



ACC South Carolina Procedures for Review of Conduct at Events (“Procedures”)

Last updated: 11.1.23

I. Introduction

1. The ACC South Carolina Code of Conduct at Events (“Policy”) inform and guide board members, members, attendees, speakers, sponsors, exhibitors, staff and volunteers of the expectations for acceptable behavior, and acknowledge their commitment to uphold the principles of the Policy and of South Carolina (the “Chapter”). Violations of the Policy may result in actions taken by the Board under these Procedures.
2. The grounds for disciplinary action are one or more material, demonstrable violations of any provision of the Policies. Multiple alleged violations of the Policy may be consolidated, at the discretion of the Chapter President, into a single complaint (as such term is defined below).
3. These Procedures shall apply to all complaints, allegations, inquiries, or submissions involving a potential violation of the Policy (hereinafter referred to as “complaint” or “complaints”) received by the Chapter, whether initiated by a director of the Board, a member, employee, or agent of the Chapter or other third party.
4. Actions taken under these Procedures do not constitute enforcement of the law, although referral to appropriate federal, state or local government agencies may be made about a person at issue’s conduct in appropriate situations. Persons bringing complaints are not entitled to any relief or damages by virtue of this process, although they will receive notice as to whether action will be taken. Complaints will only be considered if they involve a potential or actual violation of the Policy.

II. Development and Administration of Procedures

1. The Board is responsible for the development and administration of these Procedures. The Secretary is specifically responsible for ensuring that these Procedures are implemented and followed consistently and objectively.
2. Managing Conflicts:

- No individual who (directly or through his or her family, business, or other relationship) has any personal or private business involvement in or connection to the alleged misconduct or any other conflict of interest shall be permitted to participate in the review of the matter. Any such involvement or connection shall be promptly disclosed by the affected individual to the Committee and, when appropriate, by the Committee to the Board.
- If the Committee Chair is implicated in the complaint or otherwise conflicted or unable to appropriately implement these Procedures, a temporary chair (henceforth “Committee Chair”) will be selected by a majority vote of the non-conflicted members of the Executive Committee of the Board (the “Executive Committee”) for the sole purpose of ensuring these Procedures are implemented and followed consistently and objectively for the complaint at issue.
- If the President, Vice-President, or Immediate Past President of the Board are implicated in the complaint or initiate the complaint as a submitter, an independent investigator will be selected by the non-conflicted members of the Executive Committee.

3. No Retaliation Policy:

- Direct or indirect retaliation of any kind by the Chapter or its officers, directors, employees, members, or agents against any individual that makes, initiates or is involved in the making of a complaint in good faith, or that participates in the investigation, is strictly prohibited. Similarly, complaints made in bad faith or with knowledge of their falsity, in whole or in part, are strictly prohibited. This prohibition on retaliation or the making of bad faith or knowingly false complaints shall be enforced strictly by the appropriate enforcement body, which may be the Committee, or the Board, or a specially formed committee if deemed appropriate by the Board.
- All Committee members, ACC staff and other individuals engaged in investigations or decision on behalf of the Chapter with respect to any complaint under these Procedures are indemnified and shall be held harmless and defended by ACC against any liability arising from such activities to the extent permitted by law, provided such individuals act in good faith and with reasonable care, without gross negligence or willful misconduct, act in accordance with these Procedures, and do not breach any fiduciary duty owed to ACC.

4. Confidentiality and Objectivity: All examinations of complaints, evidence, investigations, reports and deliberations of the Committee and the Board are to be conducted in strict confidence to the extent possible, except that the Committee and the Board shall be permitted to disclose any relevant information in the event of imminent physical harm or when otherwise compelled by law. All examinations of complaints, evidence, investigations, reports and deliberations of the Committee and the Board shall be conducted objectively, without prejudgment of any kind.

III. Standard Operating Procedures for Allegations of Misconduct

Responsibility	Action	
Charging Party (includes a victim or witness)	1. Should inform the Chapter or complete the ACC South Carolina Code of Conduct at Events Reporting Form and forward it to southcarolina@accglobal.com	
Governance Committee (chaired by Secretary)	2. Review the ACC South Carolina Code of Conduct at Events Reporting Form and supporting documentation. Within 10 days of receiving Investigation Report and materials, authorize one of the following subsequent courses of actions as appropriate.	
	IF	THEN
Governance Committee	If upon review the allegations do not state a violation of the Code, state only minor violations or are facially not credible.	Take no action
President	The allegation states a material violation and has at least some initial credibility	Conduct an Investigation, and at minimum send a Charging Letter to the Charged Party with details of allegations sufficient to provide them with a chance to respond (see example form letter) Send by mail and email if possible.
Charged Party	If you choose to respond to the Charging Letter, you must do so within 10 days of the date of the Charging Letter: <ul style="list-style-type: none"> • Response must be in writing to southcarolina@accglobal.com • Response should include details regarding your position on the charge(s) as specified in the letter. 	

	<ul style="list-style-type: none"> Any request for additional time to respond should be reviewed and the Committee should respond in a timely manner. If the individual would like a hearing, that desire must be stated in writing along with a contact telephone number. <p>The individual will have the 10 minutes before the Committee meets to state his or her position verbally (Note: the time is not intended for open discussion but the individual should be prepared to answer questions posed by the Committee in clarifying the events.)</p> <p>Once completed, the call with Charged Party will be terminated and the Committee will discuss.</p>	
Governance Committee (chaired by Secretary)	Evaluate relevant information, including Charging Party's statement (if any) and render a final decision in writing, including the appropriate sanction(s).	
President	<p>Write a Determination Letter (see example form) to the Charged Party with the outcome and have it delivered in hard copy and to personal email address if available.</p> <p>File a copy of the Determination letter.</p> <p>Notify the appropriate area(s) to ensure the Committee's decision is enforced.</p> <p>DECISION IS FINAL: All Committee decisions are final and there are no additional appeal provisions</p>	
	IF Committee determines:	THEN
	Termination of membership is the appropriate sanction for the behavior.	Automatically escalate the recommendation for a second review to ACC HQ.