

## **Role of AFP Chapters in the Ethics Process**

Chapters have the primary responsibility of educating members, vendors, local government officials, and the public about ethical issues and standards, the Code, and the AFP enforcement procedures in general. Chapters are urged to conduct special programs to educate the public about ethical practices in fundraising and to devote at least one program or workshop each year to ethics education for AFP members.

Allegations of unethical behavior often draw the interest of the news media and the public. Because such allegations can affect the reputations and livelihood of persons and organizations and can lead to legal action, chapter officers and board members are urged to exercise great care in responding to general questions from the news media or the public and are cautioned not to make comments about specific allegations or events.

Questions about the meaning and application of the AFP Code should be referred to the AFP President and CEO.

Under no circumstances should chapters screen, adjudicate, review or advise in specific situations or be involved in specific discussions of possible or alleged Code violations. AFP does not want any chapter, chapter officer, or individual to be sued. Suggestions for chapter programs on ethics education are listed in a later section of this guide.

## **Summary of AFP Ethics Enforcement Objectives, Powers and Procedures**

Anyone may submit an ethics query or file a complaint alleging violation of the AFP Code of Ethical Principles by an AFP member or person holding an AFP-sanctioned credential, whether or not the person lodging the query or complaint is a member of AFP. Inquiries about actions of members are held strictly confidential and may be made only to the Office of the President and CEO. Before filing a complaint or submitting an ethics query, you may call and have a conversation to see if you wish to proceed.

An ethics query is a means for inquiring whether a practice warrants filing a complaint alleging a violation of the AFP Code, and for requesting assistance from the Ethics Committee to resolve an issue or practice of concern without invoking the formal Code enforcement process. The goal is to bring about improvement in professional practice without having to resort to enforcement proceedings. An ethics query may be lodged via a confidential letter or memorandum to the Office of the AFP President and CEO identifying the person against whom the ethics query is lodged and describing the incident or practice that is of concern.

A complaint is a formal allegation of violation of the AFP Code of Ethical Principles. The filing of a complaint initiates the AFP Code enforcement procedure. In filings, AFP requires complaining parties to agree that, upon request of the AFP Ethics Committee, the complainant will give personal testimony in the presence of the person against whom the complaint is lodged.

Once a complaint is filed, it is reviewed by the AFP Ethics Committee. If the Committee finds that the complaint alleges a violation of the Code of Ethical Principles and is supported by sufficient documentation, the Committee Chair sends written notification of the complaint to the person, against whom the complaint is lodged, requesting the member to respond in writing to the complaint.

If the person against whom the complaint is lodged responds to the complaint, the Ethics Committee reviews the information presented in the response. If the Committee determines that there is grounds to support a charge of violation of the Code and that efforts to persuade the person to cease and desist have failed, the Committee may decide to hold a hearing to

- (1) determine whether a violation of the Code of Ethical Principles has occurred and
- (2) decide what disciplinary action, if any, is appropriate.

Penalties for violation of the Code can include:

- a letter of reprimand,
- a letter of censure and prohibition against holding association and chapter office in AFP,
- suspension of membership in AFP for a stated period, and
- permanent expulsion from AFP membership, including withdrawal of any AFP sanctioned credential.

All communications and records regarding questions of ethical misconduct are held strictly confidential in the Office of the President and CEO.

## **Principles and Roles in the Ethics Enforcement Process**

*The fundamental goal of the procedures for enforcing the AFP Code of Ethical Principles and Standards of Professional Practice is to eliminate unethical behavior, not to impose punishment.*

The procedures for compliance adopted by the AFP Board of Directors on November 6, 1992, as amended, define the role of the chapters as educational and assign enforcement to the AFP Ethics Committee.

The procedures provide a process for receiving, investigating and adjudicating allegations of violation of the Code made against any AFP member or other person holding an AFP sanctioned credential, and provide a process that is fair, responsible, confidential and consistent. The procedures are designed to protect AFP members from unfair allegations and to protect Association and chapter AFP officers and staff from personal liability in cases alleging unethical conduct.

The procedures reflect seven fundamental principles:

1. To be considered, an allegation of violation of the Code must be made in writing and signed by an individual.
2. The query or complaint must be filed with the office of the president and CEO, AFP International Headquarters Office for consideration by the AFP Ethics Committee. In the case of a complaint, the written complaint must be received on the complaint form available upon request from the office of the President and CEO, AFP International Headquarters Office. A query can be in the form of a letter, a phone call or other means such as email.
3. Complaints and queries can be made/alleged only against AFP members or a person holding an AFP- sanctioned credential. AFP can take no action against persons who are not either AFP members or holders of an AFP-sanctioned credential, nor can AFP entertain allegations of violation of the Code on the part of a corporation, association, organization or other entity.
4. Laws take precedence over ethical misconduct. If, in AFP's judgment, an allegation entails a violation of law or breach of contract, the AFP Ethics Committee may, in its discretion, refer the matter to the appropriate legal channels for resolution or remedy.
5. *The role of AFP chapters in the ethics process is to educate members about ethical issues and standards, the Code and the AFP enforcement procedures in general. It is not the chapters' function to screen, adjudicate, review or advise in specific situations.* Chapter boards should not be involved in specific discussions of possible or alleged Code violations. AFP does not want any chapter, chapter officer or individual to be sued.
6. Chapters have no formal or informal role in the processing or adjudication of complaints.
7. Chapters should focus their action on ethical issues, standards and education. It is suggested that chapters consider using the title "Ethics Education Committee" rather than "Ethics Committee" for their own committees. Education on legal or legislative issues is not the proper concern of a chapter's Ethics Education Committee. The AFP Ethics Committee seeks to vigorously reinforce a distinction between legal questions and ethical standards of professional practice.

## **How to Submit a Query about a Possible Violation of the Code**

You may submit a query about a possible violation of the Code in any of three ways: By mail: Write a letter explaining the concern; include identification of the AFP member(s) or other individual(s) involved. Send the signed query and a copy of any back-up information corroborating your concern in a *sealed* envelope to:

President and CEO  
Association of Fundraising Professionals  
4300 Wilson Blvd., Suite 30,  
Arlington, VA 22203-4168

8. By email: Write an email message explaining the concern; include your name and the identification of the AFP member(s) or other individual(s) involved. Mark the subject of the message CONFIDENTIAL and email the message to: [ethics@apfnet.org](mailto:ethics@apfnet.org).

9. By telephone: Call the President and CEO of AFP at (703) 519-8440. You should be prepared to explain the concern clearly and succinctly, including identification of the AFP member(s) or other individual(s) involved.

## **How to File a Complaint Alleging Violation of the AFP Code**

Request a Complaint Form from the Office of the President and CEO. Forms may be requested by telephone, fax, mail or email.

Fill out the Complaint Form completely and sign it. Be sure that the description of alleged unethical conduct is clear and complete. The complaint must be filed within three years of the alleged ethical misconduct.

Send the signed form and a copy of any back-up information corroborating your allegation in a *sealed* envelope marked CONFIDENTIAL to:

President and CEO  
Association of Fundraising Professionals  
4300 Wilson Blvd., Suite 30,  
Arlington, VA 22203-4168

## **How to Handle Ethics Questions About Specific Situations**

From time to time you may receive questions from AFP members or non-members asking you to adjudicate or give advice about the ethical implications of specific fundraising practices or situations.

- If the practice or situation involves a member of AFP (or you suspect it does), you should refrain from rendering a judgment and encourage the person asking the question to refer the question to the President and CEO of AFP. If necessary, you may refer the question to the President and CEO yourself.
- If the practice or situation is hypothetical or does not involve a member of AFP, you should explain what the AFP Code says about the matter, but be careful not to render a judgment about specific individuals.
- If the practice or situation is not covered by the AFP Code, you should say so and encourage the questioner to consult other resources on business ethics, such as those listed in the appendix to this guide.