the association and its members.” See *Ulliman v. Ohio High School Athletic Assn.*, 184 Ohio App. 3d 52, 2009-Ohio-3756, 919 N.E.2d 763, ¶50 (2nd Dist.), citing *Internatl. Bhd. of Elec. Workers, Local Union No. 8 v. Gromnicki*, 139 Ohio App.3d 641, 646, 745 N.E.2d 449 (6th Dist. 2000). Thus, an association’s failure to comply with its constitution and bylaws constitutes a breach of that contract.

39. In 2004, KKG filed its Amended and Restated Articles of Incorporation, which made clear that the Fraternity’s purpose is, in part, to unite and advocate for women. **Exhibit 3**, Amended and Restated Articles of Incorporation.

40. Consistent with the exemption under Title IX, KKG’s Bylaws, as revised through the 2022 Convention, define the Fraternity’s Purpose to include, in pertinent part, as follows:

to unite **women**, through membership, in a close bond of friendship, seeking to instill in them a spirit of mutual love and helpfulness, to the end that each member and the Fraternity at large may attain, social, moral and intellectual excellence;

to advocate for and seek to address issues of concern for members and **women** in general; to provide opportunities for engagement throughout the lives of alumnae and encourage participation of alumnae in the Fraternity programs; and ***

Exhibit 1, Art. II, Purpose, at 1. (Emphasis added).

41. The Bylaws also expressly restrict membership to women only: “A new member shall be a *woman* who has accepted an invitation to join the Fraternity but has not been initiated.”

Exhibit 1, Art. III, Sec. 1, at 2. (Emphasis added). Further, “[a] *woman* may be selected to become a member of the Fraternity as a collegiate or alumna initiate provided specific qualifications are met.” *Id.* Art. III, Sec. 2, at 3. (Emphasis added).

42. The Bylaws mandate that KKG must also abide by the NPC Unanimous Agreements. *Exhibit 1*, Art. XV, Sec. 2, at 18.

43. KKG has also adopted “Standing Rules” to govern the conduct of the Fraternity. The Standing Rules limit the qualifications for membership to being “a woman.”

44. The Standing Rules, as revised through the 2022 General Convention, describe the processes that must be followed when selecting a new member. KKG’s Standing Rules do not include any language that supports expansion of Kappa membership to a man. *See Exhibit 4*, The Standing Rules of Kappa Kappa Gamma Fraternity.⁹

45. KKG also has documents called the “Policies of Kappa Kappa Gamma Fraternity” which are “statements of intent and rules formulated by Fraternity Council to consistently carry out its duties as defined by the KKG Articles of Incorporation and the Fraternity Bylaws and Standing Rules.” *Exhibit 5*, Policies of Kappa Kappa Gamma Fraternity, 2023 at 1.

46. KKG’s Policies also restrict membership to women. Policy III imposes requirements on its college chapters that make clear KKG is a single- sex organization. Policy III

⁹ KKG’s Standing Rules and Fraternity Policies are not to be shared with the public. Therefore, copies of these documents are being filed under seal.

prohibits members from affiliating with a men's fraternity or allowing men to have a recognized relationship with a chapter, saying these activities jeopardized KKG's single-sex status:

Section 2. Auxiliary Groups. Participation in auxiliary groups of men's fraternities, including but not limited to little sisters, is prohibited and is in conflict with the National Panhellenic Conference Unanimous Agreements and Policies. The formation of male auxiliary groups, such as big brothers, is prohibited. The activities of such groups are not conducive to harmonious chapter operations and *jeopardize our single-sex status*. Kappa chapters shall not bestow honorary status to individuals, such as Key Man or chapter sweetheart.

Exhibit 5, Policy III, Sec. 2, at 3. (Emphasis added.)

47. In addition, Policy VIII explicitly prohibits men from participating in KKG's recruitment events:

Men. Men shall not participate in any Kappa recruitment events, including the chapter's Bid Day event(s), according to the National Panhellenic Conference Unanimous Agreements.

Exhibit 5, Policy VIII, Sec. 3.I., at 12.

48. Policy IX requires all members of KKG to abide by and uphold the Unanimous Agreements of NPC:

All members of Kappa Kappa Gamma shall abide by and uphold the National Panhellenic Conference Unanimous Agreements as set forth in the current National Panhellenic Conference *Manual of Information*. All members shall also support the policies of the National Panhellenic Conference.

Exhibit 5, Policy IX, at 15. (Emphasis in original).

D. KKG's Fraternity Council Has Improperly Attempted To Broaden Its Membership Criteria

49. The Fraternity Council recognized that KKG's Articles and Bylaws referencing "women" intended to refer to women as the term was defined at KKG's formation, *e.g.*, adult

females.¹⁰ Nevertheless, the Fraternity Council unilaterally, and deceptively, took steps to broaden the membership of “women” to add individuals who identify as women.

50. In 2015, the Fraternity Council issued a position statement on Membership Selection, which states in pertinent part: “Kappa Kappa Gamma is a single gender organization comprised of women *and* individuals who identify as women...” (Emphasis added). At the same time, the Fraternity Council issued a position statement on “Single Gender Organizations,” which stated that the “single gender nature of Greek-letter social organizations is also recognized by an exemption under the Educational Amendments to Title IX.” *Exhibit 6*, Kappa Kappa Gamma Position Statements, at 2.

51. Contrary to the representations in these KKG Position Statements, the language of Title IX did not apply to gender or gender identity. *Franciscan Alliance Inc.*, 227 F. Supp.3d at 687. The express language of Title IX applies to discrimination on the basis of “sex,” and the language of the statute exempts sororities from discriminating in their membership selection on that basis. Title IX refers to “both” sexes, meaning distinctively two - men or women.

52. In 2018, KKG issued a “Guide for Supporting our LGBTQIA+ Members” (“the Guide”). KKG distributed the Guide to its District Directors and Alumnae Chapter Advisors and posted the Guide on the Fraternity’s website.” *Exhibit 7*, the Guide.

53. The Guide states, without citation to any of KKG’s Articles, Bylaws, or other governing documents, that KKG is a “single gender organization comprised of women *and* individuals who identify as women.” *Exhibit 7*, at 1. (Emphasis added).

¹⁰ The plain meaning of the term remains unchanged. See DICTIONARY.COM, <https://www.dictionary.com/browse/woman> (last visited Jan. 13, 2024), and MERRIAM-WEBSTER, <https://www.merriam-webster.com/dictionary/woman> (last visited Jan. 13, 2024) (both defining “woman” as an “an adult female person.”)

54. Neither the Guide nor KKG's Position Statements were presented to the membership for review, debate, approval, or vote.

55. Neither the Guide nor KKG's Position Statements reflect the membership qualifications set forth in the Articles or Bylaws. In fact, the phrase "and individuals who identify as women" is not included as a permissible membership criterion in the Fraternity's governing documents. To the contrary, the Bylaws mandate that "[a] new member shall be a woman." *Exhibit I*, Bylaws, Art. III, Sec. 1. A man is not a woman.

56. In April 2022, less than two months prior to the 2022 Convention, KKG issued a document to members, entitled "Bylaws and Standing Rules Revisions 2022: FAQs [Frequently Asked Questions]" (hereafter "FAQs"). *Exhibit 8*, Bylaws and Standing Rules Revisions 2022: FAQs.

57. Of note, the FAQs provide the following:

Kappa Kappa Gamma is a single-gender organization comprised of women and individuals who identify as women whose governing documents do not discriminate in membership selection except by requiring good scholarship and ethical character. Please see Kappa's Position Statements on Membership Selection and Single-Gender Organizations.

Exhibit 8, FAQs, at 18.

58. The FAQs were not subject to a vote or otherwise approved by KKG membership at the 2022 Convention. The FAQs are not governing documents.

59. At no time prior to the filing of this Complaint did the Fraternity Council inform members of KKG that its interpretation of the word "woman" in its governing documents had changed, nor did they ever invite discussion or debate on this issue. Members were left to believe that the Position Statement and Guide had no force or effect because the governing documents had not been altered.

60. The Fraternity Council’s current position that the meaning of the governing documents has changed – without any involvement from the members – is deceptive, unreasonable, and arbitrary and merely serves as an attempt to justify their fraudulent and misleading actions. It is evident that Fraternity Council conspired to deceive and conceal their actions from the membership. *See* Document 010110978097, Brief for Defendants-Appellees Kappa Kappa Gamma Fraternity, Mary Pat Rooney, and Kappa Kappa Gamma Building Co., *Westenbroek v. Kappa Kappa Gamma, et al.*, No. 2:23 CV 00051-ABJ (D. Wyo. Aug. 25, 2023), *appeal docketed*, No. 23-8065 (10th Cir. Sep. 26, 2023) (hereafter referred to as “Appellees’ Brief”).

61. KKG’s Bylaws may only “be amended by a Convention by a two-thirds vote providing notice of the amendment indicating its exact content has been sent to the voting members of the Convention three months prior to the Convention.” *Exhibit 1*, Bylaws, Art. XXIV, at 20.

62. KKG has not complied with the requirements in Art. XXIV to amend the Bylaws to broaden the Fraternity’s Purpose to include both “women *and* individuals who identify as women.” (Emphasis added).

63. Similarly, the Standing Rules require a majority vote if submitted in writing with three-month’s notice prior to the Convention or by a two-thirds vote, if made without notice. *Exhibit 4*, Standing Rules, Sec. 8.0, Amendments, at 25. KKG has made no effort to revise its Standing Rules in accordance with this requirement.

64. By covertly adding individuals who identify as women to the membership criterion, Fraternity Council attempted to make a fundamental change of policy that modified the Fraternity’s Purpose and affected each and every existing student and alumnae member.

E. In Order To Expand Membership Qualifications, Fraternity Council Has Demonstrated Unfair Bias To The Prejudice Of KKG's Female Members

65. Beginning in or around early 2021, KKG admitted a male candidate (“the Candidate”) as a member through its alumna¹¹ candidate selection process. On information and belief, the Candidate is KKG’s first male member.

66. To be admitted as an alumna candidate, alumnae must meet the membership requirements. According to KKG’s Articles, Bylaws, and Standing Rules, this means that an Alumna Candidate must be a woman. *Exhibit 1*, Art. III, Sec. 2.A. and 2.C, at 3; *Exhibit 3*, at 4; and *Exhibit 4*, Rule 1.1, at 1.

67. Admission as an alumna candidate member merely requires a three-fourths vote of Fraternity Council. *Exhibit 4*, Rule 1.1.B, at 1. Fraternity members had no vote concerning the admission of a man into the fraternity, and only a few members were aware that this action was taken by the Fraternity Council.

68. Once admitted, the Candidate was fast-tracked to a KKG leadership position, despite not having contributed the years of service to KKG that is consistently required of other long-time female members. Indeed, within one month of joining KKG, the Candidate was assigned a volunteer position as the Alumnae Advisor for a university chapter.

69. Soon after, the Candidate was appointed by Fraternity Council and assigned a volunteer position on the Bylaws Committee. In order to qualify for this position, alumnae must have been active in “Fraternity work.” *Exhibit 1*, Bylaws, Art. X. Sec. 5, at 15. On information and belief, no other KKG member, or alumna candidate, has been named to the Bylaws Committee with the same limited “Fraternity work” experience as the Candidate.

¹¹ Use of the feminine case in the Standing Rules is not insignificant.

70. In 2022, the Candidate was nominated for election to serve as a District Director. To qualify for a District Director position, a candidate shall be an alumna who had served the Fraternity in certain leadership positions (*e.g.*, service on the Bylaws Committee) within the past 10 years. ***Exhibit 1***, Art. IV, Sec. 1. A.1. Qualifications, at 6.

71. Indeed, the Candidate did have experience as a volunteer in Sigma Pi, his men's fraternity. That relevant experience was hidden by the Candidate and Fraternity Council throughout the selection, nomination, and election process. Only a few voting members at the Convention were aware that a man was slated for election.

72. On information and belief, no other KKG member, or alumna candidate, has been nominated to a District Director position with such limited Fraternity experience as the Candidate.

73. No efforts were made at the 2022 Convention through a vote of the members to expand or broaden KKG's member qualifications to include individuals who identify as women. And the Fraternity Council deceptively misrepresented to its members that the Candidate was qualified to be a member (*e.g.*, was a woman), who also met the qualification for the District Director position. The Candidate was elected to the District Director position without voters being informed by the Fraternity Council or the Candidate that the Candidate is a man.

74. Fraternity Council intentionally concealed this fact from members to ensure the Candidate was elected.

75. The Candidate has currently applied for, and is being considered for, a position in leadership to be voted on through an on-line election in April 2024. This position could include being elected to Fraternity Council or even president of KKG.

76. Most members remain unaware that the Candidate is a man.

77. Then, in late 2022, the University of Wyoming Gamma Omicron Chapter initiated and admitted, as a member, a man (“the Student”).

78. National Fraternity officials encouraged chapter officers to recruit the Student and guided chapter officers in the selection process.

79. The Student’s grade point average was substantially lower than required in the applicable academic excellence requirements.

80. Chapter elections leading to the Student’s membership were conducted using Google forms and were not confidential in violation of Fraternity and chapter rules and regulations that require the use of a specified voting program to ensure confidentiality.

81. With the support and direction of the Fraternity Council, the Wyoming Chapter not only disregarded established academic excellence requirements but also violated required confidential voting rules to force the Student’s membership.

82. As a result of the Fraternity’s misconduct, the Student was admitted and granted all privileges of membership, including access to the private living areas and facilities that are restricted to women.

83. Several active members of the Wyoming Chapter challenged the Fraternity’s conduct, but their concerns were disregarded. Chapter members who raised concerns regarding the Student’s membership were advised that they did not honor KKG values and did not belong in the organization.

84. As a result, six (6) members of the Fraternity filed the Lawsuit, a derivative suit on behalf of the Fraternity, which sought to preserve KKG’s Purpose and enforce its rights as a single-sex organization.

F. KKG’s Retaliatory Attempts To Silence Opposition To Clear Violations of KKG’s Articles, Bylaws and Standing Rules

85. Ms. Levang and Ms. Tuck-Smith learned of the facts giving rise to the Lawsuit, and specifically of the Fraternity’s disregard for the single-sex nature of the organization, and they openly opposed the Fraternity’s conduct and advocated to maintain the woman-only nature of the organization.

86. On May 2 and 3, 2023, for example, Ms. Tuck-Smith sent emails to Alumnae Association Presidents of KKG, in which she shared information about the Lawsuit (already a matter of public record), the facts leading up to it, and her concerns for the impact on the Fraternity. *Exhibit 9*, May 2, 2023 and May 3, 2023 Emails from Cheryl Tuck-Smith. Ms. Tuck-Smith assured the members, “Please know and understand that our goal is not to slander Kappa. It is to return our organization to one that lives up to its charter, bylaws, and mission, and listens to the realities of our female members.” *Id.*

87. For her part, Ms. Levang initially reached out to the Fraternity Council to address her concerns. Receiving no response, she shared her concerns about the Lawsuit and importance of women-only spaces both through direct communications to members and certain media sources. For instance, on June 22, 2023, an op-ed written by Ms. Levang was published by the National Review. *Exhibit 10*, Patsy Levang, *Women Only Spaces Must Resist The Transgender Assault*, NATIONAL REVIEW (Oct. 25, 2023), <https://www.nationalreview.com/2023/06/women-only-spaces-must-resist-the-transgender-assault>. In it, Ms. Levang raised concerns that “entities and leaders who are supposed to defend women are increasingly pushing women’s interests aside.” *Id.* Ms. Levang also encouraged women to unite “to protect the integrity of women’s spaces and rights” and “uphold the principles upon which organizations such as the Kappa Kappa Gamma

sorority were founded, fostering a supportive environment where women can thrive and achieve excellence.” *Id.*

88. The Fraternity Council immediately took steps to silence Ms. Levang, Ms. Tuck-Smith, and any other alumnae who opposed their views of the Lawsuit and/or who challenged their blatant disregard for the Fraternity’s Articles, Bylaws, and Standing Rules.

89. On May 25, 2023, Fraternity Standards Director, Jessica Coffield, sent correspondence to Ms. Tuck-Smith advising her to cease using KKG’s membership lists to communicate with other members regarding these important issues and informing her that her access to member contact information had been revoked. *Exhibit 11*, May 25, 2023 Email from Jessica Coffield.

90. Similar letters, threatening termination of membership, were sent to at least ten (10) other alumnae who either voiced concerns over the Fraternity Council’s violations of the Articles, Bylaws, and Standing Rules and/or expressed support for the plaintiffs’ Lawsuit. In addition, KKG blocked their access to membership information to prevent further communications with the membership on these issues.

91. On August 23, 2023, Ms. Levang sent an email to Alumnae Presidents to which Ms. Tuck-Smith joined, affirming their commitment to KKG:

We have shared information with this group not to harm or otherwise defame Kappa, but to keep you informed, which we think is beneficial for everyone. We simply want to uphold her charter and her bylaws. That is something every member is entitled to.

Exhibit 12, August 23, 2023 Email to KKG Alumnae Presidents.

92. The actions taken by Ms. Tuck-Smith and Ms. Levang were in line with the NPC Unanimous Agreement IX, NPC Declaration of Freedom. *Exhibit 2*, NPC Manual, at 23–24.

93. At no time did either Ms. Levang or Ms. Tuck-Smith represent herself as a spokesperson for KKG.

94. At no time did either Ms. Levang or Ms. Tuck-Smith use or access membership information for anything other than Fraternity matters.

95. At no time did either Ms. Levang or Ms. Tuck-Smith violate the human dignity policy or otherwise deny the existence of a transgender individual.

96. Nevertheless, on September 12, 2023, Fraternity Council informed Ms. Levang and Ms. Tuck-Smith that they were being considered for dismissal based on their alleged conduct in violation of various Fraternity Policies. *Exhibit 13* and *Exhibit 14*, Correspondence from Jessica Coffield to Ms. Levang and Ms. Tuck-Smith, respectively.

97. As requested, Ms. Levang and Ms. Tuck-Smith duly responded, requesting KKG to specify the basis for the allegations against them and asking that KKG honor its Bylaws and Standing Rules. *Exhibit 15* and *Exhibit 16*, September 26, 2023 Correspondence from Patsy Levang and Cheryl Tuck-Smith, respectively.

98. Ms. Coffield responded to Ms. Levang and Ms. Tuck-Smith on October 16, 2023. Each instance of alleged misconduct identified in her letter involved their efforts to (i) advocate in support of the members bringing the Lawsuit, (ii) raise concerns regarding violations of Fraternity Bylaws and Standing Rules, (iii) advocate for the preservation of women-only spaces, and (iv) fulfill their obligations under both Policy IX and NPC Unanimous Agreement IX. *See Exhibit 17* and *Exhibit 18*, October 16, 2023 Correspondence from Jessica Coffield to Patsy Levang and Cheryl Tuck-Smith, respectively.

99. As requested in Ms. Coffield's letters, on October 24 and October 26, 2023, Ms. Tuck-Smith and Ms. Levang responded to the allegations asserted against them. *See Exhibit 19*,

October 24, 2023 Correspondence from Cheryl Tuck-Smith to Jessica Coffield and *Exhibit 20*, October 26, 2023 Correspondence from Patsy Levang to Jessica Coffield.

100. Rather than take corrective action to remedy the Fraternity's clear violations of the Articles, Bylaws, and Standing Rules which Ms. Levang and Ms. Tuck-Smith addressed in their responses, Fraternity Council voted to terminate their membership altogether. *See Exhibit 21* and *Exhibit 22*, November 1, 2023 Correspondence from Kari Kittrell Poole to Patsy Levang and Cheryl Tuck-Smith, respectively.

101. As demonstrated by the Fraternity Council's complete failure to address the misconduct reported by Ms. Levang and Ms. Tuck-Smith and the Fraternity Council's retaliatory actions in response, neither KKG nor Fraternity Council have established processes or procedures to protect whistleblowers, like Ms. Levang and Ms. Tuck-Smith, who place their membership at risk to protect the Fraternity's governing documents and prevent Fraternity Council from violating them.

102. The Fraternity Council's decision to terminate Ms. Levang and Ms. Tuck-Smith has harmed their personal reputations. For instance, Fraternity Council's justification that Ms. Levang and Ms. Tuck-Smith violated KKG's human dignity policy suggests to the membership that they have engaged in discriminatory, inflammatory, or inappropriate conduct, and members of KKG think less of them because of these false and improper allegations.

103. The decision to terminate Ms. Tuck-Smith's membership has also caused her severe emotional distress for which she has been compelled to seek medical treatment.

G. KKG's Misuse of Foundation Funds

104. During the course of her membership in KKG, Ms. Levang has contributed nearly \$200,000 in financial donations to KKG either directly or indirectly through the Kappa Kappa Gamma Foundation (“the Foundation”).

105. Three members of the Fraternity Council serve as Trustees of the Foundation.

106. In seeking donations from KKG women, the Foundation represented that donations would be used to support KKG women through programs related to leadership training, scholarships, harm-prevention programs, preservation of KKG heritage, disaster relief, and confidential aid.

107. Solicitations for donations reinforced the significance of KKG sisterhood as well as KKG's mission to support and promote women. Representative samples of the donation requests sent to Ms. Levang and other KKG members from 2018 to 2023 are attached hereto as *Exhibits 23, 24, and 25*.

108. Ms. Levang's financial contributions in response to these donor requests were subject to the condition that KKG not alter its mission to support and promote women and women's issues, as the term “women” was understood at the time of the contributions.

109. The foregoing condition attached to these financial gifts has been violated by the actions of KKG and Fraternity Council.

110. Ms. Levang and other members, including but not limited to Plaintiff Karen Pope, understood at the time of their gifts that “woman” referred to adult females, without regard to sexual orientation, and that it excludes men, without regard to how men may view themselves.

111. To the extent that these member gifts have been used by KKG for purposes of benefiting men – the opposite of Ms. Levang's intent, they have been misused.

112. If members had known of the Fraternity Council's intentions, many donations would not have been made.

COUNT ONE

(Breach Of Fiduciary Duty on behalf of Kappa Kappa Gamma Fraternity)

113. Plaintiffs re-allege, re-assert, and incorporate each of the immediately preceding paragraphs in this Verified Complaint as if fully set forth herein.

114. Ms. Jennings, Ms. Knorr, Ms. Pope, and Ms. Witt ("the Derivative Plaintiffs") bring this action on behalf of KKG and against the Fraternity Council for its violations of KKG's Articles of Incorporation, Bylaws, and Standing Rules.

115. Prior to their respective dismissals, Ms. Levang and Ms. Tuck-Smith notified Fraternity Council that their conduct violated KKG's Articles, Bylaws, and Standing Rules, that they interfered with members' freedom of speech, engaged in a dishonest attempt to advance a political agenda, ignored clear violations of the Standing Rules, and retaliated against members for seeking to hold the leadership accountable for their conduct. Ms. Levang and Ms. Tuck-Smith requested that the KKG leadership honor the Articles, Bylaws, and Standing Rules for the Fraternity.

116. In lieu of taking actions consistent with KKG's governing documents, Fraternity Council voted to terminate their membership.

117. The plaintiffs in the Lawsuit made repeated requests to the Fraternity Council to enforce the membership requirements set forth in the Articles, Bylaws, Standing Rules, and Unanimous Agreement IX, but the Fraternity Council denied that these governing documents limit membership to women alone and, therefore, denied their requests. *See* ECF 6, Complaint, at ¶¶ 164–65.

118. By letter dated January 9, 2024, the Plaintiffs submitted their Rule 23.1 demand for relief to KKG’s counsel, with copies to KKG, and each Fraternity Council member. *See Exhibit*

26. To date, Plaintiffs have not received a substantive response to the assertions in their letter.

119. To the extent any further demand to KKG or to Fraternity Council is required prior to filing this action, it would be futile.

120. Under Ohio law, the regulations of an organization may make provisions related to the “qualifications, admission, ... and suspension of members, and the termination of membership.” R.C. 1702.11(A)(2).

121. Under Ohio law, a corporation may “exercise all authority within the purposes stated in its articles or incidental to those purposes.” R.C. 1702.12(F)(9).

122. A director shall perform her duties “in good faith, in a manner the director reasonably believes to be in or not opposed to the best interests of the corporation....” R.C. 1702.30(B).

123. The Fraternity Council has breached its fiduciary duties to KKG and its members.

124. By attempting to circumvent the Articles, Bylaws, and Standing Rules through the implementation of policies and position statements that contradict the express terms contained therein and allowing the membership of men absent a valid change to the Articles and Bylaws, the Fraternity Council violated KKG’s Articles of Incorporation, its Bylaws, and Standing Rules.

125. Fraternity Council’s conduct affects the rights of all student and alumnae members to participate in a single-sex, woman-only environment and undermines the very purpose for which the Fraternity exists.

126. In advocating for, encouraging, promoting, accepting, and providing special treatment for those men, the Fraternity Council has violated the Articles, Bylaws, and Standing

Rules related to qualifications for membership and assignment of volunteer and leadership positions to members, taking away opportunities for women who meet these qualifications.

127. In referring to Title IX in its Fraternity Bylaws, Standing Rules, and Policies, the Fraternity Council recognized the significance of the exemptions afforded under Title IX.

128. Yet, by admitting men, the Fraternity Council has opened membership to individuals who are men. In doing so, Fraternity Council has jeopardized KKG's right to operate as a single-sex organization under the exemptions in Title IX.

129. Fraternity Council has adopted a political agenda through which it seeks to expand membership beyond women only.

130. In doing so, Fraternity Council has not allowed Fraternity members a voice, and it has failed to follow the established and required procedures to engage the membership and ensure a valid, transparent vote on changes to KKG's governing documents regarding membership – the essence of what it means to be a sorority.

131. The Fraternity Council's political agenda has polarized the membership, defeating KKG's primary purpose — to unite women.

132. Under the leadership of the Fraternity Council, alumnae membership has decreased by more than forty-eight percent (48%) since 2020.¹²

133. To date, more than 1,368 members and alumnae have signed a petition to preserve KKG's Purpose in uniting and advocating for women in a "single-sex" organization.

134. As a result of Fraternity Council's conduct, KKG and KKG Foundation both face substantial losses of funding through direct donations and legacy gifts that will now be withheld.

¹² Based upon dues paying alumnae association members.

135. The Fraternity Council has failed to act in the best interest of the Fraternity. If permitted to continue violating the Fraternity's Articles, Bylaws, and Standing Rules, Fraternity Council will further erode KKG's membership, its alumnae and donor support, and its more than 150-year history of supporting women.

136. As a result of Fraternity Council's conduct, KKG members have been compelled to take action to enforce and protect the Articles, Bylaws, and Standing Rules in both the instant case and the Lawsuit.

137. As a result of the Fraternity Council's conduct, KKG is compelled to incur damages in the form of fees and expenses, well in excess of \$75,000 that arise not only from the pursuit of the instant derivative claim but also related to fees and expenses associated with the Lawsuit. The Fraternity Council is liable to KKG for these damages.

138. Having breached their fiduciary duties to KKG, the current members of the Fraternity Council (including KKG's Panhellenic Delegate) should be removed from their positions, and a temporary council should be empaneled pending the installation of new council members at the 2024 convention following an online election process monitored by an independent auditor to ensure a proper election consistent with KKG Bylaws, including that no men are nominated to positions of leadership in KKG.

139. Alternatively, KKG's Fraternity Council must be enjoined from violating the KKG's Articles, Bylaws, and Standing Rules; violating the Unanimous Agreements; retaliating against members who seek to have Fraternity Council uphold and comply with those governing documents; and ordered to rescind their actions in breach of their fiduciary duties to KKG.

COUNT TWO
(Ultra Vires Against Kappa Kappa Gamma Fraternity Council)

140. Plaintiffs reallege, re-assert, and incorporate each of the immediately preceding paragraphs of this Verified Complaint, as if fully set forth herein.

141. Plaintiffs Susan Jennings, Margo Knorr, Karen Pope, and Ann Witt are members of KKG in satisfaction of Section 1702.12(I) of the Ohio Revised Code.

142. Fraternity Council exceeded its authority to act as required under Ohio Revised Code Section 1702.12.

143. Fraternity Council failed to conduct KKG's affairs as set forth in its Bylaws, as in force and effect at the time.

144. Fraternity Council failed to follow mandatory notice and voting procedures required, among other things, to modify its Bylaws.

145. Any purported amendments of the KKG Bylaws adopted in breach of procedural requirements are invalid.

146. The Candidate and the Student (and perhaps others) were purportedly admitted to KKG when ineligible at the time to stand for membership, and the Candidate was placed in positions of authority over KKG's corporate affairs, including the unlawful expansion of the scope of membership to include a class of individuals with whom the Candidate has an exceptionally high level of personal interest.

147. Fraternity Council has misused Article V, Section 9 of the KKG Bylaws by endeavoring to silence, threaten, intimidate, and ultimately expel members, like Ms. Levang and Ms. Tuck-Smith, who oppose adding men to the definition of "women" as the term "women" was understood at the time they pledged or subscribed financially to membership in KKG and is understood today, to mean adult females.

148. Fraternity Council has subordinated the obligation of KKG, set forth in its Bylaws, to “advocate for and seek to address issues of concern for members and women in general” (*Exhibit 1*, Bylaws, Article II, at 1) to an agenda supportive of those men who demand to be treated as if they were women.

149. Fraternity Council exceeded their authority and/or acted without authority to silence Ms. Levang and Ms. Tuck-Smith, denying them access to membership information, communication resources, and ultimately terminating their membership from KKG, despite their being “lifetime members.”

150. Fraternity Council deliberately and maliciously sought to silence women who stated concerns or support for other female members of KKG whose actions and statements were made in the spirit of KKG sisterhood with other females, as they understood the term “woman” to mean at the time of their initiation and financial subscriptions and as the term “woman” is commonly understood.

151. It is a stated purpose of KKG “to unite women” and to “provide opportunities for engagement throughout the lives of alumnae.” *Exhibit 1*, Bylaws, Article II, at 1.

152. Expelling alumnae who are lifetime members on the basis of differing opinions or disfavored speech is inconsistent with the corporate purpose of KKG, has a chilling effect on other members, and is detrimental to KKG.

153. The dismissal of Ms. Levang and Ms. Tuck-Smith from KKG was undertaken in excess of KKG’s corporate authority and/or in bad faith or an unauthorized manner.

154. Having exceeded their authority and breached their duties to KKG, the current members of the Fraternity Council should be removed from their positions, and a temporary council should be empaneled pending the installation of new council members at the 2024

convention following an online election process monitored by an independent auditor to ensure a proper election consistent with KKG Bylaws, including that no men are nominated to positions of leadership in KKG.

155. Alternatively, KKG's Fraternity Council must be enjoined from violating KKG's Articles, Bylaws, and Standing Rules; violating the Unanimous Agreements; retaliating against members who seek to have Fraternity Council uphold and comply with those governing documents; and ordered to rescind their actions in breach of their fiduciary duties to KKG.

COUNT THREE
(Fraud Against Kappa Kappa Gamma by Fraternity Council)

156. Plaintiffs reallege, re-assert, and incorporate each of the immediately preceding paragraphs of this Verified Complaint, as if fully set forth herein.

157. At the time of their election to Fraternity Council, each member assumed an obligation, as a matter of law, to carry out her duties in good faith and to act in the best interest of KKG and its members.

158. Beginning with the issuance of the KKG position statement on membership, Fraternity Council failed to disclose to the members a concerted agenda to undermine the single-sex nature of the organization and eviscerate the primary Purpose expressly set forth in KKG's Articles and Bylaws – to unite and advocate for women – without allowing the members to review, debate, approve, or vote on the critical changes.

159. Having implemented policies that they now assert amended the meaning of the governing documents without either disclosing this change in interpretation or actually seeking amendments to the governing documents, the Fraternity Council acted in furtherance of this agenda by voting to allow the Candidate to join KKG and nominating him to serve in key leadership positions while concealing the fact that the Candidate was a man.

160. Likewise, Fraternity Council undertook concerted measures to circumvent established membership criteria and chapter voting procedures to ensure the admission of the Student to the Wyoming Chapter.

161. To date, Fraternity Council has deliberately failed to disclose to the members that established membership criteria and voting procedures will be modified in the event male candidates seek membership in the Fraternity.

162. Fraternity Council has failed to disclose to members that no processes or procedures have been established to ensure the physical safety and emotional well-being of college women who will be required to share previously designated women-only areas of Fraternity properties with men.

163. Nevertheless, Fraternity Council has deliberately represented, and continues to deliberately represent, to student, alumnae, and prospective members that KKG is “a women’s organization” that “unites women to learn, grow, and inspire positive change throughout their lives.” *See e.g.*, www.kappakappagamma.org/why-kappa.

164. Indeed, Fraternity Council has and continues to promote itself by claiming that KKG sorority life will provide “college women a safe and educational space to discover what’s right for them,” and give “women a familiar space ... to develop leadership and professional skills.” *Id.*

165. Fraternity Council has permitted, and continues to permit, the Foundation to solicit financial support from the membership by claiming donations will be used to support the Fraternity’s mission and fulfill the evolving needs of *women*. ***Exhibit 25***, December 28, 2023 Email to KKG members.

166. Indeed, by way of illustration, and by no means limitation, throughout her membership, Ms. Levang donated nearly Two Hundred Thousand Dollars (\$200,000.00) in funds to support KKG through the Foundation. In making these donations, Ms. Levang, and others like her, reasonably relied upon the representations made by KKG, Fraternity Council and the Foundation.

167. Those funds were intended to be used for the benefit of women and women's issues, as the term "woman" was understood and intended by the donors at the time.

168. Ms. Levang understood at the time of her gifts that "woman" refers to females, without regard to sexual orientation, and excludes men, without regard to how men may view themselves.

169. To the extent that gifts made by Ms. Levang and others have been transferred to and used by KKG and are at risk of being used to benefit men, the opposite of Ms. Levang's intent, KKG has been unjustly enriched by its disregard for the express intention of the donor.

170. The Derivative Plaintiffs, other members, and KKG reasonably relied, to KKG's detriment, on the representations of Fraternity Council.

171. As a result of Fraternity Council's intentional and continued fraudulent misrepresentations, KKG members have been compelled to take action to enforce and protect the Articles, Bylaws, and Standing Rules in both the instant case and the Lawsuit.

172. As a result of the Fraternity Council's fraud on KKG and its members, KKG has been compelled to incur damages in the form of fees and expenses, well in excess of \$75,000 that arise not only from the pursuit of the instant derivative claim but also related to fees and expenses associated with the Lawsuit. The Fraternity Council is liable to KKG for these damages.

173. As a result of the Fraternity Council's fraud on KKG and its members, KKG will suffer additional financial losses in the form of decreased membership and financial donations in an amount to be determined at trial, and for which the Fraternity Council is liable to KKG.

COUNT FOUR
(Civil Conspiracy by Fraternity Council)

174. Plaintiffs reallege, re-assert, and incorporate each of the immediately preceding paragraphs of this Verified Complaint, as if fully set forth herein.

175. In an effort to promote their agenda to undermine the single-sex nature of KKG and eviscerate the primary Purpose expressly set forth in KKG's Articles, Bylaws, and Standing Rules, the members of the Fraternity Council maliciously agreed, conspired and intentionally perpetrated a fraud on KKG and its members, disregarded their duties of loyalty, and retaliated against members who sought to protect KKG.

176. Fraternity Council members prepared and issued the Guide and FAQs which purported to add "individuals who identify as women" to the membership qualifications without providing proper notice to the members of what Fraternity Council argues was a change to the meaning of the governing documents. (Appellees Brief at 33–35.)

177. Fraternity Council members voted on the admission of a male alumna candidate and then concealed his sex from the membership in order to secure his election to positions of leadership in KKG.

178. Fraternity Council members agreed to disregard membership qualifications and voting procedures in order to improperly influence and coerce student members to approve the membership of a male student in the Wyoming Chapter.

179. Fraternity Council improperly took retaliatory measures, including but not limited to, sending letters to alumnae threatening termination of their membership and/or removal from

volunteer positions, terminating access to membership resources, and terminating Ms. Levang and Ms. Tuck-Smith to silence alumnae members who opposed Fraternity Council's conduct in violating the Fraternity's Articles, Bylaws, and Standing Rules.

180. As a result of the Fraternity Council's conduct, KKG has incurred damages in the form of legal expenses, decreased membership, and decreased financial donations excess of \$75,000. The Fraternity Council is liable to KKG for these damages.

COUNT FIVE
(Violation of Ohio Constitution, Art. 11, Freedom of Speech)

181. Plaintiffs reallege, re-assert, and incorporate each of the immediately preceding paragraphs of this Verified Complaint, as if fully set forth herein.

182. Section 11, Article I of the Ohio Constitution provides that

Every citizen may freely speak, write, and publish his sentiments on all subjects,
being responsible for the abuse of the right; and no law shall be passed to restrain
or abridge the liberty of speech or of the press.

(Emphasis added).

183. The terms set forth in the first clause of Section 11, Article I create “a promise to affirmatively protect the right” of free speech. *Eastwood Mall, Inc. v. Slanco*, 68 Ohio St. 3d 221, 226, 626 N.E.2d 59 (1994) (Wright, J., dissenting), citing *Ferner v. Toledo–Lucas Cty. Convention & Visitors Bur., Inc.*, 80 Ohio App.3d 842, 848, 610 N.E.2d 1158 (6th Dist. 1992) (finding the Ohio Constitution additionally includes an affirmative grant of the right of free speech even when there is no state action.)

184. As an Ohio citizen, KKG is subject to the laws of the State and has a duty to affirmatively protect and honor the freedom of speech protected under the Ohio Constitution.

185. Neither KKG nor the Fraternity Council can, as a matter of law, establish Policies or engage in conduct that is contrary to Ohio law.

186. KKG and Fraternity Council have violated their obligations under the Ohio Constitution to affirmatively protect and honor the freedom of speech applicable to its members. Indeed, in limiting the ability of the membership to speak freely among one another in opposition to the changes implemented solely by Fraternity Council, and in removing members from volunteer positions, threatening members with dismissal, and expelling Ms. Levang and Ms. Tuck-Smith for their opposition to the Fraternity Council's misconduct, KKG and Fraternity Council have undoubtedly chilled the rights of members to speak freely.

187. The members of KKG, together with Ms. Levang and Ms. Tuck-Smith, were and remain entitled to rely on KKG's obligation to comply with Ohio law and to freely speak, write, and publish their opinions on any subject.

188. Ms. Levang, Ms. Tuck-Smith, and all members of KKG were, and are, entitled to communicate with other KKG members, alumnae, and others regarding the Lawsuit and the facts giving rise to the Lawsuit.

189. In both threatening their expulsion and ultimately voting to dismiss Ms. Levang and Ms. Tuck-Smith from the Fraternity, KKG and the Fraternity Council have infringed on their rights to freedom of speech under the Ohio Constitution, and they are liable to Ms. Levang and Ms. Tuck-Smith for their conduct.

190. KKG and the Fraternity Council should be enjoined from violating the Ohio Constitution in limiting the membership's right to free speech and in retaliation for efforts by Ms. Levang, Ms. Tuck-Smith, and any other KKG member to uphold KKG's Purpose (as set forth in the Article and Bylaws) as well as the Unanimous Agreement IX, and they should be ordered to comply with KKG's governing documents.

191. The Court should order the Fraternity Council’s decision to dismiss Ms. Levang and Ms. Tuck-Smith rescinded such that their lifetime membership is reinstated and to rescind other actions taken against members for exercising their rights to free speech.

COUNT SIX
**(Breach of Contract on behalf of Ms. Levang and Ms. Tuck Smith –
Wrongful Termination of Lifetime Members)**

192. Plaintiffs Patsy Levang and Cheryl Tuck-Smith reallege, re-assert, and incorporate each of the immediately preceding paragraphs of this Verified Complaint, as if fully set forth herein.

193. The Bylaws constitute a contract between KKG and its members. *See Ulliman*, 184 Ohio App. 3d 52, 2009-Ohio-3756, 919 N.E.2d 763, ¶50 (2nd Dist.), citing *Internatl. Bhd. of Elec. Workers, Local Union No. 8 v. Gromnicki*, 139 Ohio App.3d 641, 646, 745 N.E.2d 449 (6th Dist. 2000).

194. At the time of their termination, Ms. Levang and Ms. Tuck-Smith had been members of KKG for more than fifty (50) years.

195. KKG’s Bylaws represented that KKG would provide “opportunities for engagement throughout the lives of alumnae and encourage participation of alumnae in the Fraternity programs.” Exhibit 1, Bylaws, Art. II, at 1.

196. Indeed, in soliciting donations from KKG’s members on behalf of the Fraternity, the Foundation reiterates KKG’s promise to support members “in every season of their lives:”

Through the Foundation, Kappa keeps its promise to every member,
throughout her life. ***

Your gift will help ensure the viability of our programming into the
future — a future in which every Kappa, in every season of her life,
can dream boldly and live fully.

Exhibit 23, October 10, 2019 Correspondence to KKG Members.

197. Ms. Levang and Ms. Tuck-Smith honored and fulfilled their obligations to KKG under the Bylaws; accordingly, they are legally entitled to relief for KKG's failure to abide by the Bylaws.

198. KKG, acting through the Fraternity Council, wrongly accused Ms. Levang and Ms. Tuck-Smith of violating various Fraternity Policies, including improper use of membership lists, communicating with media without KKG's prior approval, and "denying the existence of a transgender member."

199. To the contrary, Ms. Levang and Ms. Tuck-Smith have acted to seek KKG's compliance with the Bylaws and to uphold the Unanimous Agreement IX, as they were required to do by Fraternity Policy IX, and have advocated for members who have been harmed in violation of the Bylaws.

200. The Fraternity Council's assertions are wholly without merit and served only as a bad faith pretext to retaliate against Ms. Levang and Ms. Tuck-Smith for bringing to light the Fraternity Council's violations of KKG's Articles, Bylaws, and Standing Rules.

201. KKG's Fraternity Policy XIV prohibits "retaliation in response to or related to a report of misconduct, including but not limited to...violations of ... Kappa policy." *See Exhibit 4*. The Policy further precludes an act intended as retribution against a person for reporting... misconduct." *Id.*

202. KKG, acting through Fraternity Council, wrongfully terminated Ms. Levang and Ms. Tuck-Smith in violation of its contract and its Policy against retaliation.

203. KKG breached its contract to provide membership and engagement with Ms. Levang and Ms. Tuck-Smith throughout their lives, and Ms. Levang and Ms. Tuck-Smith have suffered harm as a result of KKG's breaches.

204. KKG is liable to Ms. Levang and Ms. Tuck-Smith for its breaches.

COUNT SEVEN
**(Promissory Estoppel on behalf of Ms. Levang and Ms. Tuck Smith
– Wrongful Termination of Lifetime Members)**

205. Plaintiffs Patsy Levang and Cheryl Tuck-Smith reallege, re-assert, and incorporate each of the immediately preceding paragraphs of this Verified Complaint, as if fully set forth herein.

206. Ms. Levang and Ms. Tuck-Smith contributed substantial time and funds to KKG and/or to the KKG Foundation at the behest of KKG, including promotion of KKG and the KKG Foundation to others.

207. Ms. Levang and Ms. Tuck-Smith’s contributions to KKG and the KKG Foundation were made in reliance on representations and other promises made by KKG that such contributions were part of the promise of engagement with KKG throughout their lifetime as described in the Bylaws.

208. The term “lifetime member” is commonly used in the KKG community to classify the type of membership held by Ms. Levang and Ms. Tuck-Smith.

209. KKG represented, through its organizational documents in effect at the time of such contributions and otherwise, that lifetime membership was not cancellable based on expressions of dissent regarding matters of concern to women who are members of KKG or upon objections to violations of KKG’s governing documents.

210. The term “women” was mutually understood by Ms. Levang and Ms. Tuck-Smith and KKG at the time of the formation of the mutual obligations between them by promissory estoppel to mean female individuals.

211. Ms. Levang and Ms. Tuck-Smith reasonably relied on the promise of lifetime membership in consideration for their membership and the foregoing considerations afforded to KKG or its designated charitable foundation, KKG Foundation.

212. Defendants KKG and the Fraternity Council knew or should have known Plaintiffs would rely on said statements and promises.

213. KKG should be estopped from revoking Ms. Levang and Ms. Tuck-Smith's lifetime membership.

COUNT EIGHT
(Wrongful Termination of Membership As a Matter of Public Policy)

214. Plaintiffs Patsy Levang and Cheryl Tuck-Smith re-allege, re-assert, and incorporate each of the immediately preceding paragraphs hereof, as if fully set forth herein.

215. The efforts made by Ms. Levang and Ms. Tuck-Smith to advocate both for the KKG members in the Lawsuit and the Fraternity's compliance with the long-established Purpose articulated in both KKG's Articles and Bylaws is not only supported by the Fraternity's governing documents, but it is also their right as citizens to engage in political expression and association.

216. Interfering with an association's members' public and civic rights is contrary to public policy.

217. Further, Ohio recognizes that individuals who hold organizations accountable for wrongdoing play a key role in keeping organizations lawful, honest, efficient, and accountable. The dismissal of members who seek to ensure that an organization's officers and directors honor the governing documents of an organization violates public policy and serves as a chilling effect for members who endeavor to prevent harm to the organization.

218. The decision of KKG and the Fraternity Council to expel Ms. Levang and Ms. Tuck-Smith is an improper and unlawful infringement on their right to political expression and association and has a chilling effect on all members.

219. The actions of KKG and Fraternity Council to expel Ms. Levang and Ms. Tuck-Smith for the efforts to enforce KKG's Articles, Bylaws, and Standing Rules send a message to other members of the Fraternity that they will be stripped of their membership should they attempt to protect the Fraternity and enforce its governing documents.

220. KKG and Fraternity Council are liable to Ms. Levang and Ms. Tuck-Smith for the harm resulting from their expulsion.

221. KKG and Fraternity Council should be enjoined from infringing on these freedoms in retaliation for efforts by Ms. Levang and Ms. Tuck-Smith to uphold KKG's Purpose and seek compliance from the Fraternity Council with KKG's governing documents.

222. The Court should order the Fraternity Council's decision to dismiss Ms. Levang and Ms. Tuck-Smith rescinded such that their membership is immediately reinstated.

COUNT NINE
(Injunctive Relief)

223. Plaintiffs Patsy Levang and Cheryl Tuck-Smith reallege, re-assert, and incorporate each of the immediately preceding paragraphs of this Verified Complaint, as if fully set forth herein.

224. KKG and Fraternity Council have caused Ms. Levang and Ms. Tuck-Smith irreparable damage, which is continuing.

225. Ms. Levang and Ms. Tuck-Smith have no adequate remedy at law.

226. Unless KKG and the Fraternity Council are preliminarily and permanently restrained, they will continue to deny Ms. Levang and Ms. Tuck-Smith the benefits of lifetime membership in the fraternity.

227. KKG and its Fraternity Council must either be enjoined from dismissing or be ordered to rescind the dismissal of Ms. Levang and Ms. Tuck-Smith from their lifetime membership in the Fraternity.

COUNT TEN
(Defamation Per Se)

228. Plaintiffs Patsy Levang and Cheryl Tuck-Smith reallege, re-assert, and incorporate each of the immediately preceding paragraphs of this Verified Complaint, as if fully set forth herein.

229. Section 7.4.B of the Standing Rules provides that an associate or alumna member may be dismissed for violations of the member responsibilities. *See Exhibit 4*, Standing Rules.

230. Through its published communications and dismissals, KKG falsely accused Ms. Levang and Ms. Tuck-Smith of violating Fraternity Policies and claimed they misused member contact lists, violated the media policy, attempted to speak for the Fraternity, and violated the Fraternity's human dignity policy.

231. Upon entering a decision of dismissal, "KKG's Executive Director shall also send notice to the District Director, the Standards Director, the Standards Specialist, and the President of the local alumnae association." *See Exhibit 4*, Standing Rules, Sect.7.4. B.5.b.

232. KKG's Executive Director sent the notices of Ms. Levang and Ms. Tuck-Smith's dismissals as required by the Standing Rules.

233. As a matter of Ohio law, a statement is defamatory if it reflects "injuriously on a person's reputation, or [it] expos[es] a person to public hatred, contempt, ridicule, shame or

disgrace, or [it] affect[s] a person adversely in his or her trade, business or profession.” *Gilson v. Am. Inst. Of Alternative Med.*, 2016-Ohio-1324, 62 N.E.3d 754, ¶ 37 (10th Dist. 2016).

234. The communications and dismissals issued by KKG, through Fraternity Council, are defamatory on their face and constitute defamation per se.

235. Members of the Fraternity Council know the communications and dismissals were false.

236. Indeed, KKG promises membership and engagement for life, and alumnae members may only be dismissed through a three-fourths vote of the Fraternity Council. *Exhibit 4*, Standing Rules, 7.4.B.4, at 20. Thus, the mere fact that the Fraternity Council would vote to dismiss alumnae members with a history of substantial service and support to KKG, communicates to the members that Ms. Levang and Ms. Tuck-Smith committed egregious violations of the Fraternity’s purposes and standards.

237. Any communication that Ms. Levang and Ms. Tuck-Smith violated Fraternity purposes and standards is false and made without privilege to do so.

238. As a result of the Fraternity Council’s decision to dismiss them, Ms. Levang and Ms. Tuck-Smith have suffered harm to their reputation not only among KKG members but also in the community.

239. In addition, the distress resulting from the harm to Ms. Tuck-Smith’s reputation has caused her to seek medical treatment for which Fraternity Council is liable.

240. Defamation per se damages are presumed.

241. Members of the Fraternity Council are liable to Ms. Levang and Ms. Tuck-Smith for their conduct.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Susan Jennings, Margo Knorr, Karen Pope, Ann Witt, Patsy Levang, and Cheryl-Tuck Smith, pray for judgment against Defendants, as follows:

1. As to Count One of the Complaint, Plaintiffs Susan Jennings, Margo Knorr, Karen Pope, and Ann Witt seek an order entering judgment in their favor, on behalf of Kappa Kappa Gamma, in an amount in excess of \$75,000 and an order either (a) removing the current members of the Fraternity Council and the appointment of a temporary slate of Council members pending the installation of Fraternity Council at the 2024 Convention following an online election a process monitored by a court-approved independent auditor to ensure a proper election consistent with KKG Bylaws, including an order that no men are nominated to positions of leadership in KKG and that any men are expelled from membership or, alternatively, (b) enjoining the current Fraternity Council members from violating KKG's Articles, Bylaws, Standing Rules and Unanimous Agreement IX, including an order precluding men from being nominated to positions of leadership in KKG and that any men are expelled from membership and (c) requiring KKG's Panhellenic Delegate to abide by and uphold Unanimous Agreement IX in carrying out her duties to KKG and NPC.

2. As to Count Two of the Complaint, Plaintiffs Susan Jennings, Margo Knorr, Karen Pope, and Ann Witt seek an order either (a) removing the current members of the Fraternity Council and the appointment of a temporary slate of Council members pending the installation of Fraternity Council at the 2024 Convention following an online election a process monitored by a court-approved independent auditor to ensure a proper election consistent with KKG Bylaws, including an order that no men are nominated to positions of leadership in KKG and that any men are expelled from membership or, alternatively, (b) enjoining the current Fraternity Council

members from violating KKG's Articles, Bylaws, Standing Rules, and Unanimous Agreement IX, including an order precluding men from being nominated to positions of leadership in KKG and that any men are expelled from membership and (c) requiring KKG's Panhellenic Delegate to abide by and uphold Unanimous Agreement IX in carrying out her duties to KKG and NPC.

3. As to Count Three of the Complaint, Plaintiffs Susan Jennings, Margo Knorr, Karen Pope, and Ann Witt seek an order entering judgment in their favor, on behalf of Kappa Kappa Gamma, in an amount in excess of \$75,000 and an order either (a) removing the current members of the Fraternity Council and the appointment of a temporary slate of Council members pending the installation of Fraternity Council at the 2024 Convention following an online election a process monitored by a court-approved independent auditor to ensure a proper election consistent with KKG Bylaws, including an order that no men are nominated to positions of leadership in KKG and that any men are expelled from membership or, alternatively, (b) enjoining the current Fraternity Council members from violating KKG's Articles, Bylaws, Standing Rules, and Unanimous Agreement IX, including an order precluding men from being nominated to positions of leadership in KKG and that any men are expelled from membership, and (c) requiring KKG's Panhellenic Delegate to abide by and uphold Unanimous Agreement IX in carrying out her duties to KKG and NPC.

4. As to Count Four of the Complaint, Plaintiffs Susan Jennings, Margo Knorr, Karen Pope, and Ann Witt seek an order entering judgment in their favor, on behalf of Kappa Kappa Gamma, in an amount in excess of \$75,000 and an order either (a) removing the current members of the Fraternity Council and the appointment of a temporary slate of Council members pending the installation of Fraternity Council at the 2024 Convention following an online election a process monitored by a court-approved independent auditor to ensure a proper election consistent with

KKG Bylaws, including an order that no men are nominated to positions of leadership in KKG and that any men are expelled from membership or, alternatively, (b) enjoining the current Fraternity Council members from violating KKG's Articles, Bylaws, Standing Rules, and Unanimous Agreement IX, including an order precluding men from being nominated to positions of leadership in KKG and that any men are expelled from membership and (c) requiring KKG's Panhellenic Delegate to abide by and uphold Unanimous Agreement IX in carrying out her duties to KKG and NPC.

5. As to Count Five, Plaintiffs seek an order entering judgment in their favor and against Kappa Kappa Gamma and its Fraternity Council and (a) rescinding the dismissal of Ms. Levang and Ms. Tuck-Smith's memberships and (b) enjoining Kappa Kappa Gamma from violating the Ohio Constitution in limiting the membership's right to free speech and in retaliation for efforts and any other KKG member to uphold KKG's Purpose (as set forth in the Article and Bylaws) as well as the Unanimous Agreement IX;

6. As to Counts Six, Seven, Eight, and Nine Plaintiffs Patsy Levang and Cheryl Tuck-Smith seek an order entering judgment in their favor and against Kappa Kappa Gamma and its Fraternity Council and rescinding the dismissal of their membership and awarding damages in excess of \$75,000;

7. As to Count Ten, Plaintiffs Patsy Levang and Cheryl Tuck-Smith seek an order entering judgment in their favor and against Kappa Kappa Gamma and its Fraternity Council and awarding damages for each of them in an amount in excess of \$75,000; and

8. An award of interest, attorneys' fees, all expenses, costs, and any such other and further legal or equitable relief in favor of Plaintiffs as the Court deems just and proper.

Respectfully submitted,

/s/ Angela M. Lavin

Angela M. Lavin (0069604)
Jay R. Carson (0068526)
WEGMAN HESSLER VALORE
6055 Rockside Woods Boulevard, Suite
200 Cleveland, Ohio 44131
Phone: (216) 642-3342
Fax: (216) 642-8826
E-mail: amlavin@wegmanlaw.com
jrcarson@wegmanlaw.com

And

Pro Hac Vice pending:

Sylvia May Mailman (0100520)
Independent Women's Law Center
1802 Vernon Street, NW, Suite 1027
Washington, DC 20009
Phone: (202) 807-9986
Email: may.mailman@iwlc.org

Attorneys for Plaintiffs

JURY DEMAND

Plaintiffs hereby demand a trial by jury as to any issue herein that is triable of right by a jury pursuant to Rule 38(b) of the Federal Rules of Civil Procedure.

/s/Angela M. Lavin

One of the attorneys for Plaintiffs

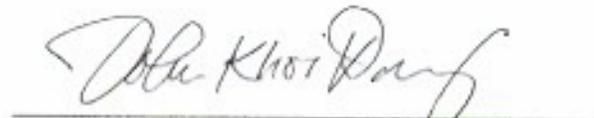
VERIFICATION

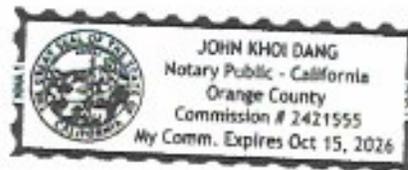
STATE OF CALIFORNIA)
)
COUNTY OF Orange) SS:

Susan Jennings, being first duly sworn according to law, deposes and says that she is one of the Plaintiffs in the within action; that she has read the foregoing Verified Complaint and knows the contents, thereof, and that the allegations contained therein are true to the best of her knowledge and belief based upon the information available to her at the time of execution, except as to matters therein stated to be alleged on information and belief and as to those matters she believes it to be true.


Susan Jennings

SWORN TO BEFORE ME, and subscribed in my presence, the said Susan Jennings, this 18 day of January, 2024.


NOTARY PUBLIC



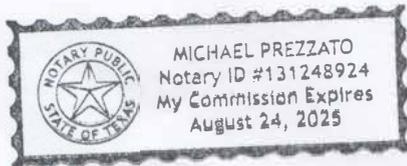
VERIFICATION

STATE OF TEXAS)
)
COUNTY OF TRAVIS) SS:

Karen Pope, being first duly sworn according to law, deposes and says that she is one of the Plaintiffs in the within action; that she has read the foregoing Verified Complaint and knows the contents, thereof, and that the allegations contained therein are true to the best of her knowledge and belief based upon the information available to her at the time of execution, except as to matters therein stated to be alleged on information and belief and as to those matters she believes it to be true.

Karen Pope
Karen Pope

SWORN TO BEFORE ME, and subscribed in my presence, the said Karen Pope, this 19TH day of January, 2024.



[Signature]
NOTARY PUBLIC

VERIFICATION

STATE OF TEXAS)
)
COUNTY OF Wharton)

SS:

216 6428

Ann Witt, being first duly sworn according to law, deposes and says that she is one of the Plaintiffs in the within action; that she has read the foregoing Verified Complaint and knows the contents, thereof, and that the allegations contained therein are true to the best of her knowledge and belief based upon the information available to her at the time of execution. except as to matters therein stated to be alleged on information and belief and as to those matters she believes it to be true.

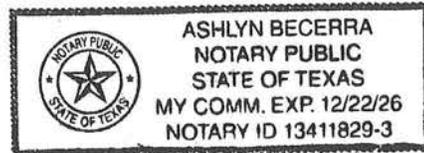
Ann Witt

Ann Witt

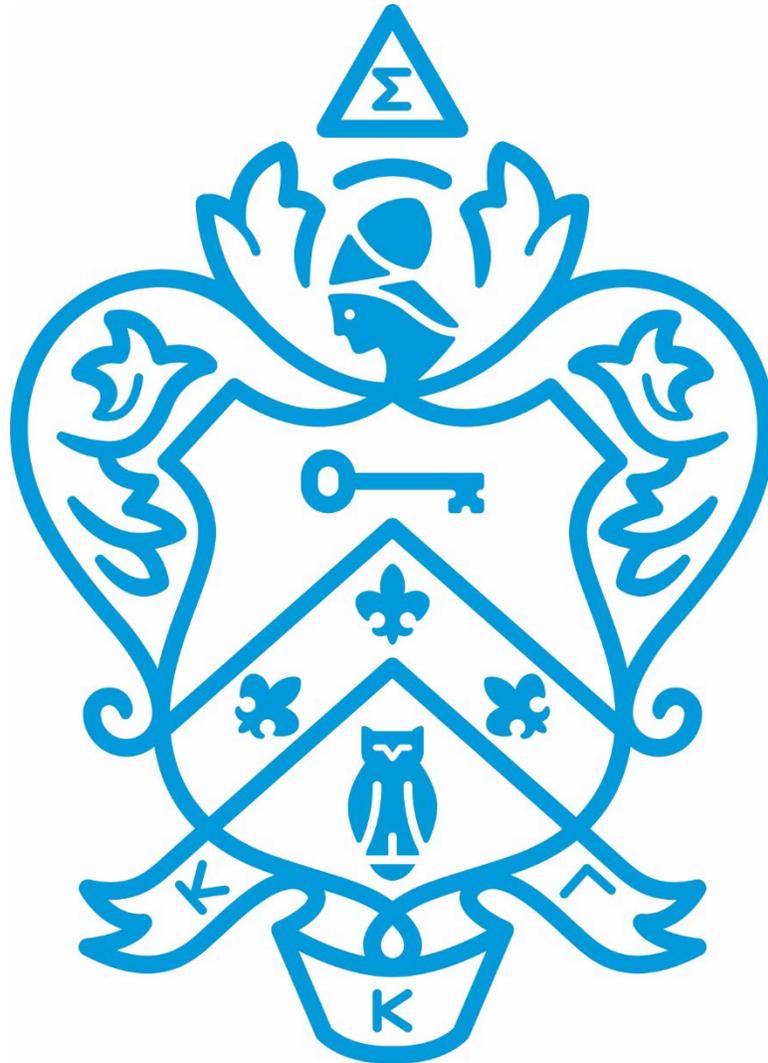
SWORN TO BEFORE ME, and subscribed in my presence, the said Ann Witt, this 23 day of January, 2024.

Ashlyn Becerra

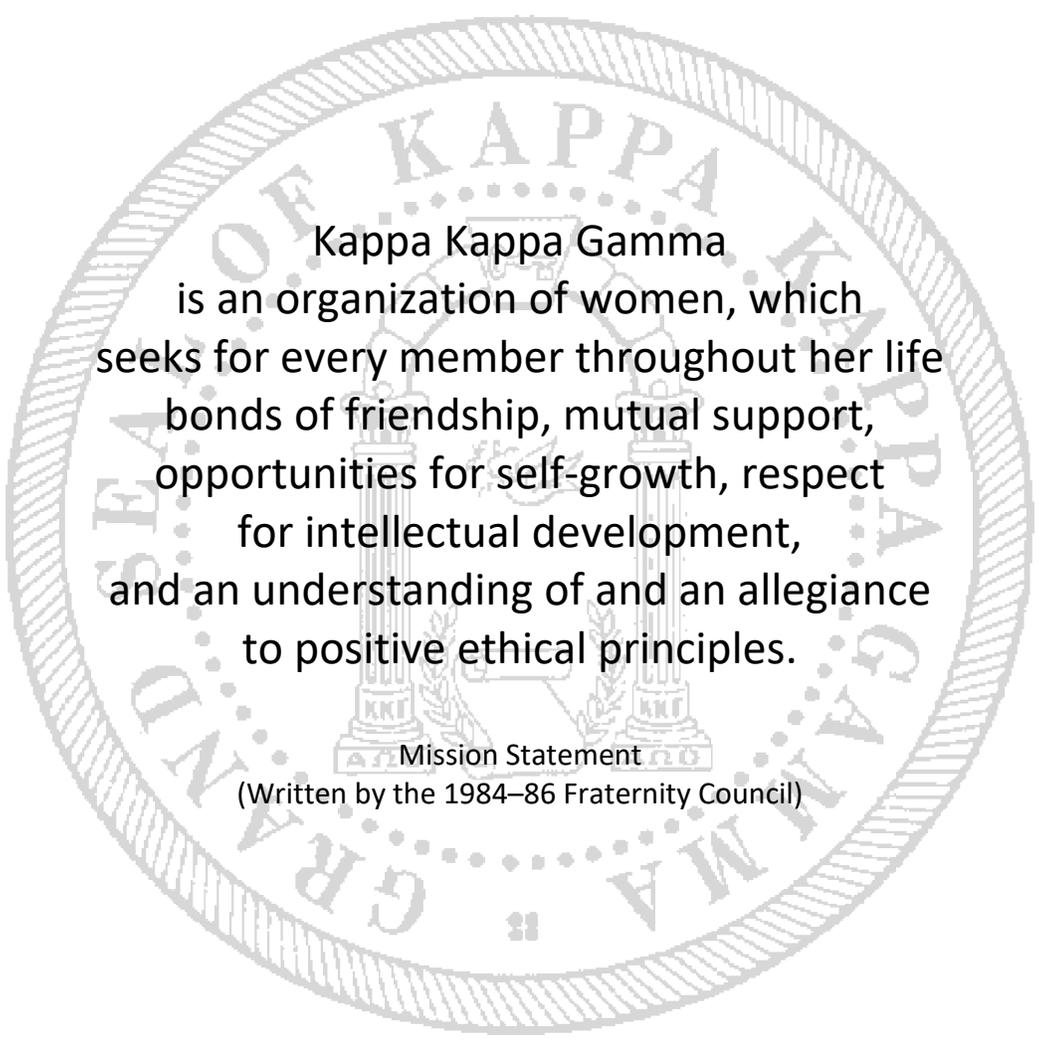
NOTARY PUBLIC



Bylaws of Kappa Kappa Gamma Fraternity



Adopted by the 2004 General Convention.
Revised 2006, 2008, 2010, 2012, 2014, 2016, 2018, and **2022** General Conventions.



Kappa Kappa Gamma
is an organization of women, which
seeks for every member throughout her life
bonds of friendship, mutual support,
opportunities for self-growth, respect
for intellectual development,
and an understanding of and an allegiance
to positive ethical principles.

Mission Statement
(Written by the 1984–86 Fraternity Council)



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PREAMBLE

We, believing a closer union in the bonds of friendship to be for our mutual benefit, appreciating the advantages to be derived from a secret fraternity, and feeling that in union there is strength, hereby form ourselves into a social sorority for the development of nobler qualities of the mind and finer feelings of the heart, and for mutual helpfulness in the attainment of individual and social excellence.

**BYLAWS OF
KAPPA KAPPA GAMMA FRATERNITY**

**ARTICLE I
NAME**

The name of the corporation shall be Kappa Kappa Gamma Fraternity, hereinafter referred to as *the Fraternity*.

**ARTICLE II
PURPOSE**

The Fraternity is formed to function exclusively as an organization described in Section 501(c)(7) of the Internal Revenue Code of 1986 as amended (or corresponding provisions of any future United States internal revenue law) (the "Code"). The purposes for which the Fraternity is formed are:

to unite women, through membership, in a close bond of friendship, seeking to instill in them a spirit of mutual love and helpfulness, to the end that each member and the Fraternity at large may attain social, moral and intellectual excellence;

to establish chapters at various colleges and universities, provide for their proper organization, installation and operation, with each chapter having the right and responsibility to select members of its choice in accordance with Fraternity standards and procedures;

to cooperate with colleges and universities where chapters of the Fraternity are established, advance academic interest and promote higher standards of social conduct;

to cooperate with other organizations in solving mutual problems and building higher standards of womanhood;

to advocate for and seek to address issues of concern for members and women in general;

to provide opportunities for engagement throughout the lives of alumnae and encourage participation of alumnae in the Fraternity programs; and

to have and protect a distinctive and exclusive badge and other insignia of membership and office and keep secret the ritual.

Notwithstanding anything to the contrary contained in these articles, the corporation shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under Code Section 501(a) as an organization described in Code Section 501(c)(7).

ARTICLE III MEMBERS

Section 1. Classifications of Members. The Fraternity shall have the following classifications of members:

- A. New Member.** A new member shall be a woman who has accepted an invitation to join the Fraternity but has not been initiated. A new member shall:
1. Have signed a dated, written pledge to membership witnessed in writing by an active or alumna member of the Fraternity;
 2. Remain eligible as a new member for a term of one year before the pledge to membership expires so long as enrolled in the same college or university; and
 3. Have the right to attend meetings, speak in debate and present their views to a committee on a referred question but shall not vote on any question. A new member shall not be present at a meeting during ritual for initiated members.
- B. Active.** An active member shall be:
1. An undergraduate enrolled at the college or university where initiated;
 2. A member enrolled beyond the fourth academic year who chooses to remain an active member;
 3. A graduate student who chooses to remain an active member;
 4. A graduate student initiated while pursuing graduate courses;
 5. An undergraduate member who enrolls in a college or university where a chapter of the Fraternity is located and affiliates with such a chapter; or
 6. An undergraduate member who returns to college or university after an absence of two or more years and who has completed at least one academic term and had their active membership restored by a three-fourths vote of the chapter.
- C. Associate.** An associate member shall be:
1. An active member who transfers to a college or university:
 - a. With an active chapter and who does not affiliate with the chapter; or
 - b. Where no chapter is located;
 2. An active member who has been granted Associate Membership by the District Director after receiving Advisory Board's approval; or
 3. An active member who is unable to participate in chapter activities because they are:
 - a. Studying abroad; or
 - b. Completing a full-time co-op or internship.
- D. Alumna.** An alumna member shall be:
1. An active member who has received a college degree or has left college without receiving a degree;
 2. An active member enrolled beyond the fourth academic year who chooses to become an alumna member;

3. An active member still attending college when Fraternity Council has deemed it necessary to reorganize the chapter;
4. A member of a petitioning group who has been initiated into the Fraternity as an alumna; or
5. An individual who initiates through Alumna Initiation.

Section 2. Qualifications. A woman may be selected to become a member of the Fraternity as a collegiate or alumna initiate provided specific qualifications are met.

- A. Collegiate New Member and Alumna Candidate.** To qualify as either a collegiate new member or an alumna candidate, a woman shall:
 1. Have demonstrated integrity, respect, and regard for others and an appreciation for the worth of all individuals;
 2. Not be pledged to membership or be a member of any similar college or university women's social sorority except honorary or professional organizations;
 3. Not have been initiated into any other member group of the National Panhellenic Conference;
 4. Be eligible in accordance with the National Panhellenic Conference Unanimous Agreements; or
 5. Be willing to pledge to uphold the Kappa Kappa Gamma Fraternity *Bylaws, Standing Rules and Policies*.
- B. Collegiate New Member.** To qualify as a collegiate new member, a woman shall also:
 1. Be enrolled at any college or university having a chapter of the Fraternity; and
 2. Have demonstrated academic interest and attained at least a B-plus average or its equivalent under any other grading system from high school or at least a B-minus average or its equivalent under any other grading system for the previous completed term as a full-time student at a college or university or a higher standard as defined by the chapter. In extraordinary cases, the chapter may petition the Membership Specialist for an exception.
- C. Alumna Candidate.** To qualify as an alumna candidate, a woman shall also:
 1. Have attended a four-year college or university; and
 2. Be at least five years out of a four-year college or university. Exceptions shall be granted for members of a petitioning group.

Section 3. Initiation. A new member, upon fulfilling the requirements for Initiation, shall be initiated and become a member of the Fraternity. Each new initiate shall receive a certificate of membership.

- A. Requirements for Initiation.**
 1. A collegiate new member who is registered as a full-time student during the pledge to membership year or during the term in which they pledged, has met all financial obligations and Fraternity standards of conduct, has completed a period of education about the Fraternity, and is in good standing with the educational institution may be initiated. In extraordinary cases, chapters may petition the Membership Director for an exception to these requirements.

2. An alumna candidate who has completed a period of education and has met all financial obligations may be initiated.
3. The new member or candidate shall make provision for securing a badge before Initiation.

B. Special Circumstances. A college alumna previously pledged to membership may petition Fraternity Council no sooner than five years after the expiration of the pledge to membership. Initiation under these special circumstances shall be granted upon a three-fourths vote of Fraternity Council. Such an alumna shall become a member of the original chapter to which they were pledged.

Section 4. Affiliation. A member who transfers to a college or university with a chapter may affiliate with the chapter at that college or university provided that a statement of the member's good standing has been received from the original chapter. A majority vote of the affiliated chapter shall be required. Upon leaving college, the member shall be considered a member of both the original chapter and the affiliated chapter.

Section 5. Voluntary Resignation, Broken Pledge, Resignation and Dismissal.

A. Voluntary Resignation.

1. **New Member.** A new member wishing to resign from their pledge to membership shall submit the resignation in writing and shall state the reason(s) for the resignation. The chapter shall accept such resignation and notify the new member, the Standards Specialist and Kappa Kappa Gamma Headquarters.
2. **Active, Associate and Alumna Member.** An active, associate or alumna member wishing to resign from membership shall submit the resignation in writing and shall state the reason(s) for the resignation.

B. Broken Pledge, Requested Resignation and Dismissal.

1. **New Member.** A new member's pledge to membership may be broken with or without prior Probation by a three-fourths vote of the chapter.
2. **Active Member.** An active member may be requested to resign or may be dismissed for violating the purposes and standards of the Fraternity or the regulations of the college or university. A three-fourths vote of the chapter shall be required.
3. **Associate or Alumna Member.** An associate or alumna member may be dismissed for violating the purposes and standards of the Fraternity by a three-fourths vote of the chapter or Fraternity Council depending on the member's classification or affiliation.

Section 6. Reinstatement or Renewal.

A. Active, Alumna and Associate Member.

1. **Reinstatement After Voluntary Resignation.** Reinstatement shall require a three-fourths vote of Fraternity Council for a former member who voluntarily resigned and is applying in writing for reinstatement no sooner than three years after resignation.

2. **Reinstatement After Requested Resignation or Dismissal.** Reinstatement shall require a unanimous vote of Fraternity Council for a former member who was requested to resign or was dismissed and is applying in writing for reinstatement no sooner than five years after resignation or dismissal.
- B. **New Member Renewal.** The expired pledge period of a new member may be renewed by a three-fourths vote of the chapter.

Section 7. Direct Fraternity Council Action.

- A. **Fraternity Council Action.** By a three-fourths vote, Fraternity Council may take direct action against a new or active member in the breaking of a pledge to membership; by requesting a member's resignation; or by dismissing a new, active, associate or alumna member. The member shall be notified of the reason(s) for the proposed action and be provided an opportunity to respond.
- B. **Decision Final.** Fraternity Council's decision shall be final and binding upon the member and the Fraternity and shall not be subject to review by any other body.

Section 8. Fees.

- A. **New Member Fee.** Each new member, alumna initiate, active member and alumna of a petitioning group shall pay a member fee of \$175 within one month after signing the pledge to membership and before Initiation.
- B. **Renewal Fee.** A renewal fee of \$50 and new member fee of \$175 shall be required for any woman repledged to membership. The Fraternity Membership Director may grant exceptions under unusual circumstances.
- C. **Annual Per Capita Fee.**
 1. Active member: \$97
 2. Active member granted Associate Membership: \$97
 3. Alumna member: \$35
 4. Alumna member within eight years of their initiation date (excluding alumna initiates) or members who have reached their 65-year member milestone: \$25
 5. The annual per capita fee shall be calculated each year, as of January 1, by the annual cost of living adjustment (COLA) and shall be calculated utilizing the Consumer Price Index for All Urban Consumers (CPI-U). The per capita fee shall be rounded to the nearest dollar. If the COLA decreases, the per capita fee shall remain the same as the previous year. If the COLA is more than 10%, the per capita fee increase shall be capped at 10%. Notification that the fee shall be effective at the beginning of the next fiscal year shall be sent to members, chapters, and alumnae associations by February 1. This increase shall take effect at the beginning of the fiscal year, July 1.
- D. **Reinstatement Fee.** The reinstatement fee for a former member shall be \$300, payable upon reinstatement.

**ARTICLE IV
FRATERNITY ORGANIZATION**

Section 1. Districts. The Fraternity shall be organized into districts determined by Fraternity Council for the purposes of providing leadership, membership retention and extension, and development of Fraternity interests.

- A. District Directors.** District Directors shall be elected, and their number shall correspond to the number of districts defined by Fraternity Council. Fraternity Council shall assign the director for each district. District Directors shall supervise the operation and management of chapters and alumnae associations within their assigned districts and may report on recommendations to Fraternity Council.
1. **Qualifications.** Each District Director shall be an alumna who has served the Fraternity within the past 10 years in any one of the following positions: 1) member of Fraternity Council; 2) a former Regional Director or Province Director; 3) a District Director or Content Director; 4) a Content Specialist; 5) a member of a Fraternity standing or special committee; 6) a former Fraternity Council Assistant; 7) a Field Representative; 8) a member of the Kappa Kappa Gamma Foundation Board of Trustees; or 9) a member of the Fraternity Housing Corporation Board of Directors.
 2. **Term of Office and Term Limits.** District Directors shall take office at the close of the Biennial Convention. A District Director shall hold office for a term of two years or until their successor is elected and shall be eligible for re-election to the same office for two additional terms.
 3. **Temporary Absence.** In the event a District Director is temporarily unable to perform the duties of office, Fraternity Council shall assign such duties to another District Director or another member of the Fraternity.
 4. **Request for Resignation or Removal from Office.** Any District Director failing to perform the duties of office may be requested to resign from office or may be removed from office when, in the opinion of the President and a three-fourths vote of Fraternity Council, the welfare of the Fraternity demands it. The District Director shall be given the opportunity to provide a defense.
- B. District Director Meetings.** The District Directors shall hold at least one meeting in the interim between Biennial Conventions.

Section 2. Chapters.

- A. Purpose.** Chapters shall be established in connection with colleges and universities to carry out the purpose of the Fraternity.
- B. Members.**
1. **Member Classifications.** Chapter members shall be active, associate, and new members of the Fraternity.
 2. **Chapter Membership Selection.** Chapters shall have the right to select members of their choice in accordance with Fraternity standards and procedures.
- C. Chapter Structure.** The structure of a chapter necessary to facilitate chapter operations shall be determined by Fraternity Council and shall include the following departments or

functional areas: internal affairs, external affairs, operations, membership, membership development, finance, and standards.¹

- D. Required Officers.** Chapter officers shall be a President and a vice president for each department or functional area. A chapter may combine chapter officer positions and have other officers as needed in the administration of the chapter with the approval of the Leadership Development Specialist.²
- E. Officer Eligibility.** A chapter member meeting all membership responsibilities and having attained at least a B-minus average or its equivalent in the previous term shall be eligible for election to office and to remain in office if elected. The chapter may establish a higher grade point average for officer eligibility. In either case, an exception for failure to meet the higher of the two standards may be granted by the Academic Excellence Specialist or Standards Specialist, in consultation with the District Director.
- F. Meetings.** Chapters shall meet regularly during the academic year and shall hold a formal meeting using ritual for initiated members at least once a month.
- G. Governance.** Each chapter shall adopt bylaws and standing rules for its governance that shall be approved by the Fraternity Bylaws Committee before becoming effective. Bylaws, standing rules, and amendments adopted thereafter, shall be approved by the Fraternity Bylaws Committee before becoming effective.
- H. Convention Representation.** Each chapter shall elect one delegate and two alternates to attend a Convention. Only the delegate shall represent the chapter with the right to vote.
- I. College Panhellenic Association.** A chapter shall be a member of its host institution's College Panhellenic Association, an affiliate of the National Panhellenic Conference, and shall be represented by a delegate from the chapter. If the delegate is unable to provide representation, an alternate shall represent the chapter.
- J. Advisory Boards and Chapter Advisers.** A chapter Advisory Board shall assist the chapter in fulfilling its purpose and in the management of the affairs of the chapter. The board shall be composed of a chairman, alumna advisers to Executive Board and vice presidents. Additional advisers may be added on a case-by-case basis with the approval of the Advisory Board Specialist, Leadership Development Specialist, and District Director, and in consultation with the Leadership Development and Advisory Board Directors.
- K. Establishing a New Chapter.**
 - 1. A new chapter may be established:
 - a. By membership selection directed by Fraternity Council.
 - b. Upon receipt of a petition from a qualified group of women. Members of the petitioning group, both current and previous, shall be eligible to become members of the Fraternity.
 - 2. Upon establishment, a new chapter shall join the Fraternity Housing Corporation.

¹ Effective with the chapter election cycle of 2022–23.

² *ibid*

L. Removal of a Chapter.

1. **Initiating the Removal by Fraternity Council.** By a three-fourths vote, Fraternity Council may initiate the removal of a chapter.
2. **Vote to Remove a Chapter.** The removal of a chapter shall require a 30-day notice and a three-fourths vote of each District Director, each Content Director, each standing committee chairman, and each Content Specialist in the district where the chapter is located.

M. Surrender of Charter. A chapter may petition to sever connection with the Fraternity by presenting a written request to Fraternity Council stating reasons in full and signed by three-fourths of the active members of the chapter and three-fourths of the chapter Advisory Board.

1. **Fraternity Council Action.** By a three-fourths vote, Fraternity Council may accept the petition and agree to the surrender of the chapter charter or may condition surrender on additional actions before accepting the surrender of the charter.
2. **Chapter Requirements.** If the request to surrender a charter is accepted, the charter shall be withdrawn when the chapter has fulfilled all financial obligations, transferred chapter assets according to the current Fraternity Financial Policies, returned all records and archives, and returned the charter.

N. Return of Chapter Charter and Archives. Whether a charter is surrendered by the chapter or removed by the Fraternity, the District Director shall take charge of the chapter charter and archives and transfer them to Kappa Kappa Gamma Headquarters. All remaining financial assets shall be transferred according to the current Fraternity Financial Policies.**O. Reestablishment of a Chapter.** Fraternity Council shall appoint a special committee to investigate the request for reestablishment of a former chapter. A three-fourths vote of Fraternity Council shall be required to reestablish a former chapter. All reestablished chapters shall join the Fraternity Housing Corporation.**P. Reorganization of a Chapter.** The reorganization of a chapter shall occur when Fraternity Council deems it is in the best interest of the chapter and the Fraternity. Any current active member of the chapter may be designated an alumna and shall remain an alumna unless otherwise designated by Fraternity Council.**Section 3. Alumnae Associations.**

- A. Purpose.** Fraternity alumnae may organize as associations to further the work of the Fraternity and extend friendship to all members.
- B. Officers.** The officers of an association shall be a President, Secretary, Treasurer, and such other officers as may be considered necessary.
- C. Meetings.** An association shall hold at least four meetings during the year. At least two of these shall be open to the entire membership.
- D. Association Governance.** Each association shall adopt bylaws for its governance.
- E. Convention Representation.** Each association shall be entitled to be represented by one delegate at any Convention.
- F. Alumnae Panhellenic Associations.** If a local Alumnae Panhellenic Association, which is affiliated with the National Panhellenic Conference, exists, an alumnae association of

the Fraternity shall become a member and may send representatives to the Alumnae Panhellenic meetings.

- G. Establishing New Associations.** A group of alumnae may form a petitioning group and petition Fraternity Council to establish an association. A three-fourths vote of Fraternity Council shall be necessary to establish an association. The date of Fraternity Council approval of the application shall be considered the date of establishment.
- H. Surrender of Charter.** An association voting to disband shall give three months' notice in writing of such intention to the District Director, the Alumna Relations Director, and the Alumna Relations Specialist. At the end of this period, provided the request to disband has not been withdrawn, the charter shall be surrendered.
- I. Withdrawal of a Charter.** An association that has failed to fulfill its responsibilities or failed to meet the Fraternity financial standards or the standards of conduct shall have the charter of the association withdrawn upon the recommendations to Fraternity Council by the District Director, the Alumna Relations Director, and the Alumna Relations Specialist. A three-fourths vote by Fraternity Council shall be required to approve the withdrawal of the charter.
- J. Return of Association Charter and Archives.** Whether a charter is surrendered by the association or withdrawn by the Fraternity, the Alumna Relations Specialist shall take charge of the association charter and archives and transfer them to Kappa Kappa Gamma Headquarters. All remaining financial assets shall be transferred according to the current Fraternity Financial Policies.
- K. Reestablishment of an Alumnae Association.** An association that has surrendered its charter or had its charter withdrawn may be reestablished by a three-fourths vote of Fraternity Council.

ARTICLE V

MEMBER, CHAPTER, AND ASSOCIATION RESPONSIBILITIES

Section 1. Overview. Members and the chapters and associations to which they belong shall comply with all federal, state or provincial laws and college or regulations where applicable and shall be responsible to preserve and advance the Fraternity's purpose, values, and standards of scholarship, finance, and conduct.

Section 2. Legal Compliance. Members, chapters, and associations of the Fraternity shall adhere to local, state, provincial, and federal laws with a specific emphasis on the following:

- A. Hazing.** Participating in or being involved in any way with hazing — defined as any activity or action taken with or without consent of the individual involved that produces mental, emotional, psychological, or physical discomfort, intimidation, humiliation, degradation, embarrassment, harassment, or ridicule — shall be prohibited.
- B. Alcohol.** The illegal use or misuse of alcoholic beverages shall be prohibited.
- C. Drugs.** The use, sale, purchase or possession of any drugs or other controlled substance in violation of local, state, provincial or federal law shall be prohibited.
- D. Discrimination.** Discrimination based on race, national origin, religion, disability, age, sexual orientation, or other class protected by local, state, provincial, or federal law shall

be prohibited. The single-gender nature of Greek-letter social organizations in the United States is recognized by an exemption under the Title IX of the Educational Amendments of 1972.

Section 3. College or University Regulations. Collegiate chapters and their members shall adhere to all rules or regulations stipulated by the college or university even when the rules or regulations are more stringent than the standards of the Fraternity.

Section 4. Academic Excellence. Chapters and individual members shall meet, maintain, or exceed chapter-specific academic standards.

- A. Chapter Standard.** Each chapter shall maintain a scholastic average equal to or higher than the university or college all-sorority average.
- B. Active Member Standard.** Each chapter shall establish a minimum GPA requirement for active members. Each active member of a chapter shall meet or exceed the chapter-specific GPA requirement.

Section 5. Finance. Individual members, chapters, and associations shall remain current with all financial obligations as established by a chapter, an association, or the Fraternity.

Section 6. Conduct. Individual members, chapters, and associations shall act with high standards of ethical conduct that represent the values of the Fraternity.

Section 7. Accountability.

- A. Overview.** The purpose of holding a member, chapter, or association accountable for inappropriate conduct shall be established to protect the integrity and prestige of the Fraternity.
- B. Process.** The Fraternity shall develop and implement procedures for the enforcement of the responsibilities and expectations enumerated herein that shall afford fairness and respect to the member, chapter, or association.
- C. Outcome.** The outcome of the process may be a Warning of Probation, Probation, Suspension, and in extreme cases, dismissal of a member from the Fraternity or removal of a chapter or association.

Section 8. Good Standing.

- A. Member.** A member meeting all member standards and responsibilities, academic, financial and conduct, and not under any accountability outcome is a member in good standing and, therefore, eligible for any elected, appointed, or volunteer position within the Fraternity.
- B. Chapter.** A chapter meeting the standards for responsibility, academic and conduct, its financial and reporting obligations and that is not on Probation or Suspension shall be a chapter in good standing, eligible for awards and representation at Convention, and shall have the right to a vote.



- C. **Association.** An association meeting its financial and reporting obligations and that maintains standards of conduct shall be an association in good standing, and eligible for awards and representation at Convention, and shall have the right to a vote.

Section 9. Conflict of Interest. Any member serving in an elected, appointed or volunteer position with the Fraternity, the Kappa Kappa Gamma Foundation, the Fraternity Housing Corporation, any chapter, any alumnae association, or similar entity affiliated or associated with these entities under any chapter, license franchise or similar arrangement shall maintain high standards of ethical conduct in performing their duties and shall avoid situations where their financial or personal interests or professional obligations interfere or appear to interfere with the interests of the Fraternity. They shall not use Fraternity property, information, or position for personal gain or violate Fraternity expectations of confidentiality.

ARTICLE VI OFFICERS

Section 1. Officers. The officers of the Fraternity shall be a President, four Vice Presidents, and a Treasurer.

Section 2. Qualifications. Officers shall be alumna members who have formerly served the Fraternity within the past 10 years in any one of the following positions: 1) member of Fraternity Council; 2) Regional Director or Province Director; 3) District Director or Content Director; 4) Content Specialist; 5) chairman or member of a Fraternity standing or special committee; 6) Fraternity Council Assistant; 7) Field Representative; 8) member of the Kappa Kappa Gamma Foundation Board of Trustees; or 9) member of the Fraternity Housing Corporation Board of Directors.

Section 3. Term of Office and Term Limits. Officers shall take office at the close of the Biennial Convention and shall hold office for a term of two years or until their successors are elected. The President and Treasurer may be elected to the same office for no more than two terms. The Vice Presidents may be elected to the same office for no more than three terms.

Section 4. Officer Transition Meeting. Following an election and prior to Convention, outgoing Fraternity Council shall host at least one transition meeting with newly elected Fraternity Council members.

Section 5. Vacancies and Temporary Absences.

A. Vacancies.

1. **President.** At the first Fraternity Council meeting following the Biennial Convention, by a three-fourths vote, Fraternity Council shall designate one of the Vice Presidents to assume the presidency if a permanent vacancy occurs in the office and to preside at meetings if the President is absent.

2. **Other Officers.** By a three-fourths vote, a vacancy in any office other than the President shall be filled for the unexpired term by Fraternity Council.
- B. Temporary Absences.** In the event an officer other than the President is temporarily unable to perform the duties of their office, Fraternity Council shall assign such duties to another member of Fraternity Council or to another member of the Fraternity who shall have the right to vote.

Section 6. Request for Resignation or Removal From Office. An officer may be requested to resign from office or shall be removed from office when the welfare of the Fraternity necessitates it. A three-fourths vote of Fraternity Council shall be required. The officer shall be given the opportunity to provide a defense.

ARTICLE VII NOMINATIONS AND ELECTIONS

Section 1. Nominations. Nominees for each officer and District Director shall be determined by the Leadership Selection Committee.

- A. Committee Composition.** The Leadership Selection Committee shall be composed of a chairman, a vice chairman and an equal number of alumnae association and chapter representatives. One member, collegiate or alumna, shall be appointed from each district.
 1. **Chairman and Vice Chairman.** Fraternity Council shall appoint the Leadership Selection Committee Chairman and Vice Chairman following the Convention. These positions shall be nonvoting members of the committee except in the case where the chairman may vote to break a tie.
 2. **Members.** Fraternity Council shall appoint chapter and association representatives as members of the committee in February following Convention based on applications. The Leadership Education and Development Committee shall receive and review applications and make recommendations to Fraternity Council.
 3. **Equal Number of Collegiate and Alumna Representatives.** One representative, collegiate or alumna, shall be appointed from each district with an equal number of collegiate and alumna representatives.
 4. **Alternating Each Biennium.** In one biennium, one chapter representative shall be appointed from districts Alpha, Beta, Delta, Eta, Theta, Mu, and Pi and one alumna representative appointed from districts Gamma, Kappa, Lambda, Epsilon, Zeta, Xi, and Rho. In the next biennium, chapter representatives shall be appointed from the second group of districts and the alumna representative from the first group, subsequently alternating each biennium.
- B. Nominee Selection.** The Leadership Selection Committee shall nominate one candidate for each officer and District Director position based on recommendations received from members and applications received from candidates.
- C. Nominations Report.** The report of the Leadership Selection Committee shall be prepared and communicated to eligible voters no less than 12 weeks prior to the Convention.

- D. Open Nominations.** Following the publication of the report, open nominations from eligible voters shall be accepted for at least 10 days, provided the consent of the nominee has been obtained and the member is qualified.

Section 2. Elections. Fraternity Council shall determine the dates and times for the election.

The election shall be completed at least eight weeks prior to the Biennial Convention.

- A. Eligible Voters.** Members eligible to vote in an election shall be those members who are eligible to vote according to Article VII, Section 2, E., and who have been credentialed as delegates for the purpose of voting in the election of officers.
- B. Voting.** The election shall be conducted electronically utilizing an online voting and election software application. The candidate for each officer and District Director position receiving the most votes shall be elected provided such candidate receives a majority of the votes cast for that position.
- C. Election Committee.** An Election Committee comprised of nonvoting members and appointed by Fraternity Council shall oversee and coordinate the election process in conjunction with the Executive Director. The report of the election results shall be sent electronically to the membership within five business days following the close of voting and shall be published on the Fraternity website.

**ARTICLE VIII
MEETINGS**

Section 1. Membership Meetings. Membership meetings shall be a Convention at which the rights and authority of members shall be vested in the voting members of the Convention.

Section 2. Convention.

- A. Regular Meeting.** The regular meeting of the membership of the Fraternity shall be a Convention that shall be held biennially in even-numbered years. Fraternity Council shall determine the date, time, and place.
- B. Special Meeting.** A special meeting of the membership may be called by a unanimous vote of Fraternity Council and shall be called upon the written request of a majority of the chapters and alumnae associations.
- C. Notice of Meetings.** Notice of meetings, both regular and special, shall be sent to all voting members, chapters, and alumnae associations entitled to representation at such meetings.
 - 1. Regular Meeting.** The notice shall state the date, time, and place, and shall be given not less than three months prior to the meeting date.
 - 2. Special Meeting.** The notice shall state the date, time, and place, and shall be given not less than one month prior to the meeting date. Notice of a special meeting shall include the purpose of the meeting.
- D. Postponement or Cancellation of a Meeting.** In cases of emergency, Fraternity Council, by a unanimous vote, may postpone or cancel a previously noticed Convention meeting. When a meeting is canceled, it shall become the duty of Fraternity Council to reschedule the canceled meeting as soon as conditions permit.

- E. Voting Members.** The voting members of the Convention shall be composed of the following Fraternity members who are registered delegates, entitled to one vote and voting in person:
 - 1. Fraternity Council members
 - 2. District Directors
 - 3. Chairmen of standing committees
 - 4. Content Directors
 - 5. One delegate from each chapter
 - 6. One delegate from each alumnae association
- F. Alumnae Associations Vote Value.** If the total number of registered alumnae association delegates present exceeds the total number of registered chapter delegates present, the value of the alumnae associations' total votes in any vote taken shall be reduced by the proportion of registered chapter delegates to registered alumnae association delegates.
- G. Vote and Voting.** A majority vote shall decide in all cases except where otherwise specifically provided. There shall be no absentee voting or voting by proxy.
- H. Quorum.** The quorum at any meeting of any Convention shall be a majority of the eligible voting members.
- I. Nonvoting Members.** The privilege of speaking may be granted to a nonvoting member of a Convention at the discretion of the President.

Section 3. Enacted Business. Any item of business brought before and acted upon by any Convention shall not be changed with the exception of emergency powers granted to Fraternity Council.

ARTICLE IX FRATERNITY COUNCIL

Section 1. Composition. The members of Fraternity Council shall be the officers of the Fraternity: the President, the four Vice Presidents, and the Treasurer.

Section 2. Duties. Except as otherwise provided by law, the *Articles of Incorporation* or these bylaws, all of the authority of the Fraternity shall be exercised by Fraternity Council. Fraternity Council serving hereunder shall have the power, authority and responsibilities of and shall perform the functions provided for directors under the Ohio Nonprofit Corporation Law. Fraternity Council shall:

- A.** Exercise the rights of the Fraternity as a shareholder, member, holder, or other ownership interest in any other entity;
- B.** Elect representatives to serve on the Board of Trustees as provided for in the Code of Regulations of the Kappa Kappa Gamma Foundation; and
- C.** Elect representatives to serve on the Board of Directors as provided for in the Code of Regulations of the Fraternity Housing Corporation.

Section 3. Emergency Powers. If Fraternity Council determines in the interval between Biennial Conventions that an emergency exists that ordinarily requires action by a vote of the

Convention, Fraternity Council may exercise the voting power vested in the Convention. Any such action shall be reported to the next Biennial Convention.

Section 4. Meetings.

- A. Called Meeting.** A Fraternity Council meeting may be called by the President and shall be called upon the request of a majority of its members. Reasonable notice of date, time and place of a meeting shall be sent to each Fraternity Council member.
- B. Quorum.** A majority of the members of Fraternity Council shall constitute a quorum.
- C. Business Without a Meeting.** Fraternity Council may conduct business without a meeting as long as the decisions are written, signed, and unanimous.
- D. Voting.** There shall be no absentee voting or voting by proxy.

**ARTICLE X
COMMITTEES**

Section 1. Standing Committees. The standing committees of the Fraternity, appointed by and under the supervision of Fraternity Council, shall be Bylaws, Convention, Finance, *The Key* Publication, Leadership Education and Development, and Panhellenic.

Section 2. Special Committees. Special committees may be established by the membership meeting in Convention or by Fraternity Council.

Section 3. Composition of Committees.

- A. General Composition.** Each committee shall be composed of a chairman and members appointed by Fraternity Council.
- B. Finance Committee Composition and Term.** The Finance Committee shall be composed of the committee chairman, the Fraternity Treasurer, the Fraternity Facilities Director, and at least three other persons, one of whom may be a nonmember qualified by experience in financial operations. Members shall serve for a term of three years or until their successors are appointed. One-third of the appointees shall be appointed each year. No member shall serve for more than two consecutive terms.

Section 4. Appointment and Term of Office. Except as otherwise specifically provided here, standing committee chairmen and members shall be appointed by Fraternity Council, shall take office immediately upon appointment following the Biennial Convention, and shall remain in office for a term of two years, except for Finance Committee members, who serve for three years or until their successors are appointed.

Section 5. Qualifications. Alumnae who have previously given their consent and have been active in Fraternity work shall be eligible for appointment as a standing committee chairman.

Section 6. Removal. Any standing committee chairman or committee member failing to perform the duties of office may be removed from office by Fraternity Council. A



standing committee chairman or committee member shall be notified of pending removal and given the opportunity to respond.

Section 7. Member *Ex-Officio*. The Fraternity President shall be a member *ex-officio* of all committees except the Leadership Selection Committee.

**ARTICLE XI
CONTENT AREAS**

Section 1. Content Areas. The content areas shall be academic excellence; Advisory Board; alumna relations; diversity, equity, and inclusion; facilities; leadership development; membership; Panhellenic; philanthropy; programming; public relations; risk prevention; ritual and history; and standards.

Section 2. Content Directors. Content Directors shall lead the work of the Fraternity in the appointed content area, collaborate with Kappa Kappa Gamma Headquarters staff, and guide the Content Specialists to provide support to alumnae and collegians.

- A. Appointment and Term of Office.** A Content Director shall be appointed by Fraternity Council for each content area. Content Directors shall take office immediately upon appointment following the Biennial Convention and remain in office for a term of two years or until their successors are appointed.
- B. Qualifications.** Alumnae who have previously given their consent and have been active in Fraternity work shall be eligible for appointment as a Content Director.
- C. Removal From Office.** Any Content Director failing to perform the duties of office may be removed from office by Fraternity Council. A Content Director shall be notified of pending removal and given the opportunity to respond.

Section 3. Content Specialist. Each district shall have at least one Content Specialist in each content area who shall work with the District Director and the Content Director to foster growth of chapters and associations within the district.

- A. Appointment and Term of Office.** Content Specialists shall be appointed by Fraternity Council to serve a two-year term with no term limits. Content Specialists shall begin their terms at the beginning of the fiscal year in non-Convention years and shall remain in office until their successors are appointed.
- B. Qualifications.** Alumnae who have previously given their consent and have been active in Fraternity work shall be eligible for appointment as a Content Specialist.
- C. Removal From Office.** Upon recommendation of the Content Director, a Content Specialist failing to perform the duties of office may be removed from office by Fraternity Council. A Content Specialist shall be notified of pending removal and given the opportunity to respond.



**ARTICLE XII
ADMINISTRATIVE OPERATIONS**

Section 1. Kappa Kappa Gamma Headquarters.

- A. Kappa Kappa Gamma Headquarters Office.** The Fraternity shall maintain a headquarters office as its principal place of business.
- B. Kappa Kappa Gamma Headquarters Staff.** A professional staff shall be employed to conduct the business of the Fraternity at the direction of Fraternity Council. This staff shall be under the direct supervision of an Executive Director.

Section 2. Executive Director. An Executive Director, employed by the Fraternity, shall serve as the chief administrative officer and corporate secretary of the Fraternity and perform such duties as defined by Fraternity Council.

Section 3. Financial Director. A financial director, authorized by Fraternity Council, shall be in charge of the finances and accounts of the Fraternity. The financial director shall report to the Executive Director.

**ARTICLE XIII
FINANCE**

Section 1. Investment of Fraternity Funds. The investments and securities performance shall be reviewed by the Finance Committee for compliance with the Fraternity's investment policy statement.

Section 2. Financial Drives and Campaigns. No chapter, alumnae association, Advisory Board, House Board or individual member shall undertake any financial drive or campaign of more than local extent in the name of the Fraternity without first securing the recommendation of the Finance Committee and approval of Fraternity Council.

Section 3. Audit and Tax Returns. An audit of the Fraternity finances shall be conducted annually by a certified public accountant and appropriate tax returns filed annually.

Section 4. Insurance. The Fraternity shall maintain a master insurance program.

Section 5. Liabilities. Total current liabilities, including contingent liabilities and mortgage notes payable assumed by the Fraternity, shall not exceed 50% of the assets of the Fraternity.

**ARTICLE XIV
PROPRIETARY MATERIALS**

Section 1. Trademarks. Fraternity Council shall determine which Fraternity marks shall be registered with the United States Patent and Trademark Office. All Fraternity marks are owned by the Fraternity and shall not be used or reproduced except as authorized by Fraternity Council.



Section 2. Copyrights. All written material created in the name of the Fraternity is automatically copyrighted and shall not be used outside of the Fraternity unless approved by Fraternity Council.

Section 3. Secret Materials. Secret materials, such as the *Book of Ritual* and related materials, shall be kept secret and shall not be disclosed to nonmembers or used outside of the Fraternity. Reproduction of the secret materials shall be prohibited except as authorized by Fraternity Council.

ARTICLE XV

NATIONAL PANHELLENIC CONFERENCE

Section 1. Membership. The Fraternity shall maintain the Fraternity's membership in the National Panhellenic Conference (NPC).

Section 2 Membership Requirements. The Fraternity shall follow NPC Unanimous Agreements, policies, and procedures.

Section 3. Representation. The Fraternity shall be represented at the annual meeting of the NPC Council of Delegates by a Fraternity member appointed by Fraternity Council who shall be empowered to act and vote on behalf of the Fraternity.

ARTICLE XVI

INDEMNIFICATION

The Fraternity shall indemnify, to the maximum extent permitted by law, any person who is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding by reason of the fact that they are or were a member of Fraternity Council, an elected officer, a member serving in an appointed position, a volunteer, an authorized agent, or an employee of the Fraternity against all expenses, judgments, fines, and amounts paid in settlement incurred by them if they acted in good faith and in a manner they reasonably believed to be in or not opposed to the best interest of the Fraternity and with respect to any criminal action or proceeding, had no reasonable cause to believe their conduct was unlawful. The Fraternity may pay expenses incurred by any person covered by this section in defending any action, suit or proceeding in advance of final disposition on such terms and conditions, as shall be determined by Fraternity Council. The indemnification provided by this section is not exclusive and the Fraternity may purchase and maintain insurance on behalf of any person covered by this section, whether or not the Fraternity would have the obligation or power to indemnify them under this section.

ARTICLE XVII

DISSOLUTION

If for any reason the Fraternity shall be dissolved, all assets not otherwise disposed of shall be transferred to the Kappa Kappa Gamma Foundation, an Ohio nonprofit corporation.



ARTICLE XVIII

ELECTRONIC MEETINGS AND COMMUNICATIONS

Section 1. Meetings. The biennial or a special convention, Fraternity Council, all committees and subcommittees and any other Fraternity sub-group is authorized to meet through any communications equipment that provides a transmission, including, but not limited to, telephone, telecopy, or any electronic means, from which it can be determined that the transmission was authorized by, and accurately reflects the intention of the members involved and, with respect to the meeting, allows all persons who may attend and participate in the meeting to contemporaneously communicate with each other.

Section 2. Voting by Ballot. An anonymous vote conducted through a designated internet meeting service or electronic means such as audience response devices or computer software shall be deemed to be a ballot vote, fulfilling any requirement that a vote be by ballot.

Section 3. Communications. Unless a member indicates otherwise, all communication required in these bylaws, including required notices, may be sent electronically.

ARTICLE XIX

NONPROFIT CORPORATION

The Fraternity is an Ohio nonprofit corporation. The Fraternity *Bylaws* shall constitute the code of regulations of the Fraternity. The Fraternity shall be governed in accordance with the laws of the state of Ohio, without giving effect to the choice of law or conflicts of laws principles thereof.

ARTICLE XX

KAPPA KAPPA GAMMA FOUNDATION

The Kappa Kappa Gamma Foundation, as established, shall be maintained as a separate, nonprofit corporation exempt from federal income tax under Internal Revenue Code Section 501(c)(3).

ARTICLE XXI

FRATERNITY HOUSING CORPORATION

The Fraternity Housing Corporation, as established, shall be maintained as a separate, nonprofit corporation exempt from federal income tax in accordance with Internal Revenue Code Section 501(c)(7).

ARTICLE XXII

CHAPTER HOUSE CORPORATION AND CHAPTER HOUSE ASSOCIATION

Section 1. Chapter House Corporation. A chapter house corporation shall own or lease and maintain all property, including land, buildings, furnishings and equipment for the use and benefit of a chapter. Members of a house corporation shall be members of the Fraternity, shall have paid a membership fee in the corporation, and shall agree to be bound by the regulations of the corporation and the Fraternity *Bylaws, Standing Rules*



and *Policies*. The Fraternity shall be a member of each chapter house corporation, and if necessary, representation shall be determined on a case-by-case basis.

Section 2. Chapter House Association. All rental property, furnishings and equipment shall be managed and maintained by a chapter house association provided the chapter was chartered before July 1, 1976, and the house association has not incorporated. Members of a house association shall be a member of the Fraternity, shall have paid a membership fee in the house association, and shall agree to be bound by the regulations of the house association and the Fraternity *Bylaws, Standing Rules* and *Policies*. The Fraternity shall be a member of each chapter house association, and if necessary, representation shall be determined on a case-by-case basis.

ARTICLE XXIII

PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Fraternity in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Fraternity may adopt.

ARTICLE XXIV

AMENDMENT OF ARTICLES OF INCORPORATION AND BYLAWS

Section 1. Amendment. The Fraternity *Articles of Incorporation* and *Bylaws* may be amended by a Convention by a two-thirds vote provided notice of the amendment indicating its exact content has been sent to the voting members of the Convention three months prior to the Convention.

Section 2. Submitting Proposed Amendments. An amendment may be proposed by Fraternity Council, a District Director, a standing or special committee, a Content Director, a Content Specialist, a chapter, or an alumnae association. Proposed amendments shall be submitted no later than six months prior to the date of the Convention and only amendments approved by Fraternity Council shall be submitted to the Convention for a vote.

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PROVISOS RELATING TO TRANSITION

I. Effective with the Chapter Election Cycle of 2022–23.

The following two provisions of Article IV. Fraternity Organization shall become effective with the chapter election cycle of 2022–23.

Section 2. Chapters.

- C. Chapter Structure.** The structure of a chapter necessary to facilitate chapter operations shall be determined by Fraternity Council and shall include the following departments or functional areas: internal affairs, external affairs, operations, membership, membership development, finance, and standards.
- D. Required Officers.** Chapter officers shall be a President, and a vice president for each department or functional area. A chapter may combine chapter officers and have other offices as needed in the administration of the chapter with the approval of the Leadership Development Specialist.

II. Remain in Effect Until the Election Cycle of 2022–23.

The following sections from Article XII of the 2018 Kappa Kappa Gamma *Bylaws* remain in effect until the chapter election cycle of 2022–23 when Article IV, Section 2. C and D shall become effective.

ARTICLE XII

CHAPTER ORGANIZATION AND MANAGEMENT

Section 2. Officers. The officers of a chapter shall be: President, Vice President-Standards, Vice President-Organization, Vice President-Academic Excellence, Recording Secretary, Corresponding Secretary, Treasurer, Registrar and Marshal. Chapters may combine chapter offices and duties.

Section 3. Standing Committee Chairmen The standing committee chairmen shall be: Education, Event, House, Membership, New Member, Panhellenic, Philanthropy, Public Relations and Risk Management. Chapters may combine standing committee chairmen and duties.

Section 4. Standing Committees. The standing committees shall be: Academic Excellence, Catalog, Organization, Education, Event, Finance, House, Membership, New Member, Panhellenic, Philanthropy, Public Relations, Risk Management, Ritual, and Standards. Chapters may combine standing committees and duties.

Section 5. Qualification of Officers and Standing Committee Chairmen.

- A. Eligibility.** Only members meeting all financial obligations and standards of conduct and attaining at least a B-minus average or its equivalent for the previous term shall be eligible to be nominated for or hold office unless the **relevant Content Specialist** (Academic Excellence Specialist or **Standards Specialist**), in consultation with the District Director, grants an exception.
- B. Maintaining Eligibility.** If an officer or standing committee chairman fails to maintain the qualifications to hold office, she shall become ineligible to remain in office unless the Academic Excellence Specialist or **Standards Specialist**, in consultation with the District Director, grants an exception.



Section 6. Nomination, Election and Installation of Officers and Standing Committee Chairmen.

A. Nominations.

1. The Nominating Committee shall consist of a chairman appointed by the Chapter Council and at least four additional members, including representation from each academic class, elected one month in advance of the chapter election. A member of the Advisory Board shall act as an adviser to the committee without vote.
2. The committee, by majority vote, shall nominate one candidate for each office to be filled and one for each standing committee chairmanship. Written suggestions for candidates from members of the chapter shall be carefully reviewed. The committee shall secure the consent of the nominee prior to placing her name in nomination.
3. The committee shall report the slate of nominees to the members at the chapter meeting one week prior to election.
4. Nominations from the floor shall be called for following the report of the Nominating Committee and before the election.

B. Election. Chapter election of officers and standing committee chairmen shall be held annually between Nov. 1 and March 31 unless the District Director grants an exception. Voting shall be by ballot and a majority vote of the members present at the meeting and voting shall elect.

C. Installation of Officers. All chapter officers and standing committee chairmen shall be installed at a formal meeting following a satisfactory period of officer training.

Section 7. Chapter Council. The Chapter Council shall be the Executive Committee of the chapter.

A. Membership. The Chapter Council shall consist of the following members: President as Chairman, Vice President-Standards, Vice President-Organization, Vice President-Academic Excellence, Recording Secretary, Corresponding Secretary, Treasurer, Registrar, Marshal, Education Chairman, Event Chairman, House Chairman, Membership Chairman, New Member Chairman, Panhellenic Delegate, Philanthropy Chairman, Public Relations Chairman, Risk Management Chairman and special committee chairmen as necessary.

B. Duties. The duties of the Chapter Council members shall be:

1. To be responsible for the proper functioning of the chapter.
2. Other duties as assigned in the current *Leadership Guides*.
3. To administer the chapter finance program according to the guidelines approved by and under the direction of Fraternity Council.
4. To send representatives to the College Panhellenic organization in accordance with National Panhellenic Conference Unanimous Agreements and according to the structure of the respective College Panhellenic.
5. To make reports as specified in *Leadership Guides* or as requested.



6. To ensure that the archives of the chapter are properly maintained including an alphabetical roll and chronological index of chapter initiates, proxy initiates and affiliates.

Section 9. Removal of Officers and Standing Committee Chairmen. The Chapter Council, with the approval of Advisory Board, may recommend to the chapter the removal of any officer or standing committee chairman failing to adequately perform the duties of her office, failing to maintain Fraternity standards, or falling below academic requirements. The officer or standing committee chairman shall be given the opportunity to defend herself.

- A. Vote.** A three-fourths vote of the chapter members present at the meeting and voting shall be required to remove an officer or standing committee chairman. If the officer or chairman is not removed by chapter vote, Advisory Board may remove her with approval of the District Director.
- B. Vacancies.**
 1. After a nomination made by the Chapter Council, a majority vote of the chapter members present at the meeting and voting shall fill a vacancy. Following Chapter Council nomination, nominations from the floor shall be in order.
 2. **In the event the chapter President is permanently unable to perform the duties of her office, Chapter Council shall assign such duties to a vice President until a new chapter President is elected.**
 3. In the event an officer or standing committee chairman is temporarily unable to perform the duties of her office, the Chapter Council shall assign such duties to another member of the chapter who shall have the right to vote.

Section 10. Chapter Advisers and Advisory Boards. Alumna advisers in good standing shall be selected annually as a board with the joint approval of the chapter and the Executive Board of the local alumnae association. Advisers to each of the chapter officers, standing committees, Chapter Council and the Panhellenic Delegate shall serve in an advisory capacity without vote. In the absence of a local alumnae association, the board may be selected with joint approval of the District Director, Advisory Board Specialist, and Alumna Relations Specialist.

Section 11. Chapter Archives. The archives of the chapter shall consist of the items listed in the Fraternity manuals. All archive properties pertaining to ritual, except when in use, shall be kept in a locked place suitable for security of these materials. All archived documents, records, resources and memorabilia that are not secret in nature shall be maintained in a secure manner.

###



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Functions of NPC

On July 1, 2019, NPC implemented a new governance and organizational structure that includes a seven-member Board of Directors composed of five members elected by the Council of Delegates and two directors appointed by their member organization (on a rotational basis). The NPC chair is elected by the Council of Delegates from the seven board members.

The Board of Directors leads NPC and has the authority and responsibility for overseeing the affairs of NPC. They establish corporate policy, set the strategic direction, oversee and secure resources and monitor organizational performance.

The Council of Delegates consists of one representative from each NPC member organization and has primary responsibility for Conference membership and Panhellenic policies. Each delegate is empowered to act and vote on behalf of her member organization. The NPC staff is responsible for the day-to-day management of the Corporation and works alongside the organization's volunteers.

Authority of NPC

The National Panhellenic Conference is a conference body that adopts policies to govern its own internal operation. Through such policies have come the Unanimous Agreements. For a policy to become a Unanimous Agreement, each delegate on the Council of Delegates must vote in the affirmative.

All NPC member organizations must follow the Unanimous Agreements until they are amended or rescinded. Alumnae and College Panhellenics are also required to follow the Unanimous Agreements. NPC cannot breach in any way the rights and powers of the member organizations except as provided in the Unanimous Agreements.

NPC formulates policies on matters of mutual interest and concern and studies changing educational outlooks. Through peer group meetings and large group discussions at the NPC Annual Conference, NPC contributes to interfraternal understanding and friendship.

NPC collects annual dues from its member organizations, College Panhellenics and Alumnae Panhellenics. NPC also assesses an undergraduate per capita fee that is to be collected by each member organization on behalf of its initiated members and paid to NPC.

History of NPC

The National Panhellenic Conference (NPC) evolved gradually through a cooperative spirit among women's fraternities (sororities). As early as 1891, Kappa Kappa Gamma invited all Greek-letter women's collegiate fraternities (sororities) — seven at the time — to a meeting in Boston on April 16 and 17. The groups discussed interfraternity courtesy, jewelry, stationery, and journalism. A second meeting was planned for 1893 at the Chicago World's Fair, and although some representatives were there, no records of the session exist.

Early histories of women's fraternities (sororities) contain accounts of "rushing and pledging agreements" or "compacts" among fraternities (sororities) on various campuses and many stories of cooperation and mutual assistance. However, no actual Panhellenic organization existed and no uniform practices were observed. By 1902, it was obvious some standards were needed; therefore, Alpha Phi invited Pi Beta Phi, Kappa Alpha Theta, Kappa Kappa Gamma, Delta Gamma, Gamma Phi Beta, Delta Delta Delta, Alpha Chi Omega and Chi Omega to a



Since 1902, the National Panhellenic Conference member organizations have unanimously agreed to pursue certain procedures and ethics that lead to the orderly and equitable conduct of their mutual Functions.

Unanimous Agreements are the principles, procedures and behavioral expectations considered so fundamental to ethical and harmonious intersorority life that they bind every NPC member organization. College and Alumnae Panhellenic Associations must operate according to these agreements, and all individual members must abide by them. Also included in the Unanimous Agreements are statements setting forth the rights of sororities as private, voluntary social Organizations.

The Unanimous Agreements are adopted by a unanimous vote of the NPC voting body (the NPC Council of Delegates). The delegate's vote is equal to her sorority's pledge that every collegiate and alumna member will abide by and honor the NPC Unanimous Agreements. A five-sixths vote of the Council of Delegates can amend them.

Each College Panhellenic (or Inter-Sorority Council or equivalent organization) and Alumnae Panhellenic must incorporate the NPC Unanimous Agreements into its procedures and operating methods (bylaws, standing rules, membership recruitment rules and other governing documents). Language that contradicts a Unanimous Agreement must be removed immediately; no vote is necessary.

NPC member organizations are formally named fraternities, sororities or societies. For the purpose of the Unanimous Agreements, policies and best practices, NPC refers to all member organizations as sororities.

- b. All members of the peer accountability board must be collegians from the College Panhellenics' member organizations.
 - c. NPC peer accountability forms must be used to ensure proper documentation and adherence to the NPC Unanimous Agreements.
 - d. All documentation of the peer accountability process, including reports/forms completed for each alleged violation, need to be retained by the fraternity/sorority advisor and the College Panhellenic for three years. This documentation must be available upon request from NPC.
2. Peer Accountability Process Overview
- The peer accountability process will be set in motion when an alleged infraction takes place and a College Panhellenic Alleged Infraction Report is filed. Infractions can only be filed against a chapter and not against any individuals.
3. Educational Outcomes
- a. Each College Panhellenic will strive to achieve a fair and reasonable resolution for infractions. Educational outcomes should fit the nature and degree of the infractions.
 - b. Monetary fines will be acceptable only for measurable infractions of the College Panhellenic's governing documents or stated membership recruitment rules.
 - i. The amounts of monetary fines must be predetermined by a vote of the College Panhellenic Council and stated in the College Panhellenic standing rules and/or membership recruitment rules prior to the beginning of recruitment.
 - c. Educational outcomes must not:
 - i. Forbid primary recruitment or continuous open bidding activities or the observance of an inter/national sorority event such as an educational program, ritual ceremony or historical celebration.
 - ii. Affect a sorority chapter's quota or total.
 - iii. Affect the time of new member acceptance and/or initiation.
 - iv. Forbid the right of an NPC sorority to vote in College Panhellenic meetings.
 - v. Include removal from the College Panhellenic.
 - d. The duration of any educational outcomes imposed must not exceed one calendar year from the time the decision is final.
4. Appeals
- a. The decision of the College Panhellenic Association peer accountability board may be appealed by any involved party to the NPC Panhellenic Accountability Committee.
 - b. If the NPC Panhellenic Accountability Committee is unable to resolve the appeal, the file will be transferred to the NPC Board of Directors for final resolution. The decision of the board is final.

VIII. NPC DECLARATION OF FREEDOM

Knowledge is essential to preserving the freedoms provided in the first 10 amendments of the U.S. Constitution, known as the Bill of Rights, and as provided by the Canadian Charter of Rights and Freedoms (Part 1, Constitution Act, 1982), known as the Guarantee of Rights and Freedoms.

Citizens of both the United States and Canada are guaranteed the rights of peaceful assembly and freedom of association. NPC is dedicated to preserving the freedom of citizens to choose their associates.

We, the members of the National Panhellenic Conference, agree that we have a responsibility to contribute to accurate and thorough knowledge of the freedoms guaranteed by the U.S. Constitution and the Canadian Charter of Rights and Freedoms, and of any forces, organizations and ideologies that are potentially destructive to these freedoms.

IX. PROTECTING THE RIGHT OF NPC MEMBERS TO REMAIN WOMEN'S-ONLY ORGANIZATIONS

NPC member organizations exist as women's-only private social organizations. We believe that the right to enforce such membership restrictions is rooted in the freedom of association protected by the First Amendment of the U.S. Constitution. The U.S. Congress has recognized that right by providing in Title IX of the Education Amendments of 1972 that the membership practices of social fraternities and sororities are excepted from the prohibition contained in Title IX against discrimination on the basis of sex in participation in educational programs or related activities (20 USC 1681) and in exempting "bona fide private membership clubs" from the general prohibition against sex discrimination in employment practice (26 USC 501(c)). To further protect the right to maintain our membership policies, NPC reaffirms its long-held beliefs and policies in the form of a Unanimous Agreement.

1. The women's sororities of the National Panhellenic Conference have the right to confine their membership to women and shall defend their right to exist as single-sex organizations.
2. Auxiliaries. Each College Panhellenic shall denounce the participation of undergraduate Panhellenic women in auxiliary groups to men's fraternities.
3. Men's recruitment. Each College Panhellenic shall denounce the participation of Panhellenic women in men's fraternity events when or where the primary purpose is recruitment.

Note: Certain Unanimous Agreements that pertain to College Panhellenics are further outlined and explained in the "[Resolved to Educate](#)" documents provided on the NPC website in the "Resources" section.

Scholarships (1989) – POLICY

A condition of awarding scholarship monies to graduating high school women cannot be that they participate in recruitment, pledging and subsequent initiation into an NPC member sorority.

Summer Recruitment (1995, 2020) – POLICY

Alumnae Panhellenics must follow the NPC and College Panhellenic rules regarding cooperative summer recruitment events. All joint sorority education programs or informational events for potential new members must promote the sorority experience.

Outreach and education materials to potential new members and caregivers should reflect the Promotion of the Sorority Experience (2020, 2023) – POLICY and share accurate information about the current state of sorority on campuses.

Tax Exempt Status – POLICY

Alumnae Panhellenics must apply to the state in which it is located for its own tax-exempt number if they choose to seek an exemption in that state.

Assistance – BEST PRACTICE

NPC encourages Alumnae Panhellenics to provide assistance with workshops and other activities at the request of the College Panhellenic.

Fundraising – BEST PRACTICE

NPC encourages fundraising for scholarship awards annually.

Need-Based Scholarships (2018) – BEST PRACTICE

Alumnae Panhellenics offering need-based scholarships should use the Expected Family Contribution (EFC) calculated by the U.S. Department of Education's Office of Federal Student Aid when determining student need for need-based scholarships. Alumnae Panhellenics should ask scholarship applicants to submit a copy of the current year's Student Aid Report from the Department of Education.

Recruitment Information Events (1993, 2018) – BEST PRACTICE

When there is an Alumnae Panhellenic in the area, the Alumnae Panhellenic is responsible for organizing membership recruitment information events. When there is no Alumnae Panhellenic in an area, membership recruitment information events may be organized by representatives from a minimum of two NPC organizations, with all efforts being made to include as many NPC organizations as possible.

- These events must represent all 26 NPC member organizations.
- Alumnae Panhellenics must not charge a fee, encourage providing gifts or require submitting information forms in order for participants to attend an event.
- It is not necessary to attend a sorority recruitment information event or register with an Alumnae Panhellenic to participate in membership recruitment on campus.
- These events are to promote the benefits of joining a sorority and messaging should be values-based.

DOC ID ----> 200421000424



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
07/28/2004	200421000424	DOMESTIC/AMENDED RESTATED ARTICLES (AMA)	50.00	.00	.00	.00	.00

Receipt

This is not a bill. Please do not remit payment.

VORYS, SATER, SEYMOUR & PEASE
52 E. GAY STREET
COLUMBUS, OH 43215

**STATE OF OHIO
CERTIFICATE**

Ohio Secretary of State, J. Kenneth Blackwell

142747

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

KAPPA KAPPA GAMMA FRATERNITY

and, that said business records show the filing and recording of:

Document(s)
DOMESTIC/AMENDED RESTATED ARTICLES

Document No(s):
200421000424



United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of
the Secretary of State at Columbus,
Ohio this 26th day of July, A.D.
2004.

J. Kenneth Blackwell
Ohio Secretary of State



Prescribed by **J. Kenneth Blackwell**

Ohio Secretary of State
 Central Ohio: (614) 466-3910
 Toll Free: 1-877-SOS-FILE (1-877-767-3453)

www.state.oh.us/sos
 e-mail: busserv@sos.state.oh.us

Expedite this Form: (Select One)	
<input type="radio"/> Yes	PO Box 1390 Columbus, OH 43216 *** Requires an additional fee of \$100 ***
<input checked="" type="radio"/> No	PO Box 1028 Columbus, OH 43216

**Certificate of Amendment by
 Shareholders or Members
 (Domestic)
 Filing Fee \$50.00**

(CHECK ONLY ONE (1) BOX)

(1) Domestic for Profit <input type="checkbox"/> Amended (122-AMAP)	<input type="checkbox"/> Amendment (125-AMDS)	(2) Domestic Non-Profit <input checked="" type="checkbox"/> Amended (126-AMAN)	<input type="checkbox"/> Amendment (128-AMD)
---	---	--	--

Complete the general information in this section for the box checked above.

Name of Corporation Kappa Kappa Gamma Fraternity

Charter Number 142747

Name of Officer Lila A. Isbell

Title Executive Director and Corporate Secretary

Please check if additional provisions attached.

The above named Ohio corporation, does hereby certify that:

A meeting of the shareholders directors (*non-profit amended articles only*)

members was duly called and held on June 28, 2004
 (Date)

at which meeting a quorum was present in person or by proxy, based upon the quorum present, an affirmative vote was cast which entitled them to exercise 100 % as the voting power of the corporation.

In a writing signed by all of the shareholders directors (*non-profit amended articles only*)

members who would be entitled to the notice of a meeting or such other proportion not less than a majority as the articles of regulations or bylaws permit.

Clause applies if amended box is checked.

Resolved, that the following amended articles of incorporations be and the same are hereby adopted to supercede and take the place of the existing articles of incorporation and all amendments thereto.

All of the following information must be completed if an amended box is checked.
If an amendment box is checked, complete the areas that apply.

FIRST: The name of the corporation is: Kappa Kappa Gamma Fraternity

SECOND: The place in the State of Ohio where its principal office is located is in the City of:

Columbus Franklin
(city, village or township) (county)

THIRD: The purposes of the corporation are as follows:

Attached and incorporated herein by reference as Exhibit A.

FOURTH: The number of shares which the corporation is authorized to have outstanding is: Not Applicable
(Does not apply to box (2))

REQUIRED
Must be authenticated
(signed) by an authorized
representative
(See Instructions)

Lila A. Isbell

Authorized Representative

Lila A. Isbell
(Print Name)

July 22, 2004

Date

Authorized Representative

(Print Name)

Date

Exhibit A

PURPOSE CLAUSE AT THIRD

Kappa Kappa Gamma Fraternity (the "Fraternity or Corporation") is formed to function exclusively as an organization described in Section 501(c)(7) of the Internal Revenue Code of 1986, as amended (or corresponding provisions of any future United States internal revenue law) (the "Code"). The purposes for which the Corporation is formed are:

- A. To unite women, through membership, in a close bond of friendship, seeking to instill in them a spirit of mutual love and helpfulness, to the end that each member and the Fraternity-at-large may attain social, moral, and intellectual excellence;
- B. To establish chapters at various colleges and universities, provide for the proper organization, installation, and operation, with each chapter having the right and responsibility to select members of its choice in accordance with Fraternity standards and procedures;
- C. To cooperate with colleges and universities where chapters of the Fraternity are established, advance academic interest, and promote higher standards of social conduct;
- D. To cooperate with other organizations in solving mutual problems and building higher standards of womanhood;
- E. To advocate for and seek to address issues of concern for members and women in general;
- F. To promote the establishment and growth of alumnae associations and encourage participation of alumnae in the Fraternity programs; and
- G. To have and protect a distinctive and exclusive badge and other insignia of membership and office and keep secret the ritual.

Notwithstanding anything to the contrary contained in these Articles, the Corporation shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under Code Section 501(a) as an organization described in Code Section 501(c)(7).

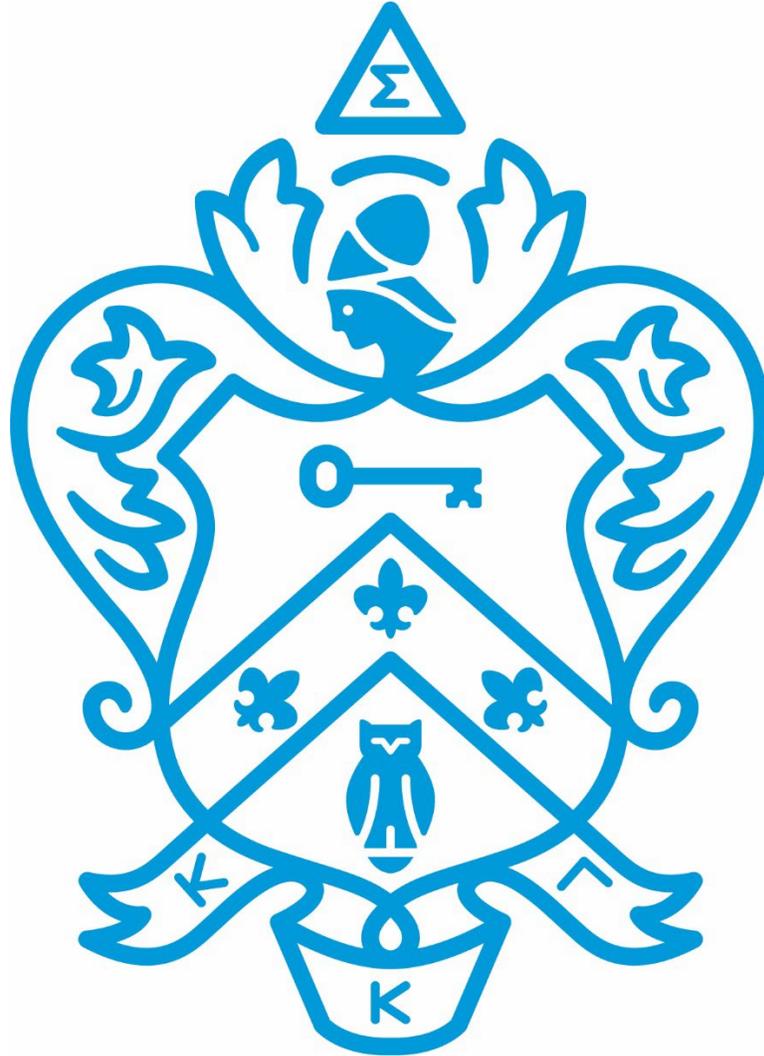
**ATTACHMENT TO
CERTIFICATE OF AMENDMENT BY
SHAREHOLDERS OR MEMBERS
OF KAPPA KAPPA GAMMA FRATERNITY**

FOURTH: No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, its directors, officers, members or other private persons or organizations, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article THIRD hereof. The Corporation shall have the power to do any and all lawful acts and things and to engage in any and all lawful activities which may be necessary, useful, suitable, desirable or proper for the furtherance, accomplishment or attainment of any or all of the purposes for which the Corporation is organized, and to aid or assist other organizations whose activities are such as to further, accomplish, foster or attain any such purposes.

FIFTH: Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all liabilities of the Corporation, dispose of the assets of the Corporation exclusively for the purposes of the Corporation in such manner as the Board of Directors shall determine and in accordance with the Fraternity *Bylaws*.

SIXTH: These Articles may be amended from time to time, in whole or in part, in accordance with the Fraternity *Bylaws*.

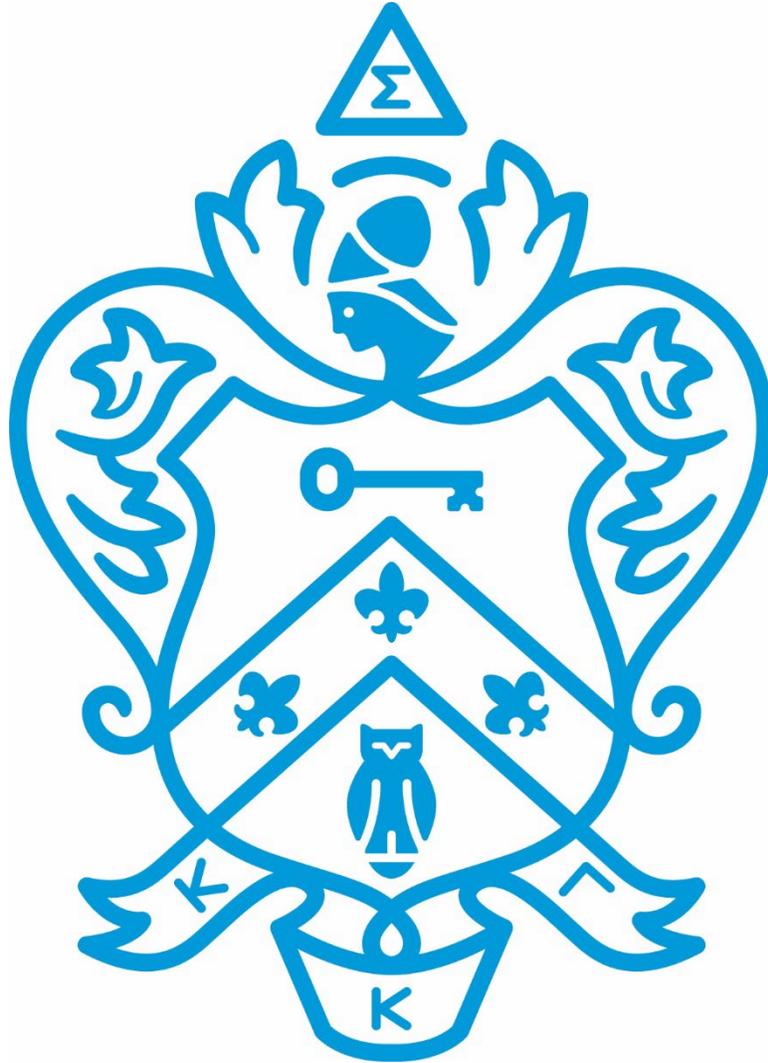
Standing Rules of Kappa Kappa Gamma Fraternity



Adopted by the 2004 General Convention.
Revised 2006, 2008, 2012, 2014, 2016, 2018, and **2022** General Conventions.

The Kappa Kappa Gamma Fraternity *Standing Rules* are not to be shared with the public. If there is a request for a copy of the Fraternity *Standing Rules*, contact the National Panhellenic Conference Delegate.

Policies of Kappa Kappa Gamma Fraternity



Adopted by Fraternity Council in **July 2023**.

The Kappa Kappa Gamma Fraternity *Policies* are not to be shared with the public. Contact the Fraternity Executive Director if there is a request for a copy of the Fraternity *Policies*.

ACADEMIC EXCELLENCE

Kappa Kappa Gamma recognizes the value in striving for intellectual excellence and pursuing opportunities for self-growth. Each chapter is encouraged to foster scholastic excellence, actively support members who encounter academic challenges and provide an environment conducive to academic success for all.

ALCOHOL-FREE CHAPTER FACILITIES

Kappa Kappa Gamma supports alcohol-free chapter facilities. The Fraternity believes in the highest quality collegiate experience, and alcohol-free chapter facilities are more conducive to scholastic excellence as well as individual and chapter well-being.

ALCOHOL USE

Alcohol is not permitted in or on any part of the chapter property. Kappa-sponsored or co-sponsored events are limited to members and guests and must be in compliance with Kappa's Risk Management Procedures. Chapter funds may not be used to purchase alcohol. The sale of alcohol by any member representing the chapter is prohibited. Members may be subject to dismissal or other disciplinary action for the illegal use or misuse of alcohol.

AMNESTY

All members are expected to exercise personal responsibility for their own health and safety and show care for others. To ensure anyone at medical risk as a result of alcohol intoxication or overdose of any controlled substance — including a prescription drug — will receive prompt and appropriate medical attention, Kappa Kappa Gamma provides disciplinary amnesty in certain situations for individual members to remove any perceived barriers to calling for or seeking help.

CONDUCT

Kappa Kappa Gamma is a private organization whose members join voluntarily and agree to uphold the governing documents of the Fraternity. Members of Kappa Kappa Gamma have the responsibility to adhere to the standards of the Fraternity. Members may be subject to dismissal or other disciplinary action if they do not adhere to the standards of conduct expected by the Fraternity.

HAZING

Hazing is prohibited. Any member who participates in or permits hazing is subject to dismissal or other disciplinary action.

HUMAN DIGNITY

Kappa Kappa Gamma recognizes the value of each individual and expects its members to promote integrity, respect and regard for others, and appreciation for the worth of all individuals. Kappa Kappa Gamma values diversity and does not discriminate based on race, national origin, religion, disability, age, gender identity, sexual orientation or other class protected by state, local or federal law. Members, collegians and alumnae, are encouraged to



POSITION STATEMENTS

promote and demonstrate an understanding of diversity, both on the college campus and in the world community.

MEMBERSHIP SELECTION

Kappa Kappa Gamma is a single-gender organization comprised of women and individuals who identify as women whose governing documents do not discriminate in membership selection except by requiring good scholarship and ethical character. All chapters are expected to adhere to these documents.

Kappa Kappa Gamma continues to seek members who:

- Will further the mission and purpose of the Fraternity.
- Have achieved academic success.
- Have demonstrated good character.
- Will enrich the life of the group through shared congeniality.
- Are responsible citizens and contributing members of their communities.

Each chapter of Kappa Kappa Gamma has the final choice of its own members.

SINGLE-GENDER ORGANIZATIONS

Kappa Kappa Gamma is a private, nonprofit organization for women founded in 1870. The single-gender nature of our organization is essential to the mission and purpose of Kappa Kappa Gamma and its chapters and alumnae associations. The right to limit membership in the Fraternity to women is protected by the U.S. Constitution.

The single-gender nature of Greek-letter social organizations is also recognized by an exemption under the Educational Amendments to Title IX.

SUBSTANCE ABUSE

The use, sale, purchase or possession of any drugs or other controlled substance in violation of local, state or federal law is prohibited. Members not adhering to this statement may be subject to disciplinary action up to and including dismissal.

VIOLENCE

Kappa Kappa Gamma does not tolerate violence in any form, including but not limited to sexual violence, dating and domestic violence, physical violence, mental abuse, emotional abuse or bullying.

Members of Kappa Kappa Gamma are encouraged to provide survivors of violent acts with a supportive and empowering environment. Any member of Kappa Kappa Gamma who is a perpetrator of an act of violence is subject to dismissal or other disciplinary action.



GUIDE FOR SUPPORTING OUR LGBTQIA+ MEMBERS

Kappa Kappa Gamma was founded more than 150 years ago on the principles of integrity, respect and regard for others.

Kappa Kappa Gamma recognizes the value of each individual and expects its members to promote integrity, respect and regard for others, and appreciation for the worth of all individuals.

Kappa Kappa Gamma values diversity and inclusion and does not discriminate based on race, national origin, religion, disability, age, gender identity or sexual orientation. Members are encouraged to promote and demonstrate an understanding of inclusion, both on the college campus and in the world community.

Membership Selection

Kappa Kappa Gamma is a single-gender organization comprised of women and individuals who identify as women whose governing documents do not discriminate in membership selection except by requiring good scholarship and ethical character.

How to Be an Allyⁱ

As an individual:

- Treat every person with dignity and respect.
- Do not make or perpetuate assumptions about someone's Sexual orientation or Gender identity.
- Your friend may be exploring or questioning her¹ sexual orientation or gender identity. How she does so is up to her. If prompted by her, be supportive and make it known that you are there to listen without judgment.
- Listen and keep an open mind. Ask questions. Be honest about your feelings and be willing to learn.
- Ask LGBTQIA+ (Lesbian, Gay, bisexual, Transgender, questioning, Intersex, Asexual) individuals how you can support them.
- Educate yourself and those around you who may have misinformation about the LGBTQIA+ community.
- Understand your own culture, socialization, prejudices, and privileges. Respect the privacy of LGBTQIA+ individuals. Allow them to make their own decisions on how, when and with whom to reveal their sexual orientation or gender identity.
- Support LGBTQIA+ individuals as you would any other person. Refrain from treating LGBTQIA+ individuals differently.
- Always refer to people by the names and pronouns they prefer.
- Confront those who mock or harass others on the basis of sexual orientation or gender identity.
- [Know when and how to refer someone to outside, professional help.](#)

As a chapterⁱⁱ:

- During Recruitment — and at all times — make it clear that the chapter values inclusion.
- [Use inclusive, nongender-specific language](#) (e.g., partner and date) that does not assume heterosexuality in others.

¹ We have selected to use the she/her/hers pronouns throughout this document for the purpose of simplicity. It is not meant to signify which pronouns are appropriate in a given situation.



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- Make it known that same-sex dates/guests are welcome at chapter events.
- Invite a panel of LGBTQIA+ students or faculty to make a presentation to the chapter.
- Encourage members to get involved in an ally program on your campus [or start one if one does not exist](#).
- Include the Fraternity's position statement on nondiscrimination in the chapter Bylaws.
- Attend campus and community LGBTQIA+ events and activities as a group.

Using Inclusive Language

Being a welcoming community means intentionally working to find ways to name and value experiences and identities that are often minimized or devalued. It means uncovering our unconscious assumptions about what's "normal" and who is present in our community and striving to understand the ways that language often unconsciously makes assumptions about people and unintentionally reinforces societal norms. Here are a few things to be mindful about when seeking to use inclusive language:

- **Use language that reflects what people call themselves.** Respect a person's identity and self-label as well as that person's chosen name and pronouns. Practice offering your own pronouns when you meet new people.
- **Use person-centered language.** For example, do not use an identity as a stand-in for a person or a group: "transgender people" instead of "transgenders." Remember that any aspect of a person is just that, an aspect of a person.
- **Understand and respect the difference between sexual orientation and gender identity.** For example, do not say "LGBT" if you are only talking about sexual orientation or use "straight" as the opposite of "LGBT." Transgender people can be any sexual orientation, including straight.
- **Ask yourself whether it is appropriate to share a particular fact about a person pertaining to gender identity or sexual orientation.** In some circumstances, a person's or group's identity will be irrelevant to what you are communicating. In other circumstances, it will be an important part of the context.
- **Use words that encompass all genders, sexual orientations and family units.** For example, "people of all genders" instead of "women and men"; "children" instead of "boys and girls"; "parents" instead of "mom and dad"; and "partner" or "significant other" instead of "boyfriend and girlfriend."

[Learning about the most current terminology](#) encourages a more productive conversation about diversity and inclusion.

How to Support Someone Who Is Coming out ⁱⁱⁱ

This list provides ideas to keep in mind when you learn that a Kappa member (or any other friend) self-discloses that she is exploring or questioning her sexual orientation or gender identity.

- Listen to what your friend has to say and keep an open mind.
- Understand the personal risk your friend took in telling you. Realize the trust that person has in you.
- Realize your friend has not changed.
- Respect the choice to tell you by letting that person know you will keep the conversation confidential.
- Do not shy away from your friend. Feel free to ask questions to better understand.
- Offer your support and willingness to help through the coming-out process.
- Become familiar with the national, local, and on-campus resources available.



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A Member Is Outed to the Chapter

The choice to come out, when, and to whom is personal and private to the individual. No one should ever be outed – coming out is a process, and it can be difficult due to discrimination, homophobia and fear of not being accepted. If someone in the chapter is outed, the following are ways to provide support:

- Reach out to the member and let them know you are willing to listen and be a friend.
- Calm the member if they are upset and allow them to take the lead and speak about their feelings.
- Stand up for the member as you would for any other sister.
- Attempt to resolve any conflict among other sisters who may not understand by asking them to give the sister some time to process their feelings.
- Seek the expertise of campus officials or Kappa Kappa Gamma Headquarters if you are concerned about the chapter's response and need assistance processing the experience.
- Let the member know that you value them as a Kappa and as an individual.
- As appropriate, refer members to the Vice President-Standards.

How to Support Someone Questioning Their Gender Identity ^{iv}

Gender identity refers to how an individual views themselves in terms of characteristics traditionally identified in this culture as male or female. A person may self-identify as male, female, or as possessing gender non-binary characteristics. This list provides some ideas to keep in mind when you learn that a Kappa member (or any other friend) is questioning their gender identity.

- Respect the language the person uses to describe their identity.
- Be discrete in order to avoid outing. Assure the person that you will not betray their confidence.
- Do not make assumptions about the person's sexual orientation.
- If you aren't sure what pronouns to use, listen. Ask if it seems appropriate.
- Understand the difference between "coming out" in regard to sexual orientation and "coming out" in regard to gender identity. Do not out a transgender individual. It can feel disempowering for transgender persons to disclose their transgender status as they are living life as their true selves.
- Recognize there is not one acceptable way to transition. It is different for every person.
- Challenge anti-transgender comments and try to educate others who are misinformed.
- Be supportive of gender-neutral bathroom options.
- Recognize and admit when you do not know something.
- Know when to seek outside help.

Frequently Asked Questions

- Membership
 - **A potential new member identified herself as a member of the LGBTQIA+ community and asked if the chapter would be accepting.**
 - Yes. Kappa Kappa Gamma is a single-gender organization comprised of women and individuals who identify as women. Kappa does not discriminate in membership selection except by requiring good scholarship and ethical character. Chapter members should become versed in this position statement in order to communicate this message to PNMs.
 - **My chapter is ready to extend a bid to a PNM who identifies as transgender, but a member/adviser present is not supportive.**



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- **Our chapter has a transgender member who does not feel comfortable living in the chapter house. How do we deal with the residency requirement in this instance?**
 - Similarly to other circumstances that warrant a waiver, House Board should waive the live-in requirement for this member. Reach out to the Director of Housing and Facilities Director for further assistance regarding this matter.
- **How should House Board handle relationships between members, specifically when one or more of the members in the relationship lives in the chapter house?**
 - The Fraternity does not oversee the intimate relationships of its members. However, all members should operate under the basic tenets of communal living (e.g., showing respect for one another and seeking permission from roommates when having guests in private quarters). If a member violates those communal living standards, she should be referred to the Standards Committee. The Standards Committee should work with the members involved to create a fair solution. Treat the member the same as a member who violated the rule with a heterosexual partner.
- Standards
 - **I am an initiated member of Kappa who has recently transitioned from female to male. Am I going to lose my membership?**
 - Kappa members who identify as transgender during any stage of their membership will not lose their membership rights.
 - **A member of the chapter came out as gay a few months ago. Since then, she has stopped attending most chapter meetings and activities. What should I do?**
 - The Standards Committee should call the member in for a meeting and initiate the conversation as they would handle any other attendance issue. However, the committee should be prepared for the member to divulge that she has felt isolated or uncomfortable during her coming-out process. The committee should ask the member about some of the issues and what would make her feel more comfortable. Jointly, the committee and the member will develop a strategy for positive engagement and identify allies to support her during this time.
 - Be prepared with information about campus and local resources.
 - If the member remains uncomfortable at chapter gatherings, the viability of Associate Membership or Special Status should be discussed in order to stave off the possibility of a member feeling that she needs to resign. If the member is experiencing mental health issues as a result of her gender identity or sexual orientation, the Alternative Standards Contract should be discussed as a possibility.
 - **A member of the chapter recently came out as gay. It has been reported that a few members of the chapter have been making inappropriate jokes about the member's sexuality. How should the chapter handle this?**
 - Kappa Kappa Gamma values diversity and inclusion and does not discriminate based on gender identity or sexual orientation. Members are encouraged to promote and demonstrate an understanding of inclusion on the college campus and in the world community. Thus, like any other rule violation, members who allegedly violate Kappa's nondiscrimination policy should be referred to the Standards Committee. If there is a violation, Probation with appropriate terms may be considered, including:



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- Interview a professional from the campus' diversity and inclusion office and write a report.
 - Create a presentation regarding bullying and its negative effects.
 - Research the Fraternity's history and values and discuss the role of nondiscrimination in those values.
 - **A live-in member of the chapter is currently dating another member of the chapter, which has led to some complaints from the live-in member's roommates. The couple has also requested to room together for the next school year. How should this be handled?**
 - The Fraternity does not oversee the intimate relationships of its members. However, all members should operate under the basic tenets of communal living (e.g., showing respect for one another and seeking permission from roommates when having guests in private quarters). If a member or members violate those communal living standards, they should be referred to the Standards Committee. The committee will work with the members involved to create a fair solution. Furthermore, the committee will treat those members the same as they would any other member who violates a rule.
 - The House Chairman should deal with the housing request and the roommate-selection process as written. If the opportunity for the members who are dating each other does materialize, hold a discussion regarding the communal living standards and what might happen if the relationship were to not work out.
- Ritual
 - **Is Kappa's ritual and history inclusive? I don't want LGBTQIA+ members to feel left out during ritual ceremonies.**
 - After a thorough review, Fraternity Council has stated its belief that Kappa's ritual and history does use inclusive language that should not work to isolate any of our members. Please bring any concerns regarding ritual and history to the [Ritual and History Director](#).
 - **Where should transgender members change clothes prior to Initiation?**
 - While the answer to this question will depend on the circumstances of individual chapters, the comfort of all members should be considered when it comes to a sensitive situation like this. View it as an opportunity to potentially change how your chapter handles pre-initiation activities so that the needs of all members are met and no member needs to be unnecessarily singled out. Ritual is meant to bring the sisterhood together and should not isolate individuals.
- Education
 - **Should my chapter be hosting or endorsing LGBTQIA+-related programming?**
 - At a minimum, all Kappa members should be knowledgeable about Kappa's policies and position statements regarding membership selection, nondiscrimination and human dignity. Chapters are encouraged to conduct basic training on inclusivity with the assistance of campus professionals. Beyond that, Kappa encourages its chapters to select programming that meets the chapter's unique needs. Reach out to the office of fraternity and sorority life for assistance in bringing in campus professionals to discuss the topic of inclusivity.

What Would You Do? Case Studies ^v



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1. You are managing a recruitment table in the student center when a student asks if it would be a problem for a transgender student to join Kappa.

Possible Discussion Questions

- Prior to Recruitment, what sort of preparation and training should be done with the chapter to prepare for questions like this?
 - What Kappa resources (human and written) would you use?
 - What type of response would be inclusive and welcoming?
 - What are Kappa's policies regarding this?
2. A member of your chapter brought her girlfriend as her date to the spring formal. On the bus ride home, you overheard another member's date refer to the couple as "dykes." The date who made the comment is the president of one of the most popular fraternities on campus, and you are worried about the social repercussions for your chapter if his comment were to be reported.

Possible Discussion Questions

- There are many different ways you could choose to handle this situation. Let's explore three possible actions. You could 1) choose to ignore this statement, 2) address this with the member who brought him as a date, or 3) directly confront the individual who made this derogatory statement. What are the possible repercussions of each of these actions? Which would you choose and why?
 - By doing nothing, you are being a bystander. What does that mean and why is it a problem?
3. You are in a membership selection session during Recruitment. The chapter is discussing a potential new member prior to voting and several members have made comments that the potential new member doesn't fit "the chapter's image." The understood message is that the potential new member is bisexual.

Possible Discussion Questions

- How do these comments and lines of thinking go against what Kappa values?
 - What are the possible consequences if this is not confronted or addressed?
 - What could be done prior to Recruitment to educate chapter members so these types of comments are avoided?
4. You are on the Standards Committee. Your chapter's Greek Week delegate visits a standards meeting to ask if she should try to change the chapter's pairing with a fraternity that has many members who identify as gay. The delegate is worried that the pairing will not go over very well with the chapter and expresses concern that the fraternity will also feel uncomfortable.

Possible Discussion Questions

- How would you respond to the Greek Week delegate?
- In this situation, the Greek Week delegate is making a lot of assumptions, including the reaction of the chapter and that the fraternity will feel uncomfortable. Why is this a problem? How could this be addressed with the Greek Week delegate?
- What type of consequences could occur if your chapter backed out of the Greek Week pairing?



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- What resources are available from Kappa or on your campus to turn to for guidance?
5. A member of your chapter is an active member of a campus LGBTQIA+ student organization. Recently, rumors have begun circulating on campus that your chapter is the “lesbian” chapter. Some members and advisers feel that this is going to negatively impact Recruitment in the fall. As a result, the Membership Chairman recently told the lesbian member not to take part in Recruitment and to be less visible in LGBTQIA+ activities.

Possible Discussion Questions

- What mistakes did the Membership Chairman make?
 - How might the chapter member who was asked not to take part in Recruitment and be less visible feel about her membership with Kappa Kappa Gamma right now? What can be done to build trust with this member again?
 - What can you do to change the culture and mindset within your chapter?
6. A member of your chapter tells you that her little sister disclosed that she is questioning her gender identity. The little is wondering if she should come out to the chapter, and, if so, whether to do so before or after Initiation. The chapter seems closed-minded since it recently registered very low attendance at a required program regarding LGBTQIA+ and the Greek-letter community.

Possible Discussion Questions

- How can the chapter support the new member who is questioning her gender identity?
 - What are the consequences if the new member shares this information before or after Initiation? Should it matter?
 - Since many chapter members missed the required program regarding LGBTQIA+ and the Greek-letter community, what can be done to ensure the chapter receives this education?
7. House Board recently proposed a house rule that states, “Any member who permits her same-sex partner to stay overnight in her private quarters shall be subject to discipline and possible eviction.”

Possible Discussion Questions

- What problems do you see with this house rule?
- What are Kappa’s policies regarding this?
- Based on Kappa’s policies, what are the potential next steps?

Terms, Definitions and Labels ^{vi}

The words we use and how we use them can be powerful. Knowing and understanding the words we use advances communication and helps prevent misunderstandings. The following terms are not absolutely defined. Rather, they provide a starting point for conversations.

- **Ally:** An “ally” is a term used to describe someone who is supportive of LGBTQIA+ people. It encompasses non-LGBTQIA+ allies as well as those within the LGBTQIA+ community who support each other (e.g., a lesbian who is an ally to the bisexual community).
- **Asexual:** A person who is not sexually attracted to either men or women and does not have a desire to engage in sexual activity with a partner. Asexuality is a sexual orientation and differs



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from celibacy, which is a choice to abstain from sex. Some asexual people have a desire to form intimate but nonsexual romantic relationships and will date and seek long-term partnerships.

- **Assigned sex:** The sex that was recorded on a person’s birth certificate.
- **Bi-curious:** A term used to describe a person who identifies as heterosexual or homosexual, but experiences some thoughts or visions about engaging in intimate relationships with a gender other than the one to which he or she is primarily attracted.
- **Biological sex:** The dichotomous distinction between female and male based on physiological characteristics, especially chromosomes and external genitalia.
- **Cisgender:** Not transgender. This term describes a person who has a gender identity or gender role that society considers consistent with the sex assigned at birth.
- **Closeted/in the closet:** The confining state of being secretive about one’s true gender identity and/or sexual orientation. A person may feel compelled to be closeted for their safety or in order to keep a job, housing situation or family/friends. Many LGBTQIA+ individuals are “out” in some situations and “closeted” in others.
- **Coming out (of the closet)/being out:** Refers to the process through which a person acknowledges, accepts, and learns to appreciate their lesbian, gay, bisexual, transgender or other identity. Sharing this information with others is not a single event. Instead, it is a lifelong process.
- **FTM/F2M:** Abbreviation for female-to-male. A term that refers to male-identified people who were categorized as female at birth. (See also MTF and Transgender.)
- **Gay:** Used to describe a man who is romantically, sexually, and/or affectionally attracted to men. However, not all men who engage in sexual relations with other men identify themselves as “gay.” The term is sometimes used to refer to the LGBTQIA+ community as a whole. Although, many women prefer to be identified as “lesbian” instead of “gay.”
- **Gender:** A term used to describe the social status of people as men, women, boys, girls, or variously transgender, including characteristics of masculinity and femininity that are learned or chosen.
- **Gender dysphoria:** An intense, continuous discomfort resulting from an individual’s belief in the inappropriateness of their assigned sex at birth and resulting gender role expectations.
- **Gender identity:** How an individual views themselves in terms of characteristics traditionally identified in this culture as male or female. A person may self-identify as purely male, purely female, or as possessing characteristics of both.
- **Gender-neutral/gender-free pronouns:** Pronouns that do not associate a gender with the person or creature being discussed. The English language has no truly gender-neutral, third-person pronoun available. Some examples are “hir” for “him/her” and “ze” for “he/she.”
- **Gender normative/gender conforming:** A person who conforms to gender-based societal expectations.
- **Gender queer:** A term that is growing in usage that represents a blurring of the lines surrounding society’s rigid views of both gender identity and sexual orientation. Gender-queer people embrace a fluidity of gender expression that is not limiting. They may not identify as male or female, but as both, neither, or as a blend. Similarly, gender queer is a more inclusive term with respect to sexual orientation.
- **Gender roles:** The socially constructed and culturally specific behavior and appearance expectations imposed on women (femininity) and men (masculinity).



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- **Homosexual:** A sexual orientation in which a person feels physically and emotionally attracted to people of the same sex. This clinical term originated in the 1800s and is not used within the gay and lesbian community.
- **Hormone therapy/hormonal sex reassignment:** The administration of hormones to affect the development of secondary sex characteristics is a process, possibly lifelong, of using hormones to change one's internal body chemistry.
- **Intersex:** A person born with sex chromosomes, external genitalia, or an internal reproductive system that is not considered medically standard for either male or female. The gender identity and sexual orientation of these people varies as it does with non-intersex people.
- **Lesbian:** Preferred term for a woman who is romantically, sexually, and/or affectionally attracted to women.
- **LGBTQIA+:** Initialism of lesbian, gay, bisexual, transgender, queer/questioning, intersex, and asexual/agender/aromantic. LGBTQIA+ is a term encompassing people with non-mainstream sexual orientation or gender identity.
- **MTF/M2F:** Abbreviation for male-to-female. A term that refers to female-identified people who were categorized as male at birth.
- **Outing:** Publicly revealing the sexual orientation, gender identity, or intersex status of an individual who has chosen to keep that information private. Some activists, political groups, and media believe outing is justified and/or newsworthy when the person involved works against the interests of LGBTQIA+ people. Others oppose it entirely as an invasion of privacy.
- **Pangender/omnigender/polygender:** A person whose gender identity is comprised of all or many genders.
- **Pansexual/omnisexual/polysexual:** A person who is sexually attracted to all or many genders or gender expressions.
- **Passing:** Being taken for a member of the dominant group — white, straight, and cisgender (nontransgender). For example, LGBTQIA+ people who have the ability to pass can choose to conceal the stigma associated with being a member of a sexual minority.
- **Queer:** Historically, it is a pejorative term for "gay." The word "queer" has been reclaimed by some members of the community as a political act intended to undermine the violence that is embedded with the original use of the term. Queer is also sometimes used as an umbrella term for LGBTQIA+. It is still considered to be a slur by some people and in some contexts. This and other reclaimed terms can be offensive to the in-group when used by the out-group. Such terms should be used with caution.
- **Questioning:** A process whereby an individual is reassessing their sexual orientation and/or gender identity. A person who is questioning may be unsure of their sexual identity or still exploring their feelings.
- **Sex:** The biological (i.e., anatomical, hormonal or genetic) traits used to categorize someone as either male or female.
- **Sexism:** The societal/cultural, institutional, and individual beliefs and practices that privilege men, subordinate women, and denigrate women-identified values.
- **Sexuality:** Who you like and what you do.
- **Sexual identity:** Sexual identity is identifying, claiming, and owning a part of the self that is associated with one's gender identity, sexual orientation, or sexuality. Sexual identity may mean identifying as a member of the LGBTQIA+ community.
- **Sexual orientation:** A person's emotional, physical, and sexual attraction and the expression of that attraction with other individuals. The term "sexual orientation" is preferred over "sexual



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preference.” The latter term implies a choice and sexual attraction is not generally considered a choice.

- **Sex reassignment surgery:** Sex reassignment surgery is a permanent surgical body modification that seeks to attain congruence between one’s body and one’s gender identity. Use this term instead of “sex change.” Sometimes known as gender reassignment surgery. Many in the transgender community prefer gender confirmation surgery.
- **Straight:** A term originating in the gay community to describe heterosexuals.
- **Transgender/trans:** A term for people who challenge society’s view of gender as fixed, unchanging, dichotomous, and inextricably linked to one’s biological sex. Gender is more accurately viewed as a spectrum rather than a polarized, dichotomous construct. This is a broad term that encompasses cross-dressers, intersexed people, gender-benders, transsexuals and those who defy what society tells them is appropriate for their gender. The sexual orientation of transgender persons varies just as it varies across society. An individual is transgender, not “transgendered.”
- **Transsexual:** Individuals whose assigned sex at birth does not match their gender identity. Through sex reassignment surgery and hormone treatments, those individuals may seek to change their physical bodies to match their gender identities. Transsexual individuals’ sexual orientation can be heterosexual, homosexual, bisexual, or anywhere on the continuum.
- **WomXn:** An alternative spelling of the word “woman” that is meant to denote the intersectionality in womanhood and emphasize the idea that women are independent.

Additional Resources

The Lambda 10 Project National Clearinghouse for Gay, Lesbian, Bisexual, Transgender Fraternity & Sorority Issues. <https://www.campuspride.org/lambda10/>

Campus Pride Building future leaders and safer, more LGBTQIA+-friendly colleges and universities. <https://www.campuspride.org/>

CDC LGBT Youth Resources www.cdc.gov/lgbthealth/youth-resources.htm

The Trevor Project A national 24-hour, toll-free confidential suicide hotline for LGBTQIA+ youth. www.thetrevorproject.org/ 866-488-7386

It Gets Better Project www.itgetsbetter.org/

LGBT National Help Center <http://www.glbthotline.org/> Toll-free number: 1-888-843-4564; Email: help@LGBTQIA+hotline.org

The National Suicide Prevention Lifeline 1-800-273-TALK (8255)

ⁱ <https://www.campuspride.org/resources/sample-greek-ally-commitment/>

ⁱⁱ <https://www.campuspride.org/lambda10/greekally/greek-ally-resources/>



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ⁱⁱⁱ Shane L. Windmeyer and Pamela W. Freeman, Lambda 10 Project,

<https://www.campuspride.org/resources/what-to-do-when-you-learn-a-brothersister-is-gay/>

^{iv} <https://www.glaad.org/transgender/allies>

^v Campus Pride, 2014, <https://www.campuspride.org/wp-content/uploads/Greek-Ally-Case-Studies.pdf>

^{vi} Safe Zones Manual <http://thesafezoneproject.com/>



BYLAWS AND STANDING
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BYLAWS AND STANDING RULES REVISIONS 2022: FAQs

FRATERNITY DOCUMENTS REVISION

Why did we revise the documents?

We did not have a chance to make amendments in 2020 due to COVID-19. We had quite a few amendments at that time scattered throughout the documents. The last full revision of the documents was in 2004. We wanted to improve the documents and make them work better together so our organization can operate more efficiently and effectively moving forward.

What was the process for revising the documents?

The Bylaws Committee met for over 100 hours with our Parliamentarian and focused on improving the overall organization of the documents. We accepted amendments as per our *Bylaws* and major changes were highlighted in the Bylaws Committee Report.

We are looking to be transparent about the changes made. Based on the advisement of our Parliamentarian, things were moved throughout the Fraternity documents so they live in the appropriate place. That is why we are not able to provide redline versions of the documents. We wrote new documents. We did not edit the old ones. However, we are working on providing a resource to show where things have moved throughout the documents. We aren't trying to hide any changes to the documents, just make them work with our current organization.

Could we get a current version of the Fraternity *Bylaws* so we can compare the changes?

The current documents are available on the Kappa website. In addition, we are working on providing a resource to show where things have moved throughout the documents. The documents can be found by searching "*Fraternity Bylaws*" and "*Fraternity Standing Rules*" on the Kappa website.

Who is communicating these changes to the general membership?

Delegates should review the proposed revisions to the Fraternity *Bylaws* and *Standing Rules* prior to arriving at Convention. Additionally, they should seek input from the members they are representing. That is the role of the voting delegates, such as alumnae association Presidents and chapter Presidents. Voting delegates should share the proposed changes with their organization so they can make recommendations on how the delegate should vote to represent them.

These documents are available on the [Convention website](#) so any member can see them.

Are the Fraternity policies amendable?

Adopting amendments to the Fraternity *Bylaws* and *Standing Rules* are subject to vote by the delegates of the membership body. However, Fraternity *Policies* are not. Policy revisions are submitted to the Fraternity Council, who then reviews and votes on them during the biennium. Policies are meant to be more nimble by design as they come into play more at the procedural and process level.



VOTING PROCESS/PARLIAMENTARY PROCEDURE

What will the voting process look like for the revised documents?

A revision is a new set of *Bylaws/Standing Rules*. Each article, section, or paragraph within a revision document will be open to amendment. Any amendment brought forward is introduced, is debatable, and shall require a majority vote for adoption. When all amendments to a revision document have been considered, the main question on substituting the revision — as amended — for the current document (*Bylaws* or *Standing Rules*) is taken up, debated, and the vote taken. A two-thirds vote is required to adopt the *Bylaws* revision and a majority vote to adopt the *Standing Rules* revision. Since the revisions to both documents rely heavily on each other, if the *Bylaws* fail, the motion on the *Standing Rules* will not be considered.

What does the amendment process look like?

Amendments are limited to Convention delegates. Please see the [Convention Standing Rules](#) for more information.

All amendments of more than six words shall be submitted in writing on the official motion form and forwarded to the presiding officer by the Pages. The signature of the maker and the seconder presenting the amendment and their Convention status must be included on the form. Official motion forms may be obtained from the Kappa Koncierge desk or the Pages.

Amendments must be submitted by 12:30 p.m. PT on Friday, June 24, using the form provided at the Kappa Koncierge desk. We are encouraging members to submit amendments to the Bylaws Chairman and the committee so they may help the member with the wording and placement of the amendment into the document so that it flows with the rest of the documents. You may email proposed amendments to meredith.perlman@kappa.org but you still need to submit the form at Convention.

Why can amendments not be submitted as the discussion proceeds?

The rules that were established for Convention state that amendments must be submitted in advance, no later than 12:30 p.m. PT on Friday, June 24. This deadline falls after the Bylaws Forum session that will be hosted onsite during Convention.

This year is different since we are doing a full revision of the documents. Because of the major changes, we are asking that they be submitted in advance so that the Bylaws Committee can be prepared to review any proposed amendments, and so that the Committee can work with the submitters to refine amendments and ensure they work within the revisions.

Finally, time is also an issue that led to this decision. We anticipate the business meeting in which the revisions are discussed to run longer than usual since we are voting on revised documents. Submitting amendments in advance will help to make the meeting run more efficiently and cut down on the time that members would be forced to sit through the behind-the-scenes work that takes place in order to present an amendment to the Convention body.



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Voting members will be allowed to amend the previously submitted amendments during the business meeting but any new amendments will be ruled out of order.

What happens if the revised documents do not pass?

We would revert to the 2018 Fraternity documents and the next chance for any amendments to those documents would be 2024.

During the discussion in the business meeting, can delegates still present motions to what is being discussed?

The answer is yes and no. A motion to amend a revision document must be submitted by 12:30 p.m. PT on Friday, June 24, in order to be considered during the business meeting. While an amendment to a revision is being discussed, it may be amended; that is the “yes” part of the answer. However, additional amendments to a revision document cannot be presented; that is the “no” part of the answer.

Please provide a timeline for revisions to the amendments and for new amendments. How and when are resolutions submitted/due?

Please review the [Convention Standing Rules](#) for these details.

A motion to amend a revision document must be submitted by 12:30 p.m. PT on Friday, June 24, in order to be considered during the business meeting.

FRATERNITY NOMINATING PROCESS/TERM LIMITS

What is the rationale for electing officers and District Directors prior to Convention?

We reviewed what other volunteer-based groups are doing and found that this is a very common practice. Given the scale of our organization, there is a lot of information needed to successfully transition, which is critical to the success of our organization. This allows new officers to shadow the outgoing officers and be thinking about appointments for the upcoming biennium so that those appointments can happen earlier. Having appointments happening weeks after Convention has not served our chapters well when many go back to school in early August.

It's important to note that under the current structure, the new officers transition into their roles immediately and are asked to make important decisions with no time for transition or training. This change would allow our officers to better serve our membership. It's important to note that newly elected officers will not preside over the Convention a few weeks later, they would be installed at the end of the Convention and begin their terms after installation.

Since this vote would be conducted virtually, more of our association delegates would be able to vote and have a voice in our elections process if they are unable to fund Convention attendance for their delegate.



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Who is eligible to vote since we are voting prior to Convention?

There has not been a change to who is an eligible voter in the revision process, aside from the removal of voting rights for Field Representatives. Below is who is able to vote under the revised *Bylaws*:

Voting Members. The voting members of the Convention shall be composed of the following Fraternity members who are registered delegates: 1. Fraternity Council members 2. District Directors 3. Chairmen of standing committees 4. Content Directors 5. One delegate from each chapter 6. One delegate from each alumnae association.

Is the District Director term limit for serving in the same district or any District Director appointment/any district?

It's the latter. District Directors are elected to the position, and Fraternity Council appoints them to a district, which may stay the same or be a different district.

How will additional nominations be handled if slating takes place prior to Convention?

Open nominations from eligible voters would still be permitted. Per the Fraternity Bylaws, Article VII. Section 1. D, there will be at least five days after the slate is announced for additional nominations to be submitted. If someone is eligible, qualified and willing to serve, they would then be added to the ballot.

When will election results be announced?

The results of the election will be announced prior to Convention to allow for officer transitions before Convention. New officers and District Directors are installed at the close of Convention. This also allows for a greater time of leadership transition.

Why are we eliminating debate on nominees?

We do not allow for debate on nominations currently. When there is a nomination from the floor, the nominator may say a few comments about the nominee at Convention Hall, but that would be the extent. There has not been any further debate on a nominee.

Since elections would take place at least eight weeks prior to General Convention, this would provide all alumnae associations the opportunity to have a vote and voice in the process since the vote would be electronic. They would not have to attend General Convention in order to vote in elections.

Will the Nominating Committee process remain the same?

The Fraternity Bylaws, Article VII and Fraternity Standing Rules, Rule 7. 1 detail the committee selection and process. There will be an application process to serve on the Leadership Selection Committee (LSC). The Leadership Education and Development (LEAD) Committee reviews applications and makes recommendation to Fraternity Council, who appoints members of the LSC. Just as we do currently, the active and alumna members of the committee switch for



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districts in alternating biennia. LSC members will be selected based on their skills, representing a variety of chapters, alumnae and other experiences.

LSC members are known throughout their tenure and will receive significant training on the Fraternity, current needs and trends in higher education, and diversity, inclusion, and bias. The LSC will present the nominations at least 10 weeks prior to Convention. Following the publication of the report, open nominations from eligible voters shall be in order for at least five days provided the consent of the nominee has been obtained and the member is qualified.

What is the difference between the LSC and the LEAD Committee?

LSC focuses on nominating Fraternity officers and District Directors who are elected. The LEAD Committee helps in identifying, recruiting, cultivating, and training of all volunteers. LSC members will be selected based on their skills, representing a variety of chapters, alumnae and other experiences.

Unlike the current Nominating Committee, LSC members are known throughout their tenure and will receive significant training on the Fraternity, current needs and trends in higher education, and diversity, inclusion, and bias.

Why is the Nominating Committee name changing to the Leadership Selection Committee? This seems like it has the effect of cutting Kappa members out of the election process.

Given that the new version of the Nominating Committee will be doing their work for more than a year, we felt it important to identify a name that better signifies the breadth and depth of their work. General members have never been able to vote in the election for Fraternity Council and District Directors. Only chapter and alumnae association delegates may vote. The LSC will release their report (often referred to as the slate) similar to how it's always been done so there will be good awareness as well as communication directly to delegates. One of the many advantages to voting prior to Convention is that all alumnae associations will be able to vote, not just those that are able to attend Convention. "Nominations from the floor" will also still be in order.

What happens if a vote does not end in a majority vote for a Fraternity Council and District Director position?

The election provision in the revised *Bylaws* is: "The election shall be completed at least eight weeks prior to the Biennial Convention."

If there is no election in any one office, voting again for that office must take place.

Fraternity Council in setting the timeline for the election should allow for the possibility of reballoting in one or more positions. With online voting, this should not be a problem.



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What does it mean for a member to be qualified to serve?

Per the Fraternity *Bylaws*, a member is qualified to be considered for an elected position if they are an alumna member in good standing. A member is eligible for election to a District Director position or Fraternity Council if they have served Kappa within 10 years prior to election as a member of Fraternity Council, Regional or Province Director, District or Content Director, Content Specialist, chairman or member of a Fraternity standing or special committee, Fraternity Council Assistant, Field Representative, or member of the Foundation Board of Trustees.

If the revision is adopted, anyone who has served on the Fraternity Housing Corporation within the past 10 years will also be eligible to serve.

FINANCES

What are the changes that are proposed related to fee increases?

The Fraternity Bylaws, Article VIII. Section 3 discusses the proposed fees. The following have been proposed:

- \$10 increase making per capita fees for alumna members \$35.
- \$10 discount for young alumnae (between zero and five years out) and senior alumnae (more than 65 years post-initiation) making per capita fees for these members \$25.
- \$5 increase to making per capita fees for collegiate members \$97.
- An annual cost of living adjustment, beginning July 1, 2023.

Why are we raising fees?

The Fraternity Finance Committee recommended this change to Fraternity Council. The increase is necessary for Kappa to continue to provide the level of service members expect and deserve as well as invest in the future of the organization. This is especially critical in a period when collegiate member numbers are decreasing across Greek life, costs are rising, and strategic initiatives (e.g., enhanced alumna engagement programs) are set to launch. There must be a dues increase to navigate these circumstances while keeping pace with the needs of the organization.

What value is being provided to alumnae with the dues increase?

Per capita fees (alumna dues) are paid to the international organization to invest in the creation of engagement opportunities for members throughout their lifetime, the organizational infrastructure of Kappa Kappa Gamma, and to ensure future women can experience our sisterhood. It is important to note that with 243,000 living members, 238 associations and 142 chapters, Kappa Kappa Gamma must have sufficient operating dollars in order to ensure a holistic experience.

With the payment of per capita fees, members receive full membership benefits and alumnae associations receive:

- Volunteer and professional staff support: Covers the cost associated with training, recruiting volunteers, and employing staff, including the Alumnae Experience



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Department, and covers any costs culminated by volunteers and staff when managing the business of the Fraternity (e.g., travel).

- **Access to technology:** Covers the costs to essential technology platforms to run the business of the Fraternity, including but not limited to *KeyReports*, OmegaOne, kappa.org, the membership database, and the online learning platform.
- **Expertise:** Access to legal, financial and insurance partners as well as the National Panhellenic Conference, all of whom provide valuable industry expertise to associations and the organization as a whole.

With the fee increase, we will be able to focus on alumnae associations and look at what works in the association model. With this information, the Fraternity will be able to provide more focused support for associations. Fraternity Council has put a strategic focus on the alumna experience. As a result, the Alumnae Experience Department was created just three years ago. Since then, we have been looking at what our alumnae want as well as how to engage our disengaged members and best support our volunteers.

In addition, we have hosted several successful programs recently, such as our four Fleurish virtual events, Career Academy, and Wellness Wednesdays. These are just some examples of what we have done.

If we tie fees to a cost-of-living adjustment (COLA), where is the motivation to improve and become more efficient?

The Fraternity is certainly committed to making the most of its resources, including finding efficiencies. The premise of making COLA adjustments is to maintain a standard of operations, accounting for facilities, utilities, taxes, staff salary, supplies, etc. The effects of inflation mean that the purchasing power of a dollar today may not remain consistent from one year to the next. If no adjustments were made to respond to fluctuations in inflation, even the most efficient organization would struggle to maintain the same standards of operations and recruit and retain staff with the same amount of income, which can (and in some cases already has) necessitate making budget cuts and reducing those services. By using the CPI to make COLA adjustments, the Fraternity can stay in step with those changes. This is also a common practice with organizations and companies of all sizes.

If COLA increases, will the dues automatically increase each year?

Yes. The fees will likely increase every year. For example, if the Consumer Price Index for All Urban Consumers (CPI-U) is 1%, the \$97 active fee would increase by \$1 and the \$35 alumna fee would not increase. If inflation is zero, there would be no increase. We are hopeful that our members will see that the COLA increases are more incremental than how they might end up if they were subject to debate and change every two years at Convention.

How is Kappa supporting alumnae associations?

We are constantly listening and incorporating technologies to help our associations function more efficiently, but this also does come with costs. In regard to **Dues Direct**, associations can



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pull their membership roster at any time (it updates in real time) and it has a column to show any member living in their ZIP codes who has paid Dues Direct. They can then go and solicit those members to join their association and simply pay local dues. Additionally, it shows the last time the record was updated so they can solicit alumnae who have moved to their area. We continue to also work with OmegaOne to improve their association websites and templates.

In terms of trainings, we rolled out the new **Fraternity Leadership Institute** last year. This was open to EVERY volunteer in the workforce, including ALL association officers. We have continued training and learning opportunities through the **Fraternity Leadership Series**, which offers monthly programming. Again, these are available to every volunteer in Kappa's workforce. These programs provide opportunities for training, idea sharing, support, etc., on a more global level. Our alumna relations team also has offered town halls and training opportunities. We send out a quarterly newsletter to all association officers with trainings, information and updates. All of this takes time from volunteers/staff and money.

And yes, we want to ensure we are engaging all alumnae and continuing to support our alumna associations. The **alumna survey** we conducted gave us great feedback on why individual alumnae may not choose to participate in an association, so we are rolling out programming (Fleurish, Career Academy, Wellness Wednesdays, etc.) to try to reengage their membership and hopefully boost dues-paying members at both the Fraternity and the local level. Phase two is to audit our alumnae association model to ensure we are supporting and operating our associations in the best way. The hope is this dues increase will allow us the funds to tackle a project like that while also continuing the day-to-day support we offer the associations.

Can we reportion the fees among alumna and collegiate members? Why is the alumna dues increase different?

Historically, we have relied heavily on dues from our collegians to cover all Fraternity expenses. In the last two years especially, we have seen how this model has presented incredible challenges:

- We've faced the effects of COVID-19 on higher education.
- We've seen opposition to sororities through movements like Abolish Greek Life.
- This is on top of a multiyear trend of decreasing college enrollment.

Another point we must bear in mind is that the Fraternity expanded rapidly over the past 50 years with 43% of all active chapters having been chartered since 1970. Once established, collegiate numbers tend to stay level due to the fact that this membership stage lasts for only a few years, whereas the number of living alumnae increases exponentially as more and more members leave school and remain alumnae for life. The demand for infrastructure and services to support the needs of our alumnae has long since outpaced the per capita fees that they have historically paid and our financial structure needs additional alumna support. So, we are focusing on reengaging more alumnae and, therefore, rebalancing the organization to fit the needs of all members.



Why are we not allowing debate on fees among the Convention body?

Removing the need to have a Convention body vote in order to change fees is critical for Kappa to continue to provide the level of service the members expect and deserve as well as invest in the future of the organization. This is especially critical in a period when collegiate member numbers are decreasing across Greek life, costs are rising and strategic initiatives, like enhanced alumna engagement programs, are set to launch. There must be a dues increase to navigate these circumstances while keeping pace with the needs of the organization.

With COLA being calculated on Jan. 1, everyone will be notified of the fees by Feb. 1. This will help both chapters and associations to budget more easily, which has been a source of frustration for associations in particular in the past. This means we are letting everyone know much earlier what will be owed, but that increased fee will not raise until July 1, in alignment with the start of the new fiscal year. It also helps the Fraternity budget more easily for programs for the following year since the anticipated income from the per capita fee is known by Feb. 1.

In addition, removing the need to do a Convention vote on fees at each Convention allows the fees to increase more incrementally annually rather than implementing larger increases every four to six years.

Why are we tying fee increases to COLA?

Tying fee increases to COLA allows for income to increase in proportion to expenses so Kappa can continue to provide a consistent level of services from year to year. In addition, this means that fee increases are determined at the beginning of each new calendar year so our chapters and associations may factor the cost of living adjustment into their future budgets. Tying the increase to COLA should also minimize the need for large fee increases periodically.

Which other National Panhellenic Conference (NPC) groups use COLA and whom?

Tri Delta and Gamma Phi Beta both use COLA. NPC has also instituted incremental fee increases without a membership vote. Many other groups are considering it. Additionally, when we considered the raise to alumna dues, we looked to other nonprofit groups and what they are doing. Associations have been asking for help with future budgeting. This allows them to know sooner what a budget increase would be.

Can the per capita fee ever be increased above the COLA?

Yes, but it would take an emergency action by Fraternity Council to do so. A Convention vote could also have this result.

What is the impact of the COLA increase on association fees?

Members will need to pay the per capita fee still to the association, and association dues may increase as a result.



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However, an increase in fees does mean more funds available that the Fraternity is able to devote to supporting alumnae and our associations.

We're hopeful that the association members will understand that the Fraternity costs have increased exponentially. Also, in the next biennium, we will be focusing on alumnae associations and will look at what is working and what is not. In that way, we will be able to provide better, focused support to our associations.

Why can't the proposed fee increase be voted on by delegates at Convention and, if passed, be implemented in the next, not immediate fiscal year?

We've set our 2022–23 operating budget based on the \$10 increase for alumnae and \$5 for collegiate members. To set a budget with these fee increases to take effect a year from now would be financially impossible given our current environment of rising costs of doing business. However, the COLA, which will take effect in fiscal year 2024, is for this very purpose: to manage ongoing per capita fees so that all members have complete fee transparency and can budget a known number.

If we keep increasing fees, how do we keep young alumnae engaged?

We do provide a discount for young alumnae. However, our focus for the next biennium is to concentrate on this area and supporting alumnae associations. We would like to use our increased funds to focus on alumnae, keeping them engaged, and reengaging our many alumnae who are not currently actively involved in Kappa.

Why are we not paying for advisers to attend Convention?

The role of the adviser at Convention has shifted. Chapter advisers are not voting delegates. Ultimately, Convention is for conducting the business of the Fraternity. In addition, we are no longer providing adviser-specific training there. That training has been shifted to a different conference (Kappa Leadership Conference) that advisers now attend along with their advisees.

What is the total amount of revenue the Fraternity receives from alumna dues?

About \$400,000 each year.

What is the projected amount of dues revenue from alumnae if the changes pass?

Just shy of \$500,000.

How many alumnae pay dues each year?

An average of 15,000 alumnae pay dues each year, which is only between 6%–7% of alumna members.

Why is the Fraternity budget not submitted for vote to the Convention body?

Prior to the 2018 Convention, the Fraternity *Bylaws* required a vote by the Convention body to approve the Fraternity budget. In 2018, effective for the 2019 fiscal year, the Convention body adopted an amendment that removed approval of the Fraternity budget as an item of business



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at Convention. When the budget was presented for a vote, it was based on a two-year forecast. Trying to determine revenue and expenses two years out made budgeting incredibly difficult. That was the main impetus for changing the Fraternity *Bylaws* to not having the Convention body vote on the budget. The Fraternity Treasurer does a budget presentation to the Convention body. The budget is recommended by the Finance Committee and approved by Fraternity Council now.

Can you provide detailed financials to support the per capita increase? How will we know how the money is being spent?

The Fraternity budget (this year's and last year's) will be presented at Convention along with other relevant Convention information. The financials are presented at Convention and will be posted to the site. It is our goal to invest in our alumnae and associations, keep members engaged, and fund the Fraternity's strategic plan. This dials into both infrastructure as well as meeting members where they are and being part of all members' lives regardless of their life stage. Through the alumna engagement team and other volunteers, we are working in earnest to ensure our membership experience is meaningful throughout our members' lives. The goal is to fund our organization moving forward into the next 152 years.

Can you provide more transparency on how Fraternity funds are being spent?

It is our goal to be transparent with how Fraternity funds are being spent. We want to continue to communicate and reach our members to share updates on what is happening with the Fraternity, including how dues are being utilized. We are looking into how we best reach our alumnae throughout their lives: *The Key*, social media, email, etc. All of this plays into the reengagement and continued engagement of our alumnae and we absolutely plan to include these types of messages as we move forward. In addition, the Fraternity budget (for the upcoming two fiscal years) and the financial reports from the prior two fiscal years will be presented at Convention.

Why is the per capita fee increasing when membership numbers are declining?

We want to make sure that Kappa is around for another 152 years and remains sustainable, so we need to invest in Kappa now more than ever. We do not want to cut programs or other corners. We feel this increase is needed to keep our budget operational. In particular, we need to invest in our alumnae in order to reengage them as we have been doing and as we will be moving forward.

Could dues be frozen for members over the age of 65 years of age versus years of membership?

Not every record has a birthdate for our members but every record does have an initiation date. We want to ensure we are providing the most accurate lists to our associations and members on who would fit into this category, so we need to use initiation date versus age simply due to the information we have.



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We would have to consider the financial impact, but the goal with the 65-year and young alumna discounts was to recognize that these members are on a more fixed income.

Does Kappa and the Kappa Foundation have annual report requirements as part of their nonprofit status? Where are those reports posted?

Both groups have filing requirements. The Fraternity 501(c)(7) and the Foundation 501(c)(3) are both required to file a Form 990 with the IRS. Those 990s can be found on sites like [irs.gov](https://www.irs.gov) and [candid.org](https://www.candid.org).

Our annual reports are reflected in our 990s.

What has been done to decrease Kappa Headquarters' expenses?

The Finance Committee and Budget Committee have worked very hard the last several years to reduce expenses in every category and we have been successful in reducing some expenses. Additionally, we reduced travel for volunteers and staff, sublet a space at Kappa Headquarters, underwent overall cost reduction of projects and operating expenses, and held more virtual meetings. We have done numerous detailed reviews of every expense line within the budget.

CHAPTER OFFICER STRUCTURE

Why are we changing the chapter officer structure?

This change is a result of direct feedback from our collegians. In spring 2017, we surveyed chapter members, advisers, and Fraternity volunteers and heard their feedback on the need for improvements to the chapter leadership structure. Fraternity Council added this as a priority to the strategic plan and directed the Chapter Services Department and volunteers to craft and pilot the proposed structure. In addition, in 2018, a resolution from the Convention body was proposed to review the chapter officer structure. The resolution was not adopted at that time as the proposed structure was already in the planning stages. It is important to note that this resolution was proposed by Fraternity volunteers who recognized the need for change.

Our chapters' needs, operations, priorities, dynamics and sizes are unique to their chapter and campus. We heard from our chapter members that a more sustainable leadership model was a necessity. Based on this as well as the feedback from the survey in 2017, we created a flexible chapter leadership structure to meet the needs of our chapters and members, which we have been piloting since 2018 in select districts. This new structure aims to enhance and build stronger chapters, meeting the needs of chapters and our members while providing relevant and skill-building opportunities that translate to post-graduate life.

Can you provide more information on resources and training that will be provided? How will Advisory Boards get help condensing their boards?

Be sure to review the proposed structure officer resources on the [Kappa website](#). These resources will give you more in-depth information on the proposed officer structure and the timeline of training.



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Leading up to Convention, these resources are available 24/7 so that delegates may understand the proposed changes and the timeline for the rollout if passed at Convention. Based on feedback from these town halls, we will evaluate if further discussion opportunities are needed.

If approved by the Convention body, we will send out an email in early July inviting chapter Presidents, Advisory Board Chairmen, and Chapter Council Advisers to learn more about the structure at a virtual training at the end of July and in August. Additionally, the process for sharing this change with their chapter, how to choose an officer structure, and how to get it approved will be shared.

In August and September, the Nominating Committee Chairman and advisers will attend a virtual Nominating Committee training to learn more about the nomination process.

Chapters already piloting the structure are welcome to attend that virtual training and will continue to operate in the structure. A separate conversation will be held for Official Family members so they understand how their role is evolving as well.

Advisory Board Chairmen will also learn about condensing their boards during these meetings.

How would the positions that the chapter should/would adopt be determined?

Should the proposed chapter officer structure be adopted at Convention, chapter Presidents and Chapter Council Advisers will attend a training in July or August (based on when they start school and availability) to learn about how to choose their structure. The chapter will determine which director positions to fill by considering their priorities, needs, and size. Once they choose their structure, it will be reviewed and approved by the Leadership Development Specialist. They will also need to vote on adding it to their chapter documents.

In addition, we have suggested applications of the structure based on chapter size that chapters can use as a starting place to determine their structure.

What will the role of Academic Excellence Specialists be once the Vice President-Academic Excellence role changes?

The academic excellence officer role will not be under standards. Rather, if the chapter chooses to elect an Academic Excellence Director, they will be a member of the Internal Affairs Department and managed by the Vice President Internal Affairs.

The role of the Academic Excellence Specialist will not change. In this example, the Academic Excellence Specialist will continue to share their expertise of academic support and resources with the chapter Academic Excellence Director. The Vice President Internal Affairs will act in a manner similar to how the chapter President currently acts and will provide support and mentorship to the chapter Academic Excellence Director in an effort to oversee all operations specific to member support and expectations.



How will it work with smaller Executive Boards?

We believe new initiatives will be handled even more effectively by a smaller Executive Board of seven officers. We saw that chapters piloting the proposed structure were able to pivot more quickly and effectively when the COVID-19 shutdown started in 2020 due to the smaller and streamlined nature of the board.

Additionally, Executive Board will receive focused training on how to strategically think and goal set on new initiatives. This structure is built to encourage executive leaders to think strategically, which allows them to focus on enhancing the membership experience rather than just executing day-to-day tasks.

What is the role of Content Specialists in the new structure?

The role of the Content Specialist will not change, and they will still work directly with the director, vice president, or chapter President they are assigned to work with.

Additionally, we are setting up the vice presidents as the first line of support for questions from their directors. Our hope is to allow Content Specialists to be utilized in more strategic ways and in situations that require their unique expertise and to enable chapter officers to search for questions from their resources first. Content Specialists will continue to support their content area and align with the chapter director roles.

How do we prevent burnout in officers/leadership in the new structure?

The intention of the proposed structure was to spread the workload and responsibilities while empowering more members to get involved. For example, the chapter President is currently tasked with managing a Chapter Council of 15 officers. In the proposed structure, the chapter President would manage six vice presidents who, in turn, manage their own departments of around one to five directors.

Similarly, the Vice President-Standards is now the chapter Standards Director. We have heard feedback and seen the current Vice President-Standards position has become overwhelming. This shift is to focus on their role as managing the member support and accountability process in coordination with the other Standards Committee members.

For smaller chapters, we know that fewer members likely means fewer members to be officers. We are actively working on streamlining leadership resources for vice presidents who will be taking on all or most of the department's workload. We currently have chapters that are combining positions, and we believe these resources will help to spell out and give structure to their role so they and their chapter members may enjoy a robust and supportive experience.

How does the new chapter officer structure affect Advisory Boards?

The chapter officer structure will result in more sustainability and more consistency for our Advisory Boards. Many of our Advisory Boards have struggled to fill all 17 advisory positions. Currently, 76 (53%) Advisory Boards have vacancies. That's over half of our chapter Advisory



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Boards left unfilled. Additionally, only 10 chapters currently have advisers who are not serving in multiple adviser roles in that chapter or adviser roles in multiple chapters. The new Advisory Board structure will contain nine advisers.

With the new structure in place, advisers will have the opportunity to take on more of a mentorship role. They'll guide chapter officers as they navigate team dynamics and management and consult the chapter from a strategic, visionary perspective. Advisers will help guide chapter officers in their leadership roles through encouragement, use of leadership skills, and the teamwork it takes for the chapter to achieve its goals. Advisers play a critical role in our chapters' success and there will still be valuable opportunities to work with our chapters.

Are there any plans to adjust training for Advisory Board members?

Our Advisory Board team is hard at work on a revised adviser training. A project specialist was assigned to this task and more will be shared in the coming months.

Will the proposed changes in the officer structure change the Nominating Committee process?

Yes, there will be some changes made to the chapter officer nominating process, including the introduction of an application and interview process. Training and resources will be available in July if the proposed officer structure passes for chapters and advisers so they can utilize the new process for the upcoming officer election cycle.

We have seen this streamline the nominating process and produce the best candidates.

What happens if the proposed new chapter leadership structure does not pass at Convention?

If the proposed structure is not adopted at Convention, the new Fraternity Council, in partnership with the Chapter Services Department and district volunteers currently working with chapters piloting the proposed structure, will evaluate the concerns around why it did not pass. Based on these conversations, a new proposed structure could be a possibility.

We firmly believe in the need to shift to a new chapter officer structure. The needs and priorities are evolving for chapters, and we believe this proposed chapter officer structure will allow Kappa Kappa Gamma to remain relevant for our chapter members and provide enhanced skill-building opportunities that translate to post-graduate life.

Should we have a labeled set of directors in order for nominations and elections to be more organized?

Chapters will determine which director positions they will elect based on Kappa-prescribed chapter directors. Chapter structures will be approved by the Leadership Development Specialist in consultation with their District Director and their chosen structure will be included in their chapter Bylaws.



I don't understand why a chapter Executive Board would need to be thinking strategically?

The Executive Board will focus on the vision for the member experience and goal setting. They will manage directors as well as contemplate bigger membership questions, such as retention and lack of interest. As they will not be focused on the day-to-day activities, Executive Board will be able to dive deep into those questions. They would then work with directors to address those concerns.

Why are we not hearing the term committee? Are chapters not using a committee structure anymore and if so, why?

Committees are just changing in name and how they are being assigned. For smaller chapters, we are suggesting assigning general members to a department to work on department tasks/projects. For larger chapters, we are recommending that they be assigned to content-focused teams to assist with content-specific projects.

How many chapters have been in the pilot program?

Twenty-five. Epsilon District — encompassing schools in Illinois, Wisconsin, and Minnesota — started piloting the structure in fall 2018. Xi District — encompassing schools in Louisiana, Arkansas, Mississippi, Alabama, and Florida — started piloting the structure in fall 2019. Additionally, chapters at Pfeiffer University, Long Island University Post, Seton Hall University, Princeton University, and the University of Pittsburgh have also joined the pilot.

Will the current Content Specialists have more work than they currently have now?

Content Specialists will continue to share their expertise with chapter leaders through training and ongoing support. With this new structure, the vice presidents will be the first line of support for their direct reports, helping to solve problems and find solutions together (something we're already seeing). Advisers will assist if they are still needing assistance with these questions. We believe this will allow our chapters to better utilize our Content Specialists and their expertise.

How will the changes in officers/structure change any officer live-in requirements?

The Fraternity *Policies* require a minimum of two of the Emergency Team officers to live in the chapter facility. In the proposed structure, this would be at least two of the following officers: President, Vice President Operations, Risk Prevention Director and Facility Director. The chapter Standing Rules may also require more officers to live in and would need to be updated should the proposed chapter structure be adopted at Convention.

How does the new officer structure impact ritual considering that some of the positions are named specifically?

For our ritual ceremonies, the Ritual Director or Vice President Internal will act as Marshal.

Will the district team structure change to be similar to the new chapter leadership structure?

The district team structure will stay the same but note that the Panhellenic, facility, and DEI content areas are being added as new Content Directors. Should the chapter officer structure



BYLAWS AND STANDING RULES REVISIONS 2022: FAQs

be adopted at Convention, we will continue to evaluate how the district team structure operates in conjunction with the chapter officer structure.

Do the chapter Bylaws and Standing Rules need to be updated if the chapter decides to adjust its officer structure.

Yes. A chapter is free to evaluate its structure and adjust as needed. We believe it makes sense to give them this ability. Making it scalable so that it works for each chapter meets the goal of this initiative. Chapters can easily vote to change their documents with assistance from the Bylaws Committee.

DIVERSITY, EQUITY AND INCLUSION

Can nonbinary people join? Is this a chapter-by-chapter decision?

Kappa Kappa Gamma is a single-gender organization comprised of women and individuals who identify as women whose governing documents do not discriminate in membership selection except by requiring good scholarship and ethical character. Please see Kappa's [Position Statements](#) on Membership Selection and Single-Gender Organizations.

We also look to NPC policy as an NPC member organization. The NPC Recruitment Eligibility (2020) policy states: "For the purpose of participation in Panhellenic recruitment, woman is defined as an individual who consistently lives and self-identifies as a woman. Each women's-only NPC member organization determines its own membership selection policies and procedures."

Have we vetted these changes with our legal counsel?

Yes. We have conferred with legal counsel as well as NPC on DEI-related updates to our Fraternity documents. We are confident that these changes would hold up if contested in a court of law.

What is happening with the use of "womanly and true" in ritual?

This phrase can be found in the new member oath. We have worked hard to make our language more inclusive and changed that to "loyal and true." The Ritual Committee felt that what womanly and true meant, we could not quite define, but we feel "loyal and true" best represents our current member population and is easily understood.

Why are we including gender-neutral pronouns in the revised documents?

This change is coming from a Convention resolution that formed Kappa's Diversity, Equity and Inclusion Committee. Kappa Kappa Gamma was founded 150 years ago on the principles of integrity, respect and regard for others. Kappa has reflected on the path forward, and we are beginning with actions that speak to our belief that all members are valued. This is one of those action steps. We want to be as inclusive of all members as we can be. Please review [Kappa's Diversity, Equity and Inclusion Initiatives](#) for more information.



BYLAWS AND STANDING
RULES REVISIONS 2022: FAQs

You reference the NPC policy on nonbinary and transgender members as part of Recruitment. What is the policy for alumna initiates? What guidelines are used in these scenarios?

You can find information on alumna initiation here: www.kappa.org/stay-connected/news/2020/alumna-initiation-process/.

MISCELLANEOUS

What about legacies and recommendations? Where are those in the Fraternity *Bylaws* and what changes are being proposed?

Recommendations/references have not been required for many years. Neither are in the Fraternity *Bylaws*, both current and proposed. You will find references in the Fraternity Standing Rules, Rule XII. Section 1 (adopted in 2018).

The proposed wording in the 2022 version of the Fraternity Standing Rules, Rule 1. 1. A. states: Active members shall be responsible for selecting new members of their chapter. Any initiated member may provide information about qualified women. We have not taken away the right of members to give information on potential new members, as members may still provide information about qualified women.

Has the Fraternity seen a decline in membership or giving since the legacy policy change?

The legacy policy is outside the scope of the Fraternity *Bylaws* and *Standing Rules*. Because we no longer define and record familial relationships between members, there is no way to directly draw a straight line between the policy change and the impact on membership numbers. There is a myriad of factors that have impacted sorority recruitment across NPC, including time commitments of today's college student, cost of membership, fluctuations in enrollment in colleges and universities, and the impact of national movements like Abolish Greek Life to name a few. Not all factors impact every institution where we have a chapter equally, but that is a broad view of the landscape. We are also not alone in this policy change. Since 2020, 19 of the 26 NPC member organizations have removed preferential treatment for legacies.

We are seeing a decline in overall recruitment pools in many parts of the country, which is impacting our membership numbers on some campuses. We do not know if association membership numbers have been impacted by the change to the legacy policy. We have no way to attribute the change in numbers to this legacy policy change.

We are not aware of any direct impact of the legacy policy change on overall Foundation giving.

Just for clarification: Since the legacy definition is a "policy," then this matter is not open to discussion at Convention?

Currently, the Fraternity *Policies* are not open to discussion for the general membership. They are voted upon by Fraternity Council. You can always send suggestions for the Fraternity *Policies* to Fraternity Council.

How do other NPC groups handle legacies?



BYLAWS AND STANDING RULES REVISIONS 2022: FAQs

Since 2020, 19 of the 26 NPC member organizations have removed preferential treatment for legacies.

How is a member chosen to be on the Bylaws Committee?

The Bylaws Chairman is appointed by Fraternity Council. Members of the committee are selected based on expressing interest in the Volunteer Interest Form as well as their unique qualifications.

Why does the change to the *Articles of Incorporation* eliminate associations?

The intent behind this change was to be more inclusive of all alumnae whether they are in an association or not. For example, Kappa currently has 213,966 mailable alumnae but only 8,175 have paid dues to an association this year. Thus, Kappa has a large number of alumnae who are not involved in associations, so this change is reflective of that.

What is the purpose of Convention?

The main purpose of Convention is to conduct the business of the Fraternity. If elections are completed prior to Biennial Convention in the future, priority can be given to other agenda items that require delegates to be together in person to address.

Going forward, will general alumnae be part of an international meeting or Convention?

All alumnae are invited to and encouraged to attend Convention.

If we're allowing for alumnae associations to vote electronically, then what is the purpose of voting in person at Convention on the changes to the Fraternity *Bylaws*?

We are proposing allowing electronic voting during officer elections. Because we still require contemporaneous communication for both debate on these important changes as well as in order to meet legal requirements, it makes the most sense to vote on changes to the *Bylaws* in person. Voting on the *Bylaws* in person allows for the opportunity for discussion and debate that would be difficult to achieve in a virtual forum.

Why did we remove the vote of Leadership Consultants?

Leadership Consultants are full-time, salaried employees. Because they are governed by Kappa's HR guidelines, we were guided by legal counsel to put them in the same category as other employees and remove voting rights.

What happened to references to the Leadership Consultants in the documents?

Leadership Consultants are the employees of the Fraternity. Their employment is governed by their employment contracts, not the Fraternity *Bylaws*.

KAPPA KAPPA GAMMA, GAMMA OMICRON
May 2, 2023

Dear Alumnae Association Presidents of Kappa Kappa Gamma,

My name is Cheryl Tuck-Smith. I am writing to you today on behalf of my beloved Kappa chapter, Gamma Omicron at the University of Wyoming.

As you have heard, a lawsuit has been filed against the Kappa Kappa Gamma Fraternity and Mary Pat Rooney as its president. This action was not taken lightly. These actives tried to get this resolved amicably. Unfortunately, it became clear to our Gamma Omicron sisters, their families and many alums across the country that the issue was serious and the Kappa leadership was only interested in pushing their radical ideology at the expense of this chapter and these women.

Eleven Gamma Omicron women have stood up proudly to be named in this federal lawsuit. There is additional strong support within their chapter and community. These ladies are bravely fighting for the future of women only spaces on behalf of themselves and all of us. They need your help.

You should know some facts about what has gotten us here. The actives in this chapter were not allowed debate. They were threatened with dismissal if they did not admit this individual into membership - a grade risk with no waiver. The vote swayed in his favor only after several voting rounds and only after the girls were required to identify themselves in the vote via their personal emails. You should also be aware that this is a smaller housed chapter and all members are required to live in the house. They have one large common main bathroom and one common small bathroom, and most rooms do not have locks on the doors.

Before, during, and after the vote, Kappa Kappa Gamma leadership was not only involved, but facilitated Mr. Langford's membership on multiple occasions. Kappa's Executive Director, Fraternity Council, Content Director(s), Staff Leads and Advisors were all in the loop and have responsibility. This was not a chapter led situation.

As you can read in the complaint, the individual in question is by most all definitions a male with male behavior. This complaint is based on sworn statements by these plaintiffs and witnesses. It is not hearsay. The full copy of the complaint may be found here: <http://savekappa.org/> Password: "key". We empathize with his journey and believe he is being used by activist forces as a pawn in their attempt to take over women only spaces. That said, he was not and is not eligible for membership.

The lawsuit is alleging breach of contract. Kappa Kappa Gamma's mission, articles of incorporation, bylaws and standing rules all indicate that we are an organization of women. We are legally allowed this carve out through Title IX legislation. A man with a penis and testosterone is not a woman and should not be eligible for membership. This is not complicated.

This effort has already been picked up extensively by national press. Megyn Kelly called this "the greatest lawsuit I've ever seen". This clip is a bit 'salty' but as you will see, there is strong support out there for our sisters and this effort to save women's spaces.

<https://youtu.be/HlzuyEKSzu0>

Please know and understand that our goal is not to slander Kappa. It is to return our organization to one that lives up to its charter, bylaws, and mission, and listens to the realities and concerns of our female members. If the current Kappa leadership is not capable of this, they should step aside.

I know many believe that we should stay quiet and let this blow over. Sadly, that's not going to happen in today's society. We must all find our voices and speak up together. This situation did not occur in Wyoming because the majority of the girls wanted it. It happened because a few activists forced it through regardless of the rules and the sentiments of the members. It happened with the full knowledge, help, support and enforcement of our national Kappa leadership. This is the canary in the mine and will happen elsewhere if we don't stop it now.

The girls have been supported and the lawsuit funded in Phase One by a growing coalition of loyal Kappas, past Fraternity and Foundation Officers, Chairmen, Advisors, and parents. We are now moving into Phase Two of a court battle to save our dear Fraternity for women. Please join us!

What you can do:

1. **Share** this story with your associations, sisters, friends, and family.
2. **Give** to the fundraising efforts through our crowdsource site. All amounts are appreciated! <https://www.givesendgo.com/Gowomen>
3. **Speak up and out** to our Kappa leadership and let them know this not ok. It's time to return Kappa to our mission of being a non-political, supportive sorority focused on leadership, scholarship and sisterhood.
4. **Help** spread the word to other Greek sisters - it's happening throughout NPC. Several groups including, but not necessarily limited to, Tri Delt, KD, Chi O and Pi Phi have upcoming conventions this summer with proposals to change the definition of women membership on their agendas as well.

Give generously and pass along to your friends and family this information. It is time to stop trying to erase women and our spaces!

Loyally,

Cheryl Tuck-Smith
Gamma Omicron '70
Northern California

From: Cheryl Tuck

Sent: Wednesday, May 3, 2023 3:35 PM

To: REDACTED

Subject: KAPPA KAPPA GAMMA

Dear Alumnae Association Presidents of Kappa Kappa Gamma,

My name is Cheryl Tuck-Smith. I am writing to you today on behalf of my beloved Kappa chapter, Gamma Omicron at the University of Wyoming.

As you have heard, a lawsuit has been filed against the Kappa Kappa Gamma Fraternity and Mary Pat Rooney as its president. This action was not taken lightly. These actives tried to get this resolved amicably. Unfortunately, it became clear to our Gamma Omicron sisters, their families and many alums across the country that the issue was serious and the Kappa leadership was only interested in pushing their radical ideology at the expense of this chapter and these women.

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Loyally,

Cheryl Tuck-Smith
Gamma Omicron '70
Northern California

NR **PLUS**
WOKE CULTURE

Women-Only Spaces Must Resist the Transgender Assault



University of Wyoming Laramie(*University of Wyoming/YouTube*)

Share

• 98

By **PATSY LEVANG**

June 22, 2023 6:30 AM

98 CommentsListen

What's happening at University of Wyoming's Kappa Kappa Gamma sorority, where an obvious male has demanded admission, is part of a society-wide campaign.

EXHIBIT 10

<https://www.nationalreview.com/2023/06/women-only-spaces-must-resist-the-transgender-assault/>

IN my lifetime, I have had many roles — daughter, collegian, wife, mother, farmer, author, educator, entrepreneur, volunteer, director. Now, I unexpectedly — but proudly — add to the list “Women’s Rights Advocate.” I am appalled that women must now defend our sex yet again, and I will not be silent as women are asked to give away the very essence of our being.

Like every other mammal on the planet, humans enter this world as either a female with XX chromosomes or male as XY chromosomes. There are endless personalities that can inhabit these two sex-chromosome sequences, but at the foundation, we are all either a man or a woman. These distinctions have consequences. And while there are many advantages to being born female, there are also disadvantages: Men are typically physically faster and stronger, which leaves women more physically vulnerable. Women need and deserve protection and privacy.

Today, as society is increasingly forcing people to pretend that these basic physical differences do not exist and do not have meaningful consequences, we are jeopardizing women’s spaces and women’s core rights. Sadly, entities and leaders who are supposed to defend women are increasingly pushing women’s interests aside.

NR

[My beloved sorority](#), Kappa Kappa Gamma, has found itself in the middle of a fight that it has brought upon itself. Recently, young women at the University of Wyoming chapter were bullied by their leadership into accepting a man claiming to be a woman into their sisterhood. Leadership seemed to believe that if the college women refused to accept that a 6’2”, 240-pound person with male behavior and male physique somehow qualified as a “woman,” then they were in the wrong and needed to be “educated” and removed from the space.

In response, alumni and lifelong members from across the country have rallied to support the collegiate women, urging the leadership of the national organization to reconsider their stance. We’ve asked them to recognize what is going on and how it is a clear affront to the very concept of womanhood and the existence of sororities. Men claiming to identify as women are being granted access to women’s spaces and opportunities, effectively eroding the sanctity and very purpose of these places. It is not just happening in sororities but in women’s sports, women’s shelters, and even women’s prisons. And this is not happening to just my sorority — all women’s groups are being targeted, and many have simply withered from the pressure instead of standing up for

our rights. Many organizations are, like Kappa Kappa Gamma is today, doubling down on their position.

Women are born and raised to value kindness and inclusion. These very traits are leading to dangerous situations. They don't want to hurt the feelings of people or to fail to be "inclusive." Yet by reworking our structures and systems to be kind to the one male-bodied person who wishes to be included in activities meant for women, we are being profoundly unkind — and unfair — to all the women. These sorority women have learned the hard lesson that this push for "inclusion" is threatening our basic rights to gather and support each other. These women are all being told to deny reality and their very legitimate concerns about the degradation of women's safety and privacy. This is not about diversity. This is misogyny. We all must stand up and say "enough."

Generations of women have been forced to fight battles for equality and fairness, and because of them, many rights for women are now accepted as the norm. We can now vote, pursue an education, and receive equal pay for our labors — women are thriving. We benefit from our protected women's-only sports and spaces. We must not give these away.

It is essential for us to unite nationwide against this assault on women and the sanctity of women-only spaces. We must protect the progress made over the last century. Women's equality and progress required the establishment of separate spaces exclusively for women — including in competitive sports. The current attempt to dismantle the rights and achievements of women can no longer be ignored. It is blatantly flaunted in front of the entire nation, demanding our immediate attention and action in support of women.

Let us come together to protect the integrity of women's spaces and rights. We must uphold the principles upon which organizations such as the Kappa Kappa Gamma sorority were founded, fostering a supportive environment where women can thrive and achieve excellence. By preserving the integrity of women's spaces, we uphold the values of fairness, equality, and respect for all.

PATSY LEVANG is a member of Independent Women's Network, a mom of two daughters, one of whom attended the University of Wyoming, and a former Kappa Foundation president.

From: Standards Director <StandardsDirector@kkg.org>
Date: May 25, 2023 at 6:14:12 PM MDT
To: REDACTED
Subject: Kappa Kappa Gamma - Reminder to Alumna Member

May 25, 2023

Dear Cheryl,

We know you value your membership in Kappa Kappa Gamma. As a member, you agree to adhere to our membership guidelines and the Kappa Kappa Gamma Fraternity Bylaws, Standing Rules and Policies.

As part of my role as Fraternity Standards Director, I am responsible for reminding associate and alumnae member of Fraternity conduct expectations. It is my duty to remind you that all of our members are responsible for meeting membership expectations and maintaining good conduct. An associate or alumna member may be dismissed for violations of the rules or standards of the Fraternity.

Kappa has a Use of Membership Lists and Contact Information Policy. That Policy provides that membership lists and member contact information available through the Kappa website, including names, emails, phone numbers, and mailing addresses, may only be used by Kappa alumna members in conducting the Fraternity business and shall not be used in non-Fraternity business or furnished to or used by anyone outside of the Fraternity. We have received complaints from Kappa alumna members that you have used Kappa's member contact information to solicit funding for litigation against Kappa and make false defamatory statements about Kappa. The operators of the crowd funding site you have directed members to have also engaged in the unauthorized use of Kappa's intellectual property, and Kappa is taking actions to protect and enforce its intellectual property right to ensure that others do not use its trademarks in a way that confuses the public or damages Kappa's reputation.

Please immediately cease using any membership lists or member contact information through the Kappa website for non-sorority business, including to solicit funding for litigation against Kappa and to make false defamatory statements about Kappa. Because these violations are serious, we must take action to remove your access to the membership lists and contact information.

I encourage you to reflect on the commitment you have made to this organization and your promise not to injure the name of Kappa Kappa Gamma. Please remember that we are always wearing our letters, regardless of our current membership status.

This email serves as a reminder of the Fraternity's policies. Please be aware though, any future violations of the Kappa Kappa Gamma Fraternity Bylaws, Standing Rules or Policies could result in membership dismissal. If you have any questions, please feel free to contact me.

Thank you for your attention to this important matter.

Loyally,

<pastedImage.png>

Jessica Coffield

Fraternity Standards Director

Kappa Kappa Gamma

925.549.1217

kappa.org



From: Patsy Levang REDACTED
Date: August 23, 2023 at 10:49:08 PM MDT
Subject: VCA

Kappa Kappa Gamma Alumnae Presidents
August 22, 2023

Dear KKG Sisters,

We love Kappa. We have created bonds of sisterhood that allowed us to thrive during college and beyond. We cried during broken engagements, we celebrated law school acceptances, we sang in the shower, we dressed up for formals. We loved our sisterhood because we had privacy and protection. And we are grateful beyond measure to Kappa for providing that to us. We have shared information with this group not to harm or otherwise defame Kappa, but to keep you informed, which we think is beneficial for everyone. We simply want to uphold her charter and her bylaws. That is something every member is entitled to.

You may have received an email letter from Fraternity Council on August 17. We would like to address some of the claims made by this communication. First, Council would have you believe that there are only a few individuals who are upset with them. That is simply incorrect. The more people understand what has happened to our beloved sisterhood, the more our sisters are interested in making their own comments. Our numbers of Kappas and concerned members of other NPC groups is in the thousands across the entire country.

Every member of Kappa is, of course, entitled to use the list of sisters for communication and connection to each other. We have been promised that by our Bylaws, and we are saddened to be called names for using the list appropriately. But because we know you are all busy women; we will only communicate if you wish to be kept in the loop.

This Fraternity Council is not one that values listening and collaboration. Instead, they want to threaten those who don't fall in line. This letter is a prime example of that. Council is trying to silence us, just like they have done to the girls at Gamma Omicron who have objected to a fully intact male living in and having access to their sleeping and safe places - telling the girls and alumnae

“sit down and shut up.” Luckily, we as alumnae are trail blazers who will not be intimidated by bad leadership.

Next, the letter you received - is incorrect. We are lifetime members and as such, the Kappa network is our network. Our sisterhood is strong and we believe in using this network to inform other members of this Council's actions and Bylaws violations. The Plaintiffs are suing on behalf of both themselves and all of us members for the violations by Fraternity Council of our Bylaws. Yes, we are fundraising through our network and across the country for contributions to correct the problem. Unlike Fraternity Council who has unbridled access to Kappa funds, our donations are purely voluntary.

If you wish to read a copy of the lawsuit in its entirety, you may do so at savekappa.org (key). It is our aim, now and moving forward, to seek the truth and right the wrongs that this Council perpetuates.

Please join our nationwide and sorority wide movement to take back sororities and make them a safe place for women - true to our founding, 150 years ago.
JUST SAY NO!

Loyally,

Patsy Levang

Cheryl Tuck-Smith

Jeleen Guttenberg

Standing up for our Kappa Sisters.

September 12, 2023

Dear Patsy,

In accordance with the Fraternity *Bylaws* and *Standing Rules*, a member may be dismissed for violating the purposes and standards of the Fraternity. As Standards Director, it is my responsibility to inform you that your alleged violations of the Use of Membership Lists and Contact Information Policy, Internet Policy, Local Regional or National Media Policy, Social Media Guidelines, Speaking for the Fraternity Policy, and the Human Dignity Policy have been referred to Fraternity Council for action, and your dismissal is being considered.

In accordance with Fraternity *Standing Rule 7.4*, you now have the opportunity to submit a written response presenting any arguments or pertinent information that you wish to be considered by Council in its deliberations. *Please provide this response to me at StandardsDirector@kkg.org. In order to be considered, I must receive your response by Tuesday, Sept. 26, 2023.* Following the Council vote, you will receive a notice of the action taken.

Please don't hesitate to reach out to me if you have any questions.

Loyally,

Jessica Coffield

Fraternity Standards Director

Kappa Kappa Gamma

925.549.1217 |

kappa.org

From: Standards Director <StandardsDirector@kkg.org>
Date: September 12, 2023 at 3:35:21 PM MDT
To: REDACTED
Subject: Kappa Kappa Gamma Membership Status



September 12, 2023

Dear Cheryl,

In accordance with the Fraternity *Bylaws* and *Standing Rules*, a member may be dismissed for violating the purposes and standards of the Fraternity. As Standards Director, it is my responsibility to inform you that your alleged violations of the Use of Membership Lists and Contact Information Policy and the Human Dignity Policy have been referred to Fraternity Council for action, and your dismissal is being considered.

In accordance with Fraternity *Standing Rule 7.4*, you now have the opportunity to submit a written response presenting any arguments or pertinent information that you wish to be considered by Council in its deliberations. ***Please provide this response to me at StandardsDirector@kkg.org. In order to be considered, I must receive your response by Tuesday, Sept. 26, 2023.*** Following the Council vote, you will receive a notice of the action taken.

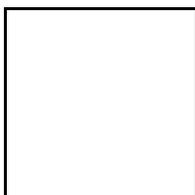
Please don't hesitate to reach out to me if you have any questions.

Loyally,

A handwritten signature in black ink that reads "Jessica Coffield".

Jessica Coffield
Fraternity Standards Director

Kappa Kappa Gamma
925.549.1217 |
kappa.org



Via Email Only: **REDACTED**

Jessica Coffield
Fraternity Standards Director
Kappa Kappa Gamma

Dear Jessica,

I write in response to your letter of September 12, 2023 claiming that I have violated the Fraternity Bylaws and Standing Rules and that I am being considered for dismissal.

To begin with, you have accused me of violating various fraternity policies but have failed to point to any specific conduct and/or any specific policy provision at issue. Fraternity Standing Rule 7.4 requires a written complaint in order to begin the process, presumably one that accurately and specifically identifies the alleged policy violations I am accused of committing, yet none has been provided to me.

Further, as you are aware, I have devoted significant time and effort in support of Kappa Kappa Gamma. While I no longer serve on the Foundation Board, I am committed to maintaining the mission and integrity of the organization I joined so many years ago. The Wyoming lawsuit brought to light numerous actions that were taken by the Fraternity in violation of the Bylaws, that contradict the Fraternity's founding principles and are plainly not in the Fraternity's best interests. Members of an organization have a legal right to bring derivative suits in order to protect the rights of the organization. To the extent that I have used my voice to increase awareness of the lawsuit and, more importantly, the facts giving rise to it, I have done so, not for any personal gain, but for the good of the Fraternity.

The Fraternity's actions in seeking my dismissal because I have been open about my objection to the Fraternity's conduct constitutes an abuse of corporate power and retaliation. There is no support for the leadership's decisions in the Standing Rules or Bylaws. It is antithetical to the Fraternity's mission and traditions and runs afoul of the applicable law regarding the protection of minority rights in voluntary membership organizations.

Sisterhood is a contract. It makes demands and confers benefits. I have more than satisfied the contractual demands to remain a life-member of the Fraternity. Any attempt to strip me of the benefits of membership in retaliation for my efforts to support those who challenge the Fraternity's improper conduct constitutes a breach of that contract. Alternatively, the Fraternity made promises to me, e.g., lifetime membership, upon which I reasonably relied. It cannot now dishonor those promises simply because I disagree with positions taken by its current leadership and because I have sought to support those members who assert the Fraternity's rights in court.

In summary, I deny that I have violated any policy, standard or bylaw. Indeed, the lack of specificity in your letter tells me that this is merely an attempt to silence dissenting voices and preserve

control of the Fraternity. Again, this is inconsistent with the Fraternity's fundamental purposes, its legal obligations to its members, and the idea of sisterhood. The leadership should agree to immediately cease and desist any retaliation against Kappa Kappa Gamma members or alumnae who object to the policies and decisions which gave rise to the Wyoming lawsuit and reconsider its refusal of the demands made by the plaintiffs in that case.

Loyally,

Patsy Levang

From: Cheryl Tuck-Smith **REDACTED**
Sent: Tuesday, September 26, 2023 10:55 AM
To: Jessica Coffield
Subject: RESPONSE TO DISMISSAL
Attachments: RESPONSE TO TERMINATION OF MEMBERSHIP.docx

Dear Jessica Coffield,

Attached you will find my response to your letter of September 12, 2023 threatening dismissal of my membership in Kappa Kappa Gamma.

Loyally,
Cheryl Tuck-Smith

REDACTED

September 26, 2023

Via Email Only - REDACTED

Jessica Coffield
Fraternity Standards Director
Kappa Kappa Gamma

RE: Termination of Membership

Dear Jessica Coffield:

This letter is in response to your letter of September 12, 2023 claiming that I have violated the Fraternity Bylaws, Standing Rules, and Policies of Kappa Kappa Gamma, and that I am being considered for dismissal.

At the outset, you accused me of violating various fraternity policies but have failed to point to any specific conduct and/or any specific policy provision at issue. Fraternity Standing Rule 7.4 requires a written complaint in order to begin the process, presumably one that accurately and specifically identifies the alleged policy violations I am accused of committing, yet none has been provided to me.

Further, as a 53 year member of this organization, I have devoted significant time and effort to support Kappa Kappa Gamma. I am committed to maintaining the mission and integrity of the organization I joined so many years ago, even if the current leadership refuses to do so. The Wyoming lawsuit brought to light numerous actions

Jessica Coffield
September 26, 2023
Page 2

that were taken by the Fraternity in violation of the Bylaws, Standing Rules and Policies of the organization. Members of an organization have a legal right to bring derivative suits in order to protect the rights of the organization. My communication to the membership increased awareness of the lawsuit, and more importantly, the facts giving rise to it. Supporting the derivative action is not for any personal gain but for the good of the Fraternity, and it constitutes Fraternity business.

The leadership's actions in seeking my dismissal are purely retaliatory for objecting to the Fraternity's conduct and raising legitimate concerns regarding the misconduct of the leadership. It also demonstrates a clear abuse of corporate power. There is no support for such retaliatory conduct in any Fraternity policy, the Standing Rules or Bylaws. Indeed, it is contrary to the Fraternity's mission and traditions.

I have more than satisfied the contractual obligations necessary to remain a life-member of this Fraternity. Any attempt to strip me of the benefits of membership in retaliation for my efforts to support those who challenge the Fraternity's improper conduct constitutes a breach of that contract. Alternatively, the Fraternity made promises to me, e.g., lifetime membership, upon which I reasonably relied. It cannot now dishonor those promises simply because I disagree with positions taken by its current leadership and because I have sought to support those members who assert the Fraternity's rights in court.

I have not violated any policy, standard or bylaw. Indeed, the lack of specificity in your letter suggests that this is merely an attempt to silence the voices of those acting for the benefit of the organization, when the leadership should devote its time to addressing the

Jessica Coffield
September 26, 2023
Page 3

concerns of its members in Kappa Kappa Gamma Omicron, follow the Standing Rules and Bylaws of the organization, and honor the long-standing mission of the Fraternity. The leadership should agree to immediately cease and desist any retaliation against Kappa Kappa Gamma members or alumnae who object to the policies and decisions which gave rise to the Wyoming lawsuit and reconsider its refusal of the demands made by the plaintiffs in that case.

Loyally,

Cheryl Tuck-Smith

From: Standards Director <standardsdirector@kkg.org>
To: REDACTED
Sent: Monday, October 16, 2023 at 12:45:59 PM CDT
Subject: Kappa Kappa Gamma Membership Status



October 16, 2023

Dear Patsy,

As Standards Director, I write in response to your letter to provide you additional information that you requested. Specifically, you have requested more information pertaining to the conduct giving rise to the cited policy violations.

As identified in my letter dated September 12, 2023, your dismissal is being considered for violations of the Use of Membership Lists and Contact Information Policy, Internet Policy, Local Regional or National Media Policy, Social Media Guidelines, Speaking for the Fraternity Policy, and the Human Dignity Policy. Additional information is included in the Reminder to Alumna letter dated July 7, 2023.

Specifically, Kappa has a Use of Membership Lists and Contact Information Policy. That Policy provides that membership lists and member contact information available through the Kappa website, including names, emails, phone numbers, and mailing addresses, may only be used by Kappa alumna members in conducting the Fraternity business and shall not be used in non-Fraternity business or furnished to or used by anyone outside of the Fraternity. We have received complaints from Kappa alumna members that have been solicited by you and others that you have organized to donate money for the crowd funding site. Your use of member contact information to solicit donations to fund litigation against Kappa is a clear violation of Kappa's policy.

For example, on August 5, 2023, you sent an email to Alumnae Association Presidents entitled “Case for Gamma Omicron KKG Lawsuit” including a “case statement” soliciting donations to fund litigation against the Fraternity. Additionally, on August 22, 2023, you sent an email to Alumnae Association Presidents entitled “Response to Letter from Council.” Further, on August 27, 2023, an email was sent by Jeleen Guttenberg, including your signature, to Alumnae Association Presidents and other Kappa members entitled “Wyoming Litigation Update.” Each of these communications was forwarded to Kappa by members who received it expressing complaints and concerns due to the content.

Further, Kappa has a Local, Regional or National Media Policy. That Policy requires individuals secure the approval of Kappa Kappa Gamma Headquarters before participating in any local, regional, or national media. We have become aware of multiple instances, examples of which are identified below, in which you have spoken to media about the ongoing litigation in a manner that is injurious to the organization and perpetuates harmful stereotypes and false information without seeking approval from Kappa Kappa Gamma Headquarters.

Additionally, there is a Speaking for the Fraternity Policy that provides that members shall not speak for the Fraternity. In making the statements to media, you have directly referenced your former role with Kappa Kappa Gamma. This could be construed as an attempt to lend the impression that you have the authority to speak on behalf of the organization, which you do not.

Examples of these violations include the following:

April 4, 2023: participation in PRNewswire Article, Attorney for the Plaintiffs in Kappa Case Weighs In: KAPPA KAPPA GAMMA SISTERS FILE LAWSUIT AGAINST SORORITY TO DEFEND WOMEN'S RIGHTS TO SINGLE-SEX CLUBS, in which you spoke with the media, claiming association with Kappa, without approval.

April 25, 2023: participation in The Federalist article, Judge Forces Sorority Girls To Disclose Identities To Stop Disturbing ‘Trans’ Male From Moving Into Their House, in which you spoke with the media, claiming association with Kappa, without approval.

June 15, 2023: participation in The Epoch Times article, Wyoming Sorority Sisters Sue Fraternity for Inducting Biological Male as First 'Trans' Member, in which you spoke with the media, claiming association with Kappa, without approval.

June 22, 2023: participation in National Review article, Women-Only Spaces Must Resist the Transgender Assault, in which you spoke with the media, claiming association with Kappa, without approval.

September 7, 2023: participation in FoxNews interview, in which you spoke with the media, claiming association with Kappa, without approval.

Finally, Kappa has a Human Dignity policy, which provides that all members are expected to promote integrity, respect and regard for others, and appreciation for the worth of all individuals. Any member who makes discriminatory, inflammatory, or inappropriate actions based on race, national

origin, religion, disability, age, gender identity, sexual orientation or other class protected by local, state/provincial, or federal law shall be subject to dismissal or other disciplinary action. The aforementioned communications and statements to media evince clear and deliberate violations of this policy in your discriminatory treatment of a transgender member and the validity and right to existence of transgender people in general.

Regarding your question pertaining to Standing Rule 7.4, subd. B, on or about August 11, 2023, as Standards Director, I received a formal complaint from an alumna member identifying the aforementioned violations. On or about August 17, 2023, I received a second formal complaint from another alumna member citing similar concerns. In response to those complaints as well as the informal complaints from members regarding the unsolicited emails, an investigation was conducted, resulting in confirmation of the information outlined herein, and a determination was made that dismissal may be justified.

You now have the opportunity to submit a response presenting any arguments or pertinent information that you wish to be considered by Fraternity Council in its deliberations. Please provide any written response to me at **StandardsDirector@kkg.org**. In order to be considered, I must receive your response by October 26, 2023. If you desire, I can also schedule a time to meet with you in which you can present your defense verbally. Let me know by October 20, 2023 if you want to have a meeting to present your defense. Following the Council vote, you will receive a notice of the action taken.

Please don't hesitate to reach out to me if you have any questions.

Loyally,



Jessica Coffield

Fraternity Standards Director

Kappa Kappa Gamma

925.549.1217 |

kappa.org



From: Standards Director <StandardsDirector@kkg.org>
Date: October 16, 2023 at 11:46:04 AM MDT
To: REDACTED
Subject: Kappa Kappa Gamma Membership Status



October 16, 2023

Dear Cheryl,

As Standards Director, I write in response to your letter to provide you additional information that you requested. Specifically, you have requested more information pertaining to the conduct giving rise to the cited policy violations.

As identified in my letter dated September 12, 2023, your dismissal is being considered for violations of the Use of Membership Lists and Contact Information Policy and Human Dignity Policy. Additional information is included in the Reminder to Alumna letter dated July 7, 2023.

Specifically, Kappa has a Use of Membership Lists and Contact Information Policy. That Policy provides that membership lists and member contact information available through the Kappa website, including names, emails, phone numbers, and mailing addresses, may only be used by Kappa alumna members in conducting the Fraternity business and shall not be used in non-Fraternity business or furnished to or used by anyone outside of the Fraternity. We have received complaints from Kappa alumna members that have been solicited by you and others that you have organized to donate money for the crowd funding site. Your use of member contact information to solicit donations to fund litigation against Kappa is a clear violation of Kappa's policy.

For example, May 1, 2023, you sent an email to Alumnae Association Presidents entitled "KAPPA KAPPA GAMMA, GAMMA OMICRON." On August 5, 2023, an email was sent by Patsy Levang, including your signature, to Alumnae Association Presidents entitled "Case for Gamma Omicron KKG Lawsuit" including a "case statement" soliciting donations to fund litigation against the Fraternity. Additionally, on August 22, 2023, you sent an email to Alumnae Association Presidents entitled "Response to Letter from Council." Further, on August 27, 2023, an email was sent by Jeleen Guttenberg, including your signature, to Alumnae Association Presidents and other Kappa members entitled "Wyoming Litigation Update." Each of these communications was forwarded to Kappa by members who received it expressing complaints and concerns due to the content.

Further, Kappa has a Human Dignity policy, which provides that all members are expected to promote integrity, respect and regard for others, and appreciation for the worth of all individuals. Any member who makes discriminatory, inflammatory, or inappropriate actions based on race, national origin, religion, disability, age, gender identity, sexual orientation or other class protected by local, state/provincial, or federal law shall be subject to dismissal or other disciplinary action. The aforementioned communications evince clear and deliberate violations of this policy in your discriminatory treatment of a transgender member and the validity and right to existence of transgender people in general.

Regarding your question pertaining to Standing Rule 7.4, subd. B, on or about August 11, 2023, as Standards Director, I received a formal complaint from an alumna member identifying the aforementioned violations. On or about August 17, 2023, I received a second formal complaint from another alumna member citing similar concerns. In response to those complaints as well as the informal complaints from members regarding the unsolicited emails, an investigation was conducted, resulting in confirmation of the information outlined herein, and a determination was made that dismissal may be justified.

You now have the opportunity to submit a response presenting any arguments or pertinent information that you wish to be considered by Fraternity Council in its deliberations. Please provide any written response to me at ***StandardsDirector@kkg.org***. In order to be considered, I must receive your response by October 26, 2023. If you desire, I can also schedule a time to meet with you in which you can present your defense verbally. Let me know by October 20, 2023 if you want to have a meeting to present your defense. Following the Council vote, you will receive a notice of the action taken.

Please don't hesitate to reach out to me if you have any questions.

Loyally,



Jessica Coffield

Fraternity Standards Director

Kappa Kappa Gamma

925.549.1217 |

kappa.org



From: Cheryl Tuck-Smith **REDACTED**
Sent: Tuesday, October 24, 2023 1:48 PM
To: Jessica Coffield
Subject: Response to Termination of Membership
Attachments: 57G0742-LTR Response to KKG - Cheryl Tuck Smith.docx

Dear Jessica Coffield,

Attached is my Response to Termination of Membership. Please notify me that you have received said Response.

Sincerely,
Cheryl Tuck-Smith

CHERYL L. TUCK-SMITH

REDACTED

October 24, 2023

Via Email Only - REDACTED

Jessica Coffield
Fraternity Standards Director
Kappa Kappa Gamma

RE: Termination of Membership

Dear Jessica Coffield:

I have reviewed the allegations in your letter of October 16, 2023, and I must disagree that my actions have, in any way, violated Kappa Kappa Gamma's rules, bylaws and policies. On the contrary, my actions are entirely consistent with the rules, bylaws and policies consonant with the spirit that animates them. Indeed, adherence to our governing documents and principles required that I take the actions noted in your letter.

Turning, first, to the alleged violations of the Use of Membership Lists and Contact Information Policy. I have not shared the membership lists with anyone outside of the Fraternity. Rather, my communications were directed to fellow Kappa Kappa Gamma sisters in an effort to take action to protect the Fraternity. As I explained in my

Jessica Coffield
Fraternity Standards Director
Kappa Kappa Gamma
October 23, 2023
Page 2 of 5

September 25, 2023 letter, the derivative action filed in the Wyoming District Court served to bring claims on *behalf of*, not "against," the Fraternity. It raised numerous claims about the failure of the Fraternity to follow its own bylaws and standing rules.

One of the central tenants of our Fraternity is to "unite women, through membership, in a close bond of friendship..." (Bylaws, Art. II, Purpose.) The Fraternity Bylaws make clear that membership is limited to women. (Bylaws, Art. III, Members, Sec. 1.A., Sec. 2.) This is in keeping with the Fraternity's founding purpose to provide a support group and launching pad for women - in contrast to the all-male fraternities at the time - where one had not previously existed. Regardless of your position on the admission of biological males who identify as women, it is undeniable that this question is fundamental to the Fraternity's purpose and continued existence and, as such, it should not be taken lightly or without following the proper procedural safeguards.

As our fellow Kappa Kappa Gamma sisters noted in their Complaint, the Fraternity has made no effort to amend the Fraternity's Bylaws, Standing Rules or Articles of Incorporation to broaden the definition of "woman" to include individuals who identify as women. The Bylaws may only be amended "by a Convention by a two-thirds vote providing notice of the amendment indicating its *exact content* has been sent to voting members of the Convention three months prior to the Convention." (Art. XXIV, Section 1.) (Emphasis added.) But the Fraternity circumvented these requirements and violated the Bylaws

Jessica Coffield
Fraternity Standards Director
Kappa Kappa Gamma
October 23, 2023
Page 3 of 5

by adopting the Bylaws and Standing Rules Revisions: FAQs at the 2022 convention without proper notice.

The Fraternity also appears to have ignored reports of clear violations of the Standing Rules that occurred in connection with Artemis Langford's membership. By way of example, the Gamma Omicron Chapter permitted the vote to occur without the participation of all active members, used a voting system that was not selected by the Fraternity, and conducted the voting under conditions that were not confidential. Further, the Fraternity appears to have suspended the grade requirements in evaluating Langford's membership application. While each active member is expected to meet or exceed chapter-specific GPA requirements, Langford appears to have been exempted from such mandatory requirements.

Even more troubling is the Fraternity's efforts to retaliate against members, both current students and alumnae (myself included) as a result of their efforts to hold the Fraternity leadership accountable for clear violations of the Bylaws and Standing Rules. The Fraternity's leadership has created distrust and divisions among the members; established an environment that stifles members' freedoms of speech, opinion and expression; and creates an environment that encourages retaliation against those who seek to preserve and protect the Fraternity's mission.

The Fraternity's leadership has not acted in the best interests of the organization or its membership, and my

Jessica Coffield
Fraternity Standards Director
Kappa Kappa Gamma
October 23, 2023
Page 4 of 5

letters of support for those members who bravely filed suit on behalf of the Fraternity to preserve the Fraternity's mission were well within the confines of Fraternity business.

I turn, next, to the allegations that I have violated the Fraternity's Human Dignity Policy. Your claims that my communications rise to the level of "discriminatory treatment of a transgender member" and that I have challenged "the validity and right to existence of transgender people in general" are nonsensical and diminish the very purpose for which laws prohibiting discrimination exist. Moreover, it demonstrates a complete disregard for the violations I noted above and a complete lack of respect and appreciation for the tireless efforts that generations of women have undertaken to ensure that women have the same academic and professional opportunities that were once limited to men.

From the inception of sororities, or women's fraternities, sisters - all biological women - banded together to overcome barriers to their academic and professional advancement. See *Bound by the Mighty Vow: Sisterhood and Women's Fraternities, 1870-1920*, Diana Turk. Indeed, early Kappa Kappa Gamma members, such as Alice Duer Miller and E. Jean Nelson Penfield, were suffragists whose work made it possible for women to vote. And, it is precisely because of the mission and principles adopted at their inception that sororities have continued to provide members with the tools and opportunities to overcome gender barriers, even today. Sororities promote education, help develop strong

Jessica Coffield
Fraternity Standards Director
Kappa Kappa Gamma
October 23, 2023
Page 5 of 5

leaders, and provide professional support and networks that are necessary to advance their careers after college.

Yet, in spite of the strides our members have made throughout the decades, the Fraternity has openly disregarded the rules and procedures it has applied to female members for more than a century in an effort to accommodate Langford's membership. The discriminatory behavior in this instance is not mine. To the contrary, rather than debate this important issue, the Fraternity leaders defaulted to smears of "discrimination" and "transphobia" to detract from their intentional violations of Fraternity rules and their efforts to prioritize the needs and identity of biological men over the women the Fraternity was established to support.

I trust this adequately addresses your claims, and I look forward to my continued membership in Kappa Kappa Gamma.

Loyally yours,

Cheryl Tuck-Smith

Dear Jessica,

I have reviewed the allegations in your letter of October 16, 2023, and I disagree that my actions have, in any way, violated Kappa Kappa Gamma's rules, bylaws and policies. In light of the Fraternity's recent conduct, it has been incumbent upon the members to take immediate action to preserve and protect the Fraternity and its mission. My actions have been entirely consistent with the Fraternity's purpose to "advocate for and seek to address issues of concern for members and women in general." (Bylaws, Art. II, Purpose.)

Your claim that I violated the Use of Membership Lists and Contact Information Policy is simply wrong. I have not shared the membership lists with anyone outside of the Fraternity. My communications were directed to fellow Kappa Kappa Gamma sisters in an effort to take action to protect the Fraternity. As I explained in my previous letter, the derivative action filed in the Wyoming District Court served to bring claims *on behalf of*, not "against," the Fraternity. The lawsuit raised numerous claims about the failure of the Fraternity to follow its own bylaws and standing rules. It is not a violation of the policy to communicate with the membership regarding those claims and/or areas in which members can pursue an appropriate remedy *on behalf of* the Fraternity.

Similarly, any claim that I violated the Speaking for the Fraternity Policy requires a strained reading of the policy language and is based on pure speculation. The policy states, in pertinent part, "Chapters, alumnae associations, and members shall not speak for the Fraternity." The policy neither prohibits members or alumnae from stating the undisputed fact of their membership in the Fraternity. In fact, none of the examples you provide suggest that I have spoken or attempted to speak for the Fraternity. That you would cite as policy violations the possibility that someone might "construe" my comment as an "attempt to lend the impression of having authority to speak for the fraternity" demonstrates that frivolousness of your claim.

I also take issue with the any attempt to dismiss me from the Fraternity for a claimed violation of the Local Regional or National Media Policy. Here, the Fraternity's own conduct has given rise to the media coverage regarding the Wyoming lawsuit and its impact on women's rights. My comments and participation in the examples you cited merely demonstrate my opinion in response to the Fraternity's conduct and serve to advocate for fellow members and women in general. To accept your interpretation of the policy requires one to believe the Fraternity seeks silence the voices and opinions of women. That not only flies in the face of the founding principles of this Fraternity but it amounts to an unreasonable interference with members' First Amendment rights.

The accusations lodged against me ignore the purpose and intent of my actions – to advocate for and protect those members who were told they are not welcome in the Fraternity unless they disavow the very principles upon which the Fraternity was founded. One of the central tenants of our Fraternity is to *unite* women. (Bylaws, Art. II, Purpose.) But the Fraternity leadership has failed entirely in this regard.

As our fellow Kappa Kappa Gamma sisters noted in their Complaint, the Fraternity has made no effort to amend the Fraternity's Bylaws, Standing Rules or Articles of Incorporation to broaden the definition of "woman" to include individuals who identify as women. The Fraternity may only amend the Bylaws "by a Convention by a two-thirds vote providing notice of the amendment indicating its *exact content* has been sent to voting members of the Convention three months prior to the Convention." (Art. XXIV, Section 1.)(Emphasis added.) But the Fraternity circumvented these requirements and violated the Bylaws by adopting the Bylaws and Standing Rules Revisions: FAQs at the 2022 convention without proper notice.

At best, the Fraternity's conduct exhibited a careless disregard for the Bylaws, but at worst it was a dishonest attempt to push a political agenda. Regardless of your position on the admission of biological males who identify as women, there is no denying that this question is fundamental to the Fraternity's purpose and continued existence and should not have been taken lightly or without following the proper procedural safeguards.

The Fraternity also appears to have ignored reports of clear violations of the Standing Rules that occurred in connection with Artemis Langford's membership. By way of example, the Omicron Chapter permitted the vote to occur without the participation of all active members, used a voting system that was not selected by the Fraternity, and conducted the voting under conditions that were not confidential. Further, the Fraternity appears to have suspended the grade requirements in evaluating Langford's membership application. While each active member is expected to meet or exceed chapter-specific GPA requirements, Langford appears to have been exempted from such mandatory requirements.

Even more troubling is the Fraternity's efforts to retaliate against members, both current students and alumnae (myself included) as a result of their efforts to hold the Fraternity leadership accountable for clear violations of the Bylaws and Standing Rules. The Fraternity's leadership has created distrust and divisions among the members; established an environment that stifles members' freedoms of speech, opinion and expression; and creates an environment that encourages retaliation against those who seek to preserve and protect the Fraternity's mission.

Lastly, with regard to your allegations that I have violated the Fraternity's Human Dignity Policy. Your claims that my communications rise to the level of "discriminatory treatment of a transgender member" and that I have challenged "the validity and right to existence of transgender people in general" are nonsensical and diminish the very purpose for which laws prohibiting discrimination exist. These allegations are, no doubt, a tactic designed to direct attention away from the Fraternity's own discretions. Sadly, they also demonstrate a complete lack of respect and appreciation for the tireless efforts that generations of women have undertaken to ensure that women have the same academic and professional opportunities that were once limited to men.

From the inception of sororities, or women's fraternities, sisters – all biological women – banded together to overcome barriers to their academic and professional advancement. *See Bound by the Mighty Vow: Sisterhood and Women's Fraternities, 1870-1920*, Diana Turk. It was through this sense of community and sisterhood that members such as Betty Robinson Schwartz (gold medalist at the first ever Olympic track event for women) and Dr. Emily Dunning Barringer (first female ambulance surgeon) were able to make strides in fields traditionally dominated by men.

That the Fraternity has openly disregarded the rules and procedures it has applied to female members for more than a century in an effort to accommodate the membership of a biological male serves as an insult to every woman who helped pave the way for the current membership and its leaders. That is not in the best interest of the Fraternity or its membership.

I trust this adequately addresses your claims, and I look forward to my continued membership in Kappa Kappa Gamma.

Loyally yours,

Patsy Levang

Subject Kappa Kappa Gamma Membership
Status

From Kappa Kappa Gamma HQ

To: REDACTED

Date Today at 9:46 AM



Nov. 01, 2023

Dear Ms. Levang:

The Fraternity Council of Kappa Kappa Gamma has reviewed all relevant materials related to your violation of Fraternity standards and taken a final vote. At this time, I regret to inform you that you have been dismissed from the Fraternity as of October 29, 2023.

The Fraternity regrets the necessity of this action.

Sincerely,

A handwritten signature in black ink that reads "Kari Kittrell Poole".

Kari Kittrell Poole
Executive Director

From: Kappa Kappa Gamma HQ
Date: November 1, 2023 at 8:46:17 AM MDT
To: REDACTED
Subject: Kappa Kappa Gamma Membership Status

Kappa Kappa Gamma



Nov. 01, 2023

Dear Ms. Tuck-Smith:

The Fraternity Council of Kappa Kappa Gamma has reviewed all relevant materials related to your violation of Fraternity standards and taken a final vote. At this time, I regret to inform you that you have been dismissed from the Fraternity as of October 29, 2023.

The Fraternity regrets the necessity of this action.

Sincerely,



Kari Kittrell Poole
Executive Director

Redacted

Support Montana Kappas!



Redacted

Support Montana Kappas!

Redacted

Redacted

----- Forwarded message -----

From: **Kappa Kappa Gamma Foundation** <fndhq@kkg.org>

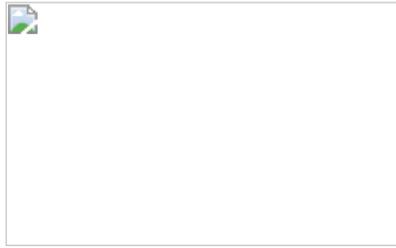
Date: Thu, Dec 6, 2018 at 9:54 AM

Subject: Support Montana Kappas!

To: Redacted

Will you support Beta Phi, *Montana*, Kappas? Make a [gift](#) today!

To view this mailing online, [click here](#).



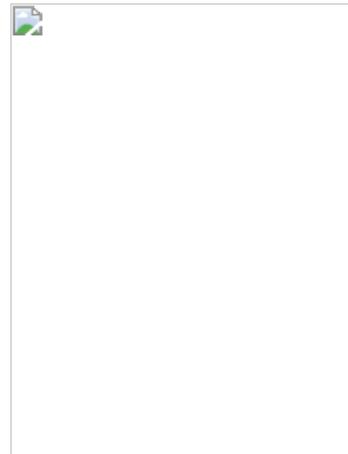
December 6, 2018

Dear ^{Redacted},

I hope this letter finds you well and enjoying the holiday season! Last year, we contacted you to announce that we were fundraising for an endowed scholarship for Beta Phi chapter members. Once fully funded at \$60,000, the scholarship will generate \$3,000 annually and will be awarded to a deserving applicant of the chapter. **And the good news is, we are almost there!**

What does a Beta Phi scholarship recipient look like? Erin Anderson Ellis, *Montana*, 2018-2019 Graduate Kappa Scholar shares her story.

Your investment will go toward a deserving Beta Phi member who has strong academic performance and Kappa ties just like Erin. My daughter, Stephanie, is also a Beta Phi alumna.



I am a University of Montana graduate student, where I am seeking a doctorate degree in Educational Leadership. I work as a visiting associate professor simultaneously. As a full-time educator, wife, and mother of two, I'm working on completing classes so that I can

Redacted

Her Beta Phi experience changed her life, which is why I am also so passionate about this scholarship effort!

Thank you to everyone who has already made a gift! Because of the generosity of many Beta Phi sisters, including the chapter, we are over two-thirds of the way to our goal with just over \$19,000 left to raise. **Will you please join me and your Beta Phi sisters and help put us over the top?** If we hit our goal by March 31, the first scholarship will be awarded this spring!

Checks may be made payable to the Kappa Kappa Gamma Foundation and mailed to the Foundation at the address below. Please be sure to note Beta Phi Scholarship in the memo line of your check. Online gifts may be made at donate.kappa.org/betaphisch. All gifts are 100 percent tax-deductible.

work towards becoming a professor teaching students to be successful educators.

Additionally, I am an active alumna member of the Beta Phi Chapter as Chapter Council Adviser. As a member of the Missoula Alumnae Association and former President, I enjoy finding opportunities to volunteer for my local chapter, staying involved socially with Kappas and connecting with other Panhellenic sisters in the area.

I am extremely grateful to have been chosen! Receiving this scholarship means a great deal to me and because of your financial support, I am getting that much closer to completing my educational and professional goals. Thank you!

Erin Anderson Ellis, *Montana*

Thank you so much for considering being a part of this exciting effort to help our Beta Phi sisters achieve their educational dreams. Best wishes for the holidays!

Loyally,



Donate today!

Susanne Wolff Vander Heyden
President
susanne.vanderheyden@kappa.org

Kappa Kappa Gamma Foundation
6640 Riverside Drive, Suite 200
Dublin, Ohio 43017
614-228-6515
kappa.org/foundation

To unsubscribe from messages sent on behalf of a chapter or alumnae association, please click [here](#).

To unsubscribe from all Kappa Kappa Gamma Foundation emails, please [click here](#).





REDACTED

IT'S ON! The Founders Day Giving Challenge is live

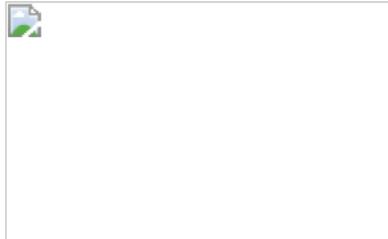
Kappa Kappa Gamma Foundation <fndhq@kappa.org>

Thu, Oct 10, 2019 at 12:01 PM

Reply-To: fndhq@kappa.org

To: REDACTED

To view this mailing online, [click here](#).



October 10, 2019

Dear REDACTED,

Today is about **promise**.

Through the Foundation, Kappa keeps its promise to every member, throughout her life. We are launching the Founders Day Giving Challenge today and invite YOU to help! Your past support has meant so much and I hope we can count on you again during this very special philanthropic initiative.

Through your gift, you animate the promise of sisterhood.

Take these steps to be a very special part of Kappa's 150th anniversary:

1. [Make your gift](#).
2. Share this giving page: www.kappa.org/FDGC.
3. Spread the word! Using the hashtag #FoundersDayGivingChallenge, post on social media to encourage others to join you in giving.
4. Join us on [Facebook](#) tomorrow to hear key challenge updates from Kappa Kappa Gamma Headquarters.

Here's a refresher about the challenge: Our generous challenge donor, Marty Vanier, *Kansas State*, is getting us started with her first-ever gift to the Foundation of \$150K to celebrate Kappa's 150th anniversary. And she's challenging the rest of us to step up and join in with our own gift (no gift is too small)! If we meet the goal of raising \$300K together, we'll unlock Marty's second gift of another \$150K!

We can't wait to see how you rise to the challenge! Your gift will help ensure the viability of our programming into the future — a future in which **every** Kappa, in **every** season of her life, can dream boldly and live fully. What an incredible way to celebrate Kappa's 150th year of sisterhood!

Loyally,



Maggie Sims Coons
Executive Director

Kappa Kappa Gamma Foundation

6640 Riverside Drive, Suite 200

Dublin, Ohio 43017

614-228-6515

kappa.org/foundation

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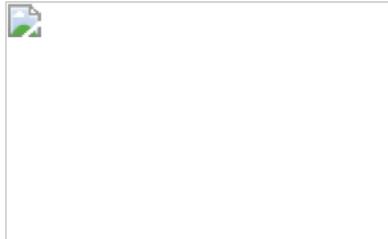


Hey, We need you!

Kappa Kappa Gamma Foundation <fndhq@kappa.org>
Reply-To: fndhq@kappa.org
To:

Fri, Oct 11, 2019 at 1:01 PM

To view this mailing online, [click here](#).



October 11, 2019

Dear ,

The [Founders Day Giving Challenge](#) is off to a fantastic start and we have the potential to surpass our goal. All we need is YOU!

Thanks to the spirited and supportive Kappa sisterhood, we've raised 76% of our \$300K goal. Your gift today will keep our momentum going.

Today is all about **potential**. Through the Founders Day Giving Challenge, we intend to maximize our Kappa potential. The formula is simple:

If we hit our goal, we realize \$600K in Foundation funds.

When we realize those funds, we maximize our ability to educate and empower one another through leadership training, scholarships, harm-prevention programs, preservation of our heritage, Rose McGill Disaster Relief, and confidential aid.

As we maximize our ability to educate and empower, we realize our potential — one Kappa at a time.

Let's maximize our potential, together.

[Join us by making your gift today!](#) Then, reach out to encourage someone else to do the same. When you do, you will honor every Kappa in every season of her life.

Give Now

Loyally,



Maggie Sims Coons
Executive Director

Kappa Kappa Gamma Foundation

6640 Riverside Drive, Suite 200

Dublin, Ohio 43017

614-228-6515

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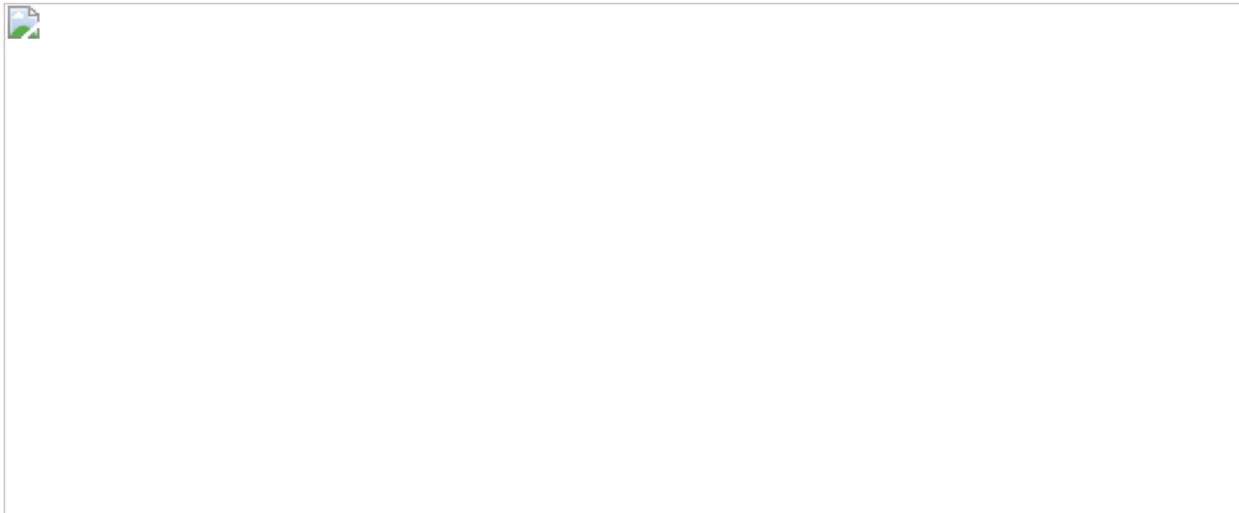
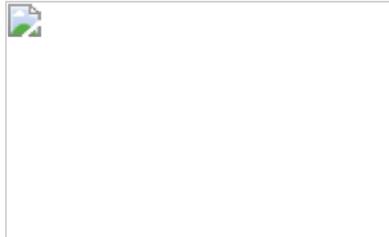


REDACTED

Holiday Greetings, REDACTED

Kappa Kappa Gamma Foundation <scholarships@kappa.org>
Reply-To: scholarships@kappa.org
To: REDACTED

Mon, Dec 30, 2019 at 11:16 AM



December 30, 2019

Hi REDACTED,

Time is running out to make your 2019 gift!

Before you ring in 2020 and welcome a new year full of possibilities, we invite you to remember the sweet significance of our Kappa sisterhood with your year-end giving!

Your generosity supports the Kappa Kappa Gamma Foundation’s inspiring mission to support the lifelong development of women, allowing each to pursue her educational dreams, learn about our shared Kappa heritage, gain confidence and leadership skills, be financially supported in times of crisis, and so much more!

Join us in making a charitable gift today! You will help ensure the viability of our programming in the future — a future in which every Kappa, in every season of her life, can dream boldly and live fully.

Our warmest wishes to you for a promising and fulfilling new year!

Give Now

*Gifts received by the end of Dec. 31 qualify for a 2019 tax deduction.

If you have donated since Dec. 27, we appreciate your generosity! There's nothing further you need to do at this time.

Loyally,



Susanne Vander Heyden
President

Kappa Kappa Gamma Foundation

6640 Riverside Drive, Suite 200

Dublin, Ohio 43017

614-228-6515

kappa.org/foundation

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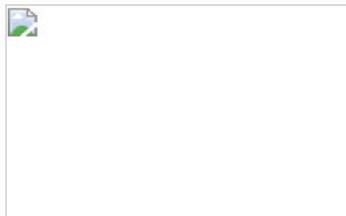
Make a gift and make an impact

Kappa Kappa Gamma Foundation <fndhq@kappa.org>
Reply-To: fndhq@kappa.org
To: Redacted

Thu, Apr 30, 2020 at 1:14 PM

To view the web version of this mailing, [click here](#).

[Give Now](#)



April 30, 2020

Dear ^{Redacted},

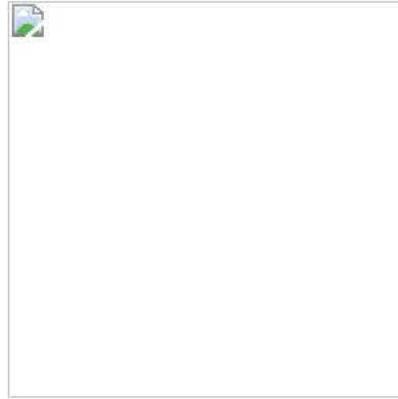
Gardening has always been a passion for Laurie Chambers Welling, *Oregon*. After a divorce 11 years ago, Laurie went back to school to earn a degree in horticulture, something she'd always wanted to do. She became the manager of Retreat, a plant and home decor shop in Snohomish, Washington. She also got remarried. Her husband, Paul, is a chef instructor at Sur La Table. But when the coronavirus made its way to the state of Washington, many businesses closed and Laurie was furloughed. She's uncertain if her employer will be able to bring her back after the economic impact on small businesses. With restaurants closed, Paul is also out of work. But Laurie has more immediate concerns. She's worried about paying her rent. She applied for an emergency grant from the Kappa Kappa Gamma Foundation and received it within one week. "It gives me so much peace of mind," Laurie says.

Since 1922, the Kappa Foundation's Rose McGill Grants have helped members like Laurie who face unexpected financial challenges. In recent weeks, we've had over 200 members apply for aid and have provided more than \$160,000 in grants to help sisters through these uncertain times. This is twice the number of applications we receive in a typical year and the applications have not stopped.

Many of our members are facing challenges similar to Laurie's. Because we want to help and because we know that Kappa has a longstanding commitment to helping one another in times of need, the Kappa Kappa Gamma Foundation is participating in #GivingTuesdayNow on May 5, 2020.

Redacted

With the continued support and generosity of members like you, the Kappa Foundation can help our members during these trying times. If you are in a position to give, consider **making a gift to the Kappa Foundation today** through #GivingTuesdayNow. Your gift will make an immediate impact on a sister's life.



If you need assistance, don't hesitate to **apply for a grant here**. Laurie has a message to others navigating this period of uncertainty: "Please don't be afraid to ask for help if you need it."

The Rose McGill fund embodies the best of our Kappa sisterhood. It's sisters, some of whom you may never have met, who stand by your side. While these are extraordinary times, it is heartwarming to see Kappas staying true — creating connections and holding up the bonds of sisterhood around the world.

Loyally,



Give Now

Susanne Wolff Vander Heyden
President

Kappa Kappa Gamma Foundation

6640 Riverside Drive, Suite 200

Dublin, Ohio 43017

614-228-6515

kappa.org/foundation

you can update your preferences here:

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Redacted

Last Chance to Participate! #FoundersDayGivingChallenge

Kappa Kappa Gamma Foundation <foundation@kappakappagamma.org>
Reply-To: Kappa Kappa Gamma Foundation <kkgHQ@kappakappagamma.org>
To: Redacted

Tue, Oct 13, 2020 at 1:00 PM

Together
we will make an impact



Founders Day Giving Challenge

Oct. 13, 2020

Redacted,

Happy Founders Day, Redacted! A hundred and fifty years ago, six bold women were inspired to blaze a trail toward a brighter future for women. Together, we can continue their vision and fulfill the ever-evolving needs of Kappas and women around the world.

Today is the last day to give to the Founders Day Giving Challenge and we need your help. We only need 878 more participants to unlock Mary Jane's generous gift of \$150,000!

PARTICIPATE NOW

The Kappa Foundation is about possibilities — yours, your sisters' and Kappas' to come. Your gift will directly support those possibilities by investing in our members and funding programs that fulfill the evolving needs of women.

Every gift, no matter how much, brings us one step closer to reaching our goal.

GIVE TODAY

After you give, encourage a family member, friend or fellow Kappa to do the same! Sharing why you gave on social is a great inspiration for others to give. Be sure to use the hashtag #FoundersDayGivingChallenge.

I can't wait to see us reach this goal, unlock the challenge gift, and virtually celebrate our 150th Founders Day, together! Don't forget to tune in for the [special event on Facebook Live at 9 p.m. ET](#). Remember: You don't need a Facebook account to watch.

Loyally,



Susanne Wolff Vander Heyden
President

Kappa Kappa Gamma Foundation

[6640 Riverside Drive, Suite 200](#)

[Dublin, Ohio 43017](#)

[614-228-6515](#)



Oops! Hearing too much from us? Sorry, we're just so excited for this special Founders Day. Please update your communications preferences below, and we'll update your member record.

Thanks for your patience and understanding.

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From: Kappa Foundation <foundation@odpmail.kappakappagamma.org>
Subject: Holiday Greetings!
Date: December 28, 2023 at 9:00:33 AM CST
To: Redacted
Reply-To: Kappa Foundation <foundation@kkg.org>



Dear ^{Redacted},

Warm holiday greetings to you! I hope your holiday season has been filled with love, laughter, and time spent with the ones you cherish most. This is a special time of year when we get to step back, reflect, and be grateful for the blessings of 2023.

I, for one, am grateful for YOU — for being a vital part of our sisterhood and for your support of Kappa Kappa Gamma in the past. And, thanks to your generosity, I'm grateful for the amazing work the Kappa Foundation champions every day to strengthen and build the future of Kappa.

Before the clock strikes midnight and 2023 comes to a close, I invite you to join us once

again in supporting our mission and fulfilling the evolving needs of women. Your tax-deductible contribution lends a helping hand to our sisters in times of need, empowers Kappas in the pursuit of their educational dreams, expands every member's capacity for leadership skills, and so much more. Every gift — no matter the size — makes a difference.

[Give Now](#) 

Thank you for your generosity and dedication to Kappa. I hope your holidays have been joyous and I wish you a very happy new year!

Loyally,



Peggy Black Meyer
Foundation President

Kappa Kappa Gamma

6640 Riverside Drive, Suite 200

Dublin, Ohio 43017

614-228-6515



Why did I receive this email? Kappa is continually striving to keep a meaningful connection with you, so we're trying new ways to reach you and keep you updated. Verify your information by logging in to the [Kappa website](#) and updating your Kappa Card!



Angela M. Lavin
Partner
amlavin@wegmanlaw.com
p 216.642.3342
f 216.642.8826

January 9, 2024

Via Email Only: nmmclaughlin@vorys.com

Natalie M. McLaughlin
Vorys
52 East Gay Street
Columbus, OH 43216-1008

Re: Kappa Kappa Gamma

Dear Ms. McLaughlin:

This law firm has been engaged to represent Patsy Levang, Cheryl Tuck-Smith and several current alumnae members in connection with various conduct by Kappa Kappa Gamma (“KKG”) and the Fraternity Council in violation of KKG’s Articles of Incorporation, Bylaws, and Standing Rules as well as the Unanimous Agreements of the National Panhellenic Conference. I am reaching out to you as counsel for KKG in accordance with Rule 4.2 of the Ohio Rules of Professional Conduct. KKG should consider this as my clients’ formal notice and request for relief pursuant to Rule 23.1 of the Ohio Rules of Civil Procedure.

As a preliminary matter, Fraternity Council has breached its fiduciary duties to KKG and its members and exceeded its corporate authority. Indeed, it has unilaterally taken steps to broaden KKG’s membership criteria and undermine the federally protected, single-sex nature of the Fraternity without a valid change to the Fraternity’s governing documents after proper notice, debate, approval or vote by the membership. KKG’s Amended and Restated Articles of Incorporation and Art. II of its Bylaws clearly state that KKG’s purpose is to unite and advocate for women. Further, the Bylaws (Art. III, Sect. 1 and 2) and Standing Rules (*see e.g.*, Sect. 1.1A.) also restrict membership to women only. Yet, Fraternity Council has attempted to circumvent the Articles, Bylaws and Standing Rules by allowing men to become members and advocating for men to be elected to positions of leadership within the organization.

Any suggestion by Fraternity Council that adding men “who identify as women” to the membership follows a reasonable interpretation of the term “woman” disavows the very purpose for which KKG was founded more than a century ago. Such a fundamental change to the membership criteria necessarily requires full disclosure to the membership and an opportunity for the members to be heard.

In addition, as a member of the National Panhellenic Conference, KKG must abide by the NPC Unanimous Agreements. While Unanimous Agreement IX requires member organizations to defend their right to exist as single-sex organizations, Fraternity Council’s agenda to broaden KKG’s membership to include men clearly undermines KKG’s ability to comply with the

6055 Rockside Woods Boulevard N., Suite 200, Cleveland, OH 44131
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Business Services. Intellectual Property. Litigation. Family Law. Trusts & Estates.

Natalie M. McLaughlin
Vorys
January 9, 2024
Page 2

mandates of the NPC.

It is also clear that Fraternity Council has made a concerted effort to conceal critical information from the membership in order to advance its agenda to undermine the single sex nature of the Fraternity. By way of example, the Fraternity Council has implemented position statements and policies attempting to broaden membership criteria without distributing them to the membership, admitted and promoted an alumna candidate without disclosing to members that the candidate is a man, and even disregarded membership qualifications and voting procedures to accommodate the membership of a male student in the Wyoming Chapter. At the same time, however, Fraternity Council continues to promote KKG as an organization that supports young women throughout their life and even allows the Kappa Kappa Gamma Foundation to solicit donations under the guise that the donations will be used to support the needs of women.

Even more troubling is Fraternity Council's efforts to silence the voices of those members, like Ms. Levang and Ms. Tuck-Smith, who dare to call out Fraternity Council's misconduct and raise concerns regarding the impact such violations would have on the future of the Fraternity. In addition to the wrongful dismissal of Ms. Levang and Ms. Tuck-Smith, in our investigation, we have received reports of other alumnae members being denied access to membership lists, removed from volunteer positions, and otherwise denied member benefits simply because they have voiced opposition to positions taken by Fraternity Council that directly conflict with the Articles, Bylaws and Standing Rules. That Fraternity Council would attempt to intimidate members and stifle the voices of women who have committed themselves to KKG's very Purpose flies in the face of Kappa values.

Further, as you know, KKG is an Ohio citizen. As such, KKG is obligated to comply with Ohio's Constitutional rights, including the right of every citizen "to speak freely on all subjects." The Fraternity Council's creation of policies which limit members' rights to speak freely unless and until authorized by KKG is a violation of the Ohio Constitution. Further, the actions of Fraternity Council to dismiss members namely, Ms. Levang and Ms. Tuck-Smith, for exercising the right to speak freely constitutes a clear violation of Ohio's Constitution for which they are entitled to redress. The dismissals of Ms. Levang and Ms. Tuck-Smith should be immediately rescinded.

Finally, in an effort to remedy the Fraternity Council's misconduct, my clients demand that the current Fraternity Council be removed to facilitate the appointment of a temporary slate of Council members pending an online election process, monitored by an independent auditor to ensure a proper election consistent with KKG Bylaws, including the prohibition of men nominated to positions of leadership in KKG and the removal of men from the membership. They also seek assurance from KKG that the Panhellenic Delegate will abide by and uphold Unanimous Agreement IX in performing her duties to KKG and NPC. By copy of this letter to each member of the Fraternity Council, we request their immediate compliance with the demands set forth herein.

Natalie M. McLaughlin
Vorys
January 9, 2024
Page 2

Your anticipated attention to these issues is appreciated. I look forward to receiving your reply by Friday, January 12, 2024.

Sincerely,

WEGMAN HESSLER VALORE

A handwritten signature in black ink that reads "Angela M. Lavin". The signature is written in a cursive, flowing style.

Angela M. Lavin

AML/

cc: Kappa Kappa Gamma Inc.
KKG Fraternity Council Members:
Mary Pat Rooney
Maria Brown
Nancy Campbell
Barb Goettleman
Liz Wong
Kyle Donnelly
Beth Black