



## **AFP Enforcement Procedures For the Member Code of Conduct**

**Approved as Board Policy by the Board of Directors October 18, 2024.**

Through its *Member Code of Conduct*, the Association of Fundraising Professionals (AFP) strives to create an environment where its members can interact with professionalism, appropriateness, and inclusivity. These *AFP Enforcement Procedures* (“Enforcement Procedures”) are integral to the *Member Code of Conduct*.

For purposes of these Enforcement Procedures, a member is defined as an individual or organization that joins AFP's membership, based upon criteria and standards adopted by the Global Board, and is in good standing. These guidelines and enforcement procedures are equally applicable in regard to organized or otherwise affiliated chapters of the Association of Fundraising Professionals. These Enforcement Procedures apply to the individual in the case of a fundraising member. However, the Enforcement Procedures apply to a business member and organizational member as an entity. More specifically, if any individual who is an employee, independent contractor, or other agent of a business or organizational member – acting on behalf of that business or organizational member – violates the Code, that business or organizational member as an entity is subject to these Enforcement Procedures, not just the individual in question.

AFP expects all members to interact and foster an environment that exhibits and reinforces the Association's stated Guiding Principles and AFP's Statement of IDEA (Inclusion, Diversity, Equity, Access) Principles of welcoming and supporting a diversity of individuals, viewpoints, and experiences, creating atmospheres of collaboration, partnership, and creativity, and championing trust, courage, and integrity. These Enforcement Procedures contain the implicit expectation that the most desirable outcome of the process is the elimination of dishonorable or inappropriate behavior, not punishment.

These Enforcement Procedures are designed to provide appropriate notice and an opportunity to be heard by any members who may be the subject of an inquiry or a complaint, whether or not they have counsel. Members are encouraged to contact the AFP International Headquarters if they have any questions regarding the *Member Code of Conduct* and matters related to these Enforcement Procedures.

AFP will take reasonable measures to ensure that any proceedings, hearings, deliberations and/or files resulting from implementation of these Enforcement Procedures shall be and remain confidential except as required by law or as otherwise provided in these Enforcement Procedures.

As standard procedure, all materials involving complaints and subsequent proceedings will be presented and conducted in English. On a case-by-case basis, AFP will provide translation services upon request.

## I. COMPLAINT

### A. Conduct Queries

1. Any individual may contact the AFP International Headquarters with a query regarding interpretation or application of the *Member Code of Conduct* (the “Code”), whether or not the individual or entity is a member of AFP. A conduct query is a means for inquiring whether or not an action, interaction, or behavior warrants filing a complaint alleging a violation of the Code, for requesting guidance regarding a proposed practice or course of behavior, and for requesting assistance from the AFP Member Code of Conduct Committee (the “Committee”) without resorting to enforcement proceedings. Conduct queries may be handled by a disinterested member of the Committee or the Chief Executive Officer of AFP or their designee who are authorized to address issues arising under the Code and the Enforcement Procedures.

### B. Standing to Lodge a Complaint

1. Any individual may lodge a complaint concerning possible violation(s) of the Code, whether or not the individual or entity is a member of AFP. A complaint must be in writing, preferably on AFP’s form, “Complaint of Member Conduct Violation,” submitted by mail or online submission. A complaint must include the name, position, address, telephone number and signature of the author of the complaint and a statement of the Code sections alleged to have been violated. Complaints will be logged by the AFP International Headquarters and forwarded to the Chair of the Member Code of Conduct Committee.
2. An AFP member who has engaged in activity that is a violation of the Code, whether through negligence, inadvertence, intention, or mistake is obligated to self-report such activity to the Committee.
3. The Member Conduct Committee itself may lodge a complaint.
4. The AFP Member Code of Conduct Committee is not a substitute for a court of law. AFP may, in its discretion, defer any action on a complaint if a legal proceeding has commenced or is pending with regard to the subject matter of a complaint, or for other exigent circumstances. AFP may also, in its discretion, refer matters to federal, provincial, state or local government agencies in appropriate situations.
5. By submitting a complaint, a complaining party agrees that, upon request of the AFP Member Code of Conduct Committee, the complainant(s) will cooperate in the Code enforcement process and, upon request, will give

personal testimony in the presence of the member against whom the complaint is lodged.

C. Initiation of Proceedings Pursuant to a Complaint

1. Proceedings pursuant to these Enforcement Procedures may be initiated by AFP Member Code of Conduct Committee upon receipt of appropriate information not in the form of a formal complaint by an individual. In such cases, the complaint is deemed initiated by the Committee.
2. In all other cases, proceedings are initiated in response to a formal complaint by an individual.
  - a. A complaint must be directed to the office of the President & CEO of AFP and filed with the AFP International Headquarters.
  - b. A complaint must be postmarked or received by the AFP International Headquarters no later than three (3) years following the time when the alleged violation was discovered or could have been discovered. Complaints may be brought at any time if they allege:
    - i. criminal activity or
    - ii. false or misleading representations in connection with an application for, or maintenance of, membership in AFP or certification sponsored by AFP.
3. If a filed complaint is withdrawn before a hearing is held or other action is taken by the Committee, AFP may proceed with a hearing or take other steps necessary to resolve the complaint. In such a case, AFP will become the complainant. All material related to the complaint (including material previously submitted by the parties) may be used in the proceedings.

- D. The status of an individual's or entity's AFP membership at the time of a complaint is not necessarily controlling for purposes of Committee jurisdiction. If the individual or entity against whom a complaint is filed was or is a member of AFP at the time of the alleged violation of the Code, the Committee may invoke jurisdiction to proceed under these Enforcement Procedures. If an AFP member is the subject of a formal government legal proceeding and/or AFP enforcement proceeding, the member will be considered an active member and/or certificant until the AFP enforcement proceeding has been completed, whether or not the member attempts to voluntarily resign or terminate membership by failure to renew and/or apply for recertification.

- E. Failure to respond to, or otherwise cooperate with, an investigation by the AFP Member Code of Conduct Committee may itself be grounds for disciplinary action.
- F. The Committee and/or subcommittees may conduct their activities at in-person meetings, via telephone conference call or through other secure and confidential virtual means designed to ensure participation and deliberation by appropriate or designated Committee members.

## II. INVESTIGATION OF COMPLAINT

- A. Upon receipt of a complaint, the AFP President & CEO or designee must determine whether the complaint against the member:
  - 1. Alleges a violation of the Code, and
  - 2. Contains sufficient and reliable information and is not patently frivolous or inconsequential so as to warrant initiation of steps to determine factual sufficiency for a hearing.
- B. The AFP President & CEO or designee may request additional information, consult with Committee members and take other actions consistent with the AFP President & CEO's obligation to determine if a complaint meets these criteria and warrants further investigation.
  - 1. If the AFP President & CEO or designee determines that a complaint satisfies the criteria, the AFP President & CEO will refer the matter to the Committee for consideration.
  - 2. If the AFP President & CEO or designee determines that a complaint does not satisfy the criteria, the AFP President & CEO may reject the complaint and notify the complainant of this decision. All such decisions by the AFP President & CEO shall be reported to the Committee.
- C. Within thirty (30) calendar days of receiving the complaint from the President & CEO, the Committee shall determine whether the complaint warrants: (a) Committee investigation, or (b) Committee summary finding of violation.
  - 1. If the Committee determines that a complaint warrants Committee investigation, the Committee shall promptly:
    - a. Provide the member against whom the complaint was filed copies of the *AFP Member Code of Conduct*, these Enforcement Procedures, written notification stating that an investigation is to be conducted and an Admission Statement that the member may sign should the member choose to do so; summarize the issues

- raised in the complaint and notify the member that the member may submit a response and supporting documentation to the Committee or, in the alternative, the member may admit the allegations set forth in the complaint and sign and submit the Admission Statement to expedite the process, and that such response should be submitted within fifteen (15) calendar days of receiving this notification (with the complainant's identity kept as confidential as practical and possible<sup>1</sup> at this stage as provided in these Enforcement Procedures);
- b. Notify, in writing, the complainant that a complaint has been received and indicating the status of the complaint;
  - c. Direct the President & CEO or designee to investigate the complaint and
  - d. Designate the Committee member who shall serve as Judge Advocate *pro tempore* if necessary.
2. If the Committee determines that a complaint does not warrant Committee investigation, the matter will be closed and notice of this decision will be promptly forwarded to:
- a. The member against whom the complaint was filed; that member shall be advised immediately by telephone or other efficient means, followed by written confirmation;
  - b. The complainant;
  - c. The Committee and
  - d. The President & CEO of AFP.
- D. The Committee may determine, by simple majority vote that a complaint warrants Committee summary finding of violation of the Code if either of these circumstances exist:
1. The complaint includes clear documented evidence that the member has been found guilty, or has pled guilty, or has pled *nolo contendere* and has been sentenced by a court with appropriate jurisdiction, and all appeals have been waived or exhausted, in a criminal law matter in which the member was accused of crimes against the complainant or a fellow AFP member; or

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<sup>1</sup> Under exceptional circumstances, the Committee reserves the right in its sole discretion to keep the complainant's identity confidential throughout the entire process, including the hearing process (if one is commenced), upon a clear showing of risk to the complainant if the complainant's identity were revealed to the member against whom the complaint was filed.

2. The complaint includes clear documented evidence that the member has had an adverse judgment entered against the member personally by a court with appropriate jurisdiction and all appeals have been waived or exhausted, in a civil law matter in which the member was accused of actions against a fellow AFP member.

If there is a Committee summary finding of violation of the Code, the Determination to Conduct a Hearing section of these Enforcement Procedures is not applicable; the Committee shall impose disciplinary action appropriate to the infraction.

- E. If the member against whom the complaint was filed signs and submits an Admission Statement admitting the allegations set forth in the complaint, the Determination to Conduct a Hearing section of these Enforcement Procedures is not applicable; the Committee shall instead consider appropriate disciplinary action.
- F. If the member against whom the complaint was filed fails to respond to the Committee, the Determination to Conduct a Hearing section of these Enforcement Procedures is not applicable; the Committee may instead consider appropriate disciplinary action.
- G. Notice of the Committee's decision and the hearing panel's disciplinary action will be made pursuant to the applicable provisions of Sections V, VI, and VII of these Enforcement Procedures.
- H. All material gathered by AFP in the course of any of its investigations, including but not limited to information submitted by a complainant and the member against whom a complaint has been lodged, will be the property of AFP.
- I. Both the complainant and the member against whom the complaint was filed are required to uphold the strict confidentiality of the conduct complaint and proceedings except as required by law during and upon completion of the enforcement process. Consultation is nevertheless permitted with family members, potential witnesses, legal counsel, consultants relevant to the complaint and similar persons who themselves commit to confidentiality. Sharing information about the complaint with unrelated third parties shall be deemed a breach of confidentiality. Should the complainant breach the confidentiality of the complaint, the Committee will determine whether the breach is eligible for consideration of dismissal of the complaint. Should the member against whom the complaint was filed breach the confidentiality of the complaint, the Committee will determine whether the breach is eligible for consideration of a separate violation with attendant findings and sanctions.

### **III. DETERMINATION TO CONDUCT HEARING**

- A. The President & CEO and/or disinterested Committee member(s) designated to investigate the complaint shall examine all relevant matters, including any written response submitted by the member against whom the complaint was filed. The staff and/or the Committee members designated to investigate the complaint may work directly with the member responding to the complaint (and complainant, if applicable) to resolve the matter without resorting to a formal hearing. The member may be asked to agree to take certain corrective or preventive actions, to cease and desist from certain activities, or to otherwise meet certain conditions in order to resolve the complaint.
- B. If efforts to resolve the complaint pursuant to the procedures in this Section are unsuccessful, or if the staff and/or member(s) designated to investigate the complaint determine(s) that the misconduct on the part of the member is habitual or of such magnitude to warrant a hearing, the matter shall be presented to the full Committee for vote as to whether a hearing should be held. Based on an affirmative vote by a simple majority of the Committee, the Committee shall proceed with a hearing. Participation in this determination shall not, in any of itself, disqualify a member of the Member Code of Conduct Committee from serving on the hearing panel.
- C. If any member of the AFP Member Code of Conduct Committee has or has had a business, financial, personal or familial relationship with any party to the matter, that Committee member shall disclose this relationship to the Committee and shall recuse themselves based on actual or potential conflict of interest. If a Committee member does not voluntarily recuse, recusal may be mandated by a majority vote of the balance of the full Committee.
- D. The Member Code of Conduct Committee Chair shall establish the time and place of the hearing and shall determine which member(s) of the Committee shall present the case against the member and act as Judge Advocate *pro tempore*. Except as otherwise provided in the AFP bylaws, meetings of the Code of Conduct Hearing Panel may be conducted through use of Internet meeting services designated by the chair that support anonymous voting and support visible displays identifying those participating, identifying those seeking recognition to speak, showing (or permitting the retrieval of) the text of pending motions, and showing the results of votes.<sup>2</sup>
- E. The Member Code of Conduct Committee Chair shall also select Member Code of Conduct Hearing Panel. The Member Code of Conduct Hearing Panel:
1. Shall consist of disinterested members of the Committee, unless conflicts of interest or other circumstances disqualify a majority of the Committee from serving; in such cases, the Chair may appoint members of the AFP

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<sup>2</sup> Henry M. Robert III, Daniel H. Honemann, Thomas J. Balch, Daniel E. Seabold, and Shmuel Gerber, Robert's Rules of Order Newly Revised, 12<sup>th</sup> edition, 2020. [RONR (11th ed.), pp. 97–99.

Board of Directors, former Member Code of Conduct Committee members and/or other disinterested persons to the panel as necessary;

2. Shall consist of no less than one (1) and optimally three (3) disinterested individuals, although the number may be altered at the discretion of the Chair of the Committee;
3. Shall not include the Chair of the Member Code of Conduct Committee and shall not include any Committee member who has participated in the investigation of the complaint or who is appointed to serve as Judge Advocate *pro tempore*;
4. Shall not include any individual who has a past or present business, financial, personal or familial relationship with any party in the matter and
5. Shall act in this matter with the same authority as the Committee, with its decision having the same weight and effect as a decision of the Committee.

F. The purposes of the hearing are to:

1. Determine if the member has violated the Code and
2. If the member has violated the Code, decide upon appropriate disciplinary action.

#### **IV. NOTIFICATION OF HEARING**

- A. The President & CEO or the Chair of the AFP Member Code of Conduct Committee shall serve notice, in writing, of the pending hearing. The notice:
1. Shall be signed by the Chair of the Committee and the President & CEO;
  2. Shall be sent to the member via certified mail or by traceable courier, deliverable to addressee only, return receipt requested;
  3. Shall state the place of the hearing and offer a choice of a minimum of two dates and times;
  4. Shall advise the member that the member may submit written response and supporting documentation;
  5. Shall provide the names and brief professional backgrounds of the members of the Code of Conduct Hearing Panel and Judge Advocate *pro tempore* and



6. Shall be mailed a minimum of thirty (30) calendar days in advance of the earliest choice of hearing dates so that the member may:
  - a. Schedule an appearance<sup>3</sup>;
  - b. Obtain counsel, if desired, and
  - c. Prepare a presentation in defense.
- B. The notification of hearing to the member shall be accompanied by a copy of the original complaint and shall state that:
  1. The Committee has examined the complaint(s) brought against the member concerning alleged violation of the Code and that, as a result of investigation, the Committee has determined that a hearing be held;
  2. The member is accused of alleged violation of a specified element or elements within the Code as a result of specified act(s) or conduct, which are disclosed within the complaint or notice;
  3. The hearing will be conducted by a Code of Conduct Hearing Panel, which is empowered to:
    - a. Ascertain all material facts;
    - b. Decide the merits of the complaint and,
    - c. If the complaint is sustained, impose disciplinary measures.
  4. The member may be represented by counsel or may appear on the member's own behalf, may confront the complainant(s) and may present and examine witnesses in accordance with hearing procedures adopted by the Committee;
  5. The member may waive the option to appear within 15 days from receipt of letter, and such waiver(s) must be in writing and addressed to the Chair of the Committee;
  6. Should the member decline to appear, the Committee reserves the right to conduct the hearing and resolve the issues in the member's absence and
  7. Should the member not respond within fifteen (15) calendar days of the date of the notification of hearing, the Committee will proceed under these Enforcement Procedures without the member's participation.

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<sup>3</sup> In the case of a business member or an organizational member, that member's President and CEO (or any other officer who has the authority to represent the member in a legal proceeding) can appear on behalf of the member.

- C. Copies of the notification of hearing shall be sent to:
  - 1. The complainant(s) and
  - 2. The President & CEO of AFP.

## V. CONDUCT OF HEARING

### A. Nature of the hearing

- 1. The Committee may adopt specific procedures for the hearing to preserve proper decorum and provide for a fair and adequate hearing;
- 2. The member may be represented by counsel;
- 3. Testifying parties are to be sworn or affirmed;
- 4. The member will not be required to testify against the member's own self-interest;
- 5. A transcript or recording is to be made;
- 6. Specific charges against the member, including Code sections alleged to have been violated, are to be read into the record;
- 7. The case against the member is to be presented first with the member given the opportunity to examine witnesses;
- 8. The member is to be given ample opportunity to present a defense;
- 9. Written evidence is to be made part of the record;
- 10. Formal rules of evidence will not apply to these proceedings, and relevant reliable information may be presented and considered;
- 11. The hearing will be confidential and will be closed to all individuals who are not participating in the proceedings pursuant to these Enforcement Procedures and
- 12. A member of the Code of Conduct Hearing Panel shall be appointed by the Chair of the Code of Conduct Committee as Chief Hearing Officer to preside over the hearing proceedings.

### B. Roles of the Parties

1. The Chief Hearing Officer will preside over the Hearing procedures.
2. The Judge Advocate *pro tempore* designated by the Committee is responsible for presenting and moving the case against the member but shall not participate in the Code of Conduct Hearing Panel's decision as to whether a violation of the Code has occurred. The Judge Advocate *pro tempore* shall:
  - a. State the specific violation(s) of which the member is accused;
  - b. Summarize the Committee's investigation into the complaint and present the results of the investigation;
  - c. Introduce into the record any nonverbal (i.e., written, taped, visual, etc.) testimony/evidence against the member;
  - d. Present and examine any witness(es) against the member and
  - e. Examine any witness(es) testifying on behalf of the member.
3. The member or the member's counsel may:
  - a. Present the case on the member's behalf;
  - b. Introduce into the record any nonverbal (i.e., written, taped, visual, etc.) testimony/evidence on behalf of the member;
  - c. Present and examine any witness(es) on the member's behalf and
  - d. Confront and examine any complainant(s) or witness(es) testifying against the member.
4. The Code of Conduct Hearing Panel is responsible for determining whether, on the facts presented, the member violated the Code as charged. Members of the Panel may ask questions of anyone testifying at the hearing. The Panel shall base its decision solely upon matters introduced in the course of the hearing.

#### C. Hearing Decision

1. After deliberation, the Code of Conduct Hearing Panel shall immediately render a decision based on majority vote. Within one business day of the decision, the Chief Hearing Officer shall notify the Chair of the Code of Conduct Committee of the action. For purposes of this procedure a majority is defined as 50% plus one of the members of the Code of

Conduct Hearing Panel. If the decision is that the member did violate the Code, the panel must, at the same time and place, render a decision as to penalty.

2. If the decision is that the member did violate the Code, notification of the decision, the attendant penalty and the member's right to an appeal shall be forwarded in writing by the Chair of the Member Code of Conduct Committee to the member, the Committee, the Chair of the AFP Board of Directors, the Chair-Elect of the Board of Directors of AFP (in the discretion of the Chair of the Member Code of Conduct Committee) and the President & CEO of AFP.
3. If the decision is that the member did not violate the Code, the member and the complainant(s) shall be informed in writing by the Chair of the Member Code of Conduct Committee, as will the committee, the CEO of AFP, and any other person requested by the member. This decision is final.
4. A copy of the record, along with all material considered by the Hearing Panel and a copy of the notification of decision, shall be filed confidentially at the AFP International Headquarters.
5. No information about the proceedings shall be otherwise disseminated or published until after an appeal has been finally decided or until the time within which a member may appeal has expired. At that time, notification and publication shall follow the procedures set forth in Section VII.G.

## VI. DISCIPLINARY ACTIONS

- A. The following disciplinary actions may be imposed upon a member found to be in violation of the Code:
  1. *Reprimand.* A reprimand is a formal rebuke by the Committee in writing addressed to the member.
  2. *Censure.* Censure is a more serious rebuke in writing, and carries a prohibition on holding any Association or chapter office, and sponsoring, exhibiting, advertising or otherwise participating in any AFP sanctioned activity at any level within the Association. Effective on the date of the final decision to censure a member, a member shall be barred from participation as set forth herein, for one (1) year.
  3. *Suspension.* Suspension excludes an individual or entity from membership in AFP for a stated period of time and/or under stated conditions and includes a prohibition on holding any Association or chapter office, and

sponsoring, exhibiting, advertising, purchasing a mailing list, receiving AFP awards, or otherwise participating in any AFP sanctioned activity at any level within the Association, which includes forfeiting any payments made related to any AFP sanctioned activity, for the stated period. Failure to adhere to the stipulated terms of the suspension during the stated period will result in further disciplinary action by the Member Code of Conduct Committee. Upon expiration of the suspension period, the member shall be eligible to reapply for membership.

4. *Revocation of Membership.* Revocation bars an individual or entity from membership in AFP, is permanent and includes a permanent prohibition on sponsoring, exhibiting, advertising or otherwise participating in any AFP sanctioned activity at any level within the Association. Revocation of membership automatically includes a recommendation to revoke certification or endorsement sponsored by AFP, if applicable.
- B. In imposing disciplinary actions, the Code of Conduct Hearing Panel (following a hearing), or the Executive Committee (following an appeal), as applicable, will consider the severity of the violation, the intent of the member, the extent of injury to other persons or the profession and whether the violation was willful or negligent. The Code of Conduct Hearing Panel or Executive Committee, as applicable, may in its discretion impose any disciplinary action, as warranted, in specific cases.

## **VII. APPEAL**

- A. The Executive Committee of the AFP Board of Directors shall decide appeals from decisions of the Code of Conduct Hearing Panel (following a hearing) or of the Member Code of Conduct Committee (following a summary finding of violation of the Code). If any Executive Committee member participated on the Code of Conduct Hearing Panel in a hearing or on the Member Code of Conduct Committee in a summary finding of violation of the Code, or has or has had a business, financial, personal or familial relationship with any party to the matter or witness at the hearing, that person shall recuse from participation in the appeal. The Hearing Officer who served on the hearing panel, will serve as a non-voting adviser to the Executive Committee of the AFP Board of Directors during the appeal hearing.
- B. Appeals must be submitted by the member within fifteen (15) days of receipt of the decision from the Hearing Panel or the Member Code of Conduct Committee. Appeals must be submitted in writing to the Chair of the AFP Member Code of Conduct Committee. The appeal should outline the basis for the appeal which is limited to:

1. Failure of the Code of Conduct Hearing Panel or Member Code of Conduct Committee to follow these Enforcement Procedures or
  2. Material errors of fact.
- C. If the Executive Committee, by simple majority vote, determines that the request for appeal has an appropriate basis, the Executive Committee shall serve notice, in writing, within thirty (30) days after receipt of the appeal that the appeal has been accepted. The letter of notification shall be sent to the member via certified mail or by traceable courier, deliverable to addressee only, return receipt requested, and shall state that:
1. The appeal shall be limited to a review of the written record, and shall not include a hearing or any similar trial-type proceeding;
  2. Only facts and conditions up to and including the time of the Hearing Panel's or Member Code of Conduct Committee's determination as represented by facts known to the Hearing Panel or Member Code of Conduct Committee, respectively, are considered during an appeal;
  3. If the member appeared at the hearing, the member may request an opportunity to address the Executive Committee; if so the member will be provided with the participating Executive Committee members' names and brief professional backgrounds described); whether the opportunity to address the Executive Committee will be in person, telephone or online conferencing platform is in the discretion of the Executive Committee, and
  4. The decision of the Executive Committee is final.
- D. The Executive Committee will review the written record and take one of the following actions, by majority vote:
1. Affirm the hearing decision or summary finding of violation in full;
  2. Modify the hearing decision or summary finding of violation or
  3. Reverse the hearing decision or summary finding of violation, in which case any penalty imposed shall be rescinded.
- E. The Executive Committee shall reach a decision within thirty (30) calendar days or as soon as practicable and notify the member promptly. In all cases, a letter stating the determination and signed by the Chair of the Member Code of Conduct Committee shall be sent by certified mail and return receipt or by traceable courier to the member. Notification shall also be disseminated to:
1. The complainant(s);

2. The Committee;
  3. The President & CEO of AFP;
  4. The Chair of the AFP Board of Directors and
  5. The Chair-Elect of the Board of Directors of AFP, in the discretion of the Chair of the Member Code of Conduct Committee.
- F. A copy of the record, along with all material considered by the Executive Committee, plus a copy of the notification of decision, shall, be filed at the AFP International Headquarters and maintained there in confidence.
- G. After an appeal has been decided or after the time within which a member may appeal has expired, information regarding disciplinary action may be disseminated, as follows:
1. From time to time there will be AFP-wide publication of final actions taken by the Committee via Association newsletters, web sites and other means. This is done for educational purposes only and will not identify any member who has been reprimanded, censured, or suspended.
  2. In the case of censure or suspension, notification will also be disseminated to the president of the member's chapter(s). In the case of a business member or organizational member, the name of the business or organization will be provided in the notification.
  3. In the case of revocation, notification will also be disseminated to the president of the member's chapter(s) (in the case of a business member, only that member's individual Associate Memberships, as members of the chapter(s) are subject to this notification requirement; the business member as an entity is excluded from this notification requirement). In the case of a business member, the all-member notification applies to both the business member as an entity and its Associate Memberships. The revocation will be reported to the members on AFP's web site with such report limited to one of the two following statements:

For individual fundraising members or business members' Associate Memberships:  
( ), a member of the ( ) Chapter, has been permanently expelled from AFP by action of the AFP Member Code of Conduct Committee, as authorized by the AFP Board of Directors, for violation of the Member Code of Conduct; a letter of revocation has been sent to the member and notification of this action has been given to the complaining parties and to the AFP International Headquarters.

For business or organizational memberships as entities (for dissemination to all members of AFP):

*( ) has been permanently expelled from AFP by action of the AFP Member Code of Conduct Committee, as authorized by the AFP Board of Directors, for violation of the Member Code of Conduct; a letter of revocation has been sent to the member and notification of this action has been given to the complaining parties and to the AFP International Headquarters.*

## **VIII. MEMBERS AND NONMEMBERS WITH CERTIFICATION**

- A. Individuals who hold certification sponsored by AFP, and who agree to be bound by the AFP Member Code of Conduct as a condition of professional certification, are bound by the AFP Code whether or not they are members of AFP. For purposes of this Code and this Section VIII, the term “certified nonmember” refers to any individual who holds certification sponsored by AFP, except for members of the Association for Healthcare Philanthropy (“AHP”) who agree to be bound by AHP’s procedures and disciplinary codes in all matters related to certification.
- B. The AFP Member Code of Conduct Committee will accept complaints of possible violations of the Code against certified nonmembers as well as against certified members. All matters concerning certified members and nonmembers regarding potential violations of the Code will be administered in accordance with these AFP Enforcement Procedures, with determinations and recommendations forwarded to the appropriate professional certification board(s).
- C. A professional certification board will be responsible for certification and decertification of AFP members and nonmembers. However, all matters concerning accusations of violations of the Code by certified members and nonmembers will be determined by the AFP Member Code of Conduct Committee under these Enforcement Procedures, whose recommendations to the professional certification board(s) shall be binding.
- D. Should a certified nonmember be found in violation of the Code, publication of disciplinary action by the professional certification board (including revocation of the certified status) will follow the procedures set forth in Section VII.G.