

Society for the Preservation and Propagation of Barbershop Quartet Singing in the United States

ETHICS COMPLAINT PROCESS

After reading the Society Code of Ethics (hereinafter “Code”), if you feel that another member has violated a specific tenet of the Code, you may want to speak with him or with a board member of that member’s Lodge. Open, constructive discussion often resolves questions or differences, eliminating the need for further action. If you are still not satisfied, the Society has a formal dispute process that can be started by filing an Ethics Complaint Form, available on the Society website.

When filing an ethics complaint, you are the Complainant and the person you are filing against is the Respondent. You will be asked to cite the tenet(s) of the Code you feel have been violated and provide a narrative and any additional information that supports your case. Since an ethics hearing panel is instructed to base its decisions on clear, strong, and convincing evidence, you will want to include as much information as possible to support your charge, including contact information for up to two persons who can substantiate your allegation(s). Your signature and date are required.

Please note that you must file your ethics complaint within 180 days from the time you realized that the unethical activity took place.

Your ethics complaint shall be filed with the Chairman of the Society Ethics Committee (the name, address and email address of the Chairman shall be listed on the Society website for easy reference).

Once the complaint is received by the Chairman, he shall have seven (7) days to:

1. Dismiss the complaint, or
2. Choose to have the complaint heard and resolved by the Respondent’s Lodge Hearing Panel, if applicable, or
3. Choose to have the complaint heard and resolved by the Ethics Committee Hearing Panel.

If dismissed, the Chairman shall within forty-eight (48) hours so notify the complainant, including his reason(s) for dismissal.

If not dismissed, the Chairman shall within forty-eight (48) hours send a copy of the complaint to the Complainant and Respondent indicating his choice as to who will hear and resolve the complaint.

The Respondent shall have fifteen (15) days from the date of his receipt of the complaint to file his response to his Lodge or the Chairman. The Complainant shall be sent a copy of the Respondent’s response, or notice of no response, within forty-eight (48) hours.

The Complainant and Respondent may modify their complaint or response at any time prior to the complaint being heard by a Hearing Panel. In those cases, the other party shall be given an additional fifteen (15) days to review and respond.

At the end of fifteen (15) days and the Hearing Panel having not been notified of any modification, a hearing shall be established. The hearing shall be via video conference (e.g. “ZOOM”), except that a hearing conducted by a Lodge may be in person. At the hearing the Complainant and Respondent shall have the opportunity to have his attorney present, present any evidence and bring forward any supporting witnesses.

The hearing will proceed as follows:

1. The Chairperson cites authority to hear the case, explains reason for hearing and makes everyone involved aware of the hearing process.
2. The complaint shall be read into the record.
3. The testimony of all parties and witnesses shall be sworn or affirmed. All witnesses shall be excused from the hearing except while testifying.
4. Opening statements shall be made first by Complainant, then by Respondent, briefly explaining his basic

position.

5. The parties shall be given an opportunity to present evidence and testimony on their behalf and they may call witnesses.
6. The parties and their legal counsel shall be afforded an opportunity to examine and cross-examine all witnesses and parties.
7. The panel members may ask questions at any time during the proceedings and may request an executive session to clarify any matters, in which case all persons except those on the Hearing Panel shall be temporarily excused from the room.
8. The Chairperson may exclude any questions which he deems irrelevant or argumentative.
9. Each side shall make a closing statement. The Complainant shall make the first closing statement and the Respondent shall make the final closing statement.
10. Adjournment of hearing and everyone not on the Hearing Panel is excused.
11. The Hearing Panel shall go into executive session to decide the case.

Upon the conclusion of a hearing or at the expiration of the fifteen (15) days allotted for a response from the Respondent, the Hearing Panel shall within forty-eight (48) hours submit its findings and recommendation in writing to the Complainant, to the Respondent, and to the Society President and Society Secretary of any one of the following decisions:

1. That the Respondent be found NOT IN VIOLATION of the charges and that the charges be dismissed.
2. That the Respondent be found IN VIOLATION of the charges and that:
 - a. The Respondent be placed on probation for a certain period of time not to exceed two (2) years and if the Respondent is not shown to have violated any tenets of the Code during that two-year period, the probationary period shall expire, and the Respondent shall return to full membership in the Society.
 - b. The Respondent have his membership in the Society suspended and be prohibited from participating in any Society activities for a certain period of time not to exceed two (2) years.
 - c. The Respondent have his membership in the Society revoked and not be eligible for reinstatement.

The Respondent may submit an appeal to the Society President and the Society Secretary within thirty (30) days of his receipt of the Hearing Panel's decision. The Society Board of Directors shall then decide whether or not it wishes to hold a hearing on the matter or make a determination based on the evidence previously presented to the Hearing Panel. All decisions by the Society Board of Directors shall be final.

The Society Secretary shall maintain a secure file of all complaints, including filings, notifications, findings, recommendations and appeals.

The Hearing Panel shall consist of an odd number of persons to avoid a voting tie.

All **FILINGS** and **NOTIFICATIONS** shall be in writing via email or Certified Mail, Return Receipt Requested. Absent a return receipt from the sending of said filing or notification via Certified Mail, the time period shall begin to run from the date deposited in the USPS mail system.

References to "days" shall mean calendar days.

Ethics Committee Hearing Committee – sppbqsus@gmail.com