



Kansas Democratic Party **Code of Conduct Policy**

The Kansas Democratic Party (KDP) consists of diverse professionals, volunteers and community members from all over Kansas to promote a truly representative Democratic Party open to all who support its principles. The KDP, in order to create a more open and inclusive environment for every Democrat, hereby establishes the following code of conduct.

Guidelines & Definitions

This Code of Conduct is applicable to any **Affiliates of the KDP**, which include but are not limited to: KDP employees, officers, interns, state committee members, caucus members, and volunteers; attendees of KDP events; members of any affiliate organizations who adopt this Code of Conduct Policy and guests at their events or premises. "Affiliate organizations" can include, but is not limited to, the members, staff, or volunteers of county parties, caucuses, congressional district committees, and democratic campaign committees.

The KDP convenes in many physical and virtual spaces. These guidelines are applicable in any physical or virtual location where Affiliates of the KDP gather and/or collaborate when conducting KDP business. However, the events that take place in public spaces, such as conferences and meetings, may have their own code of conduct and/or similar community guidelines that will supplement but not override this Code of Conduct.

Notwithstanding the provisions of this policy, any unit or affiliated organization of the KDP may establish rules or policies for meetings that regulate the conduct of those members in attendance.

Nothing in this Code of Conduct is intended to infringe upon the rights of the Affiliates of the KDP as established by law, including but not limited to, Section 7 of the National Labor Relations Act (NLRA). This Code of Conduct applies to the extent it does not conflict with the bylaws of the KDP or applicable law. If any portion of this Code of Conduct is found to be in conflict with such bylaws or any provision of law, the remainder of this Code of Conduct shall remain in effect.

Any form of discrimination, bullying, or harassment is prohibited and shall be subject to appropriate corrective action. Such action may include, but is not limited to, censure, suspension, or removal from office or the organization. These terms are defined as follows:

- **Discrimination:** Any adverse treatment of an individual on the basis of their actual or perceived race, color, creed, sex, age, national origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, gender identity, physical appearance or disability.
- **Bullying:** An action or series of actions found to demean, intimidate, or humiliate an individual. Bullying can be verbal, physical, or social. It includes but is not limited to name calling, threatening to cause physical or social harm, spreading rumors that are personal in nature or knowingly false, or making any kind of unwanted physical contact.

- Harassment: Verbal, physical, or sexual conduct that threatens, terrorizes, or intends to coerce an individual. This includes but is not limited to:
 - Unwanted sexual advances
 - Offering benefits in exchange for sexual favors
 - Making or threatening reprisals after a negative response to perceived harassment
 - Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, etc.
 - Verbal conduct such as threats, epithets, derogatory comments, slurs, using degrading words to describe an individual, suggestive or obscene letters, notes, or invitations.
 - Physical conduct such as assault, unwanted touching, or blocking normal movement.
 - Retaliation for reporting harassment or threatening to report harassment.

Reporting

Any Affiliate of the KDP is permitted to report a Code of Conduct violation. Violations of this Code of Conduct should be submitted in writing to the Chair of the KDP via email or by physical mail (PO Box 1914, Topeka, KS 66601 with Attn: to the KDP Chair). If submitted verbally or by some other form of communication, the Chair will request a written statement to be submitted via mail or physical letter for purposes of filing and following up on the matter. The KDP reserves the right to report a violation of this Code of Conduct and investigate the matter accordingly, subject to the same reporting requirements.

The Chair of the KDP will submit the written complaint to KDP Operations Directors to retain on file. The Chair of the KDP will confirm receipt of the written complaint within 48 hours of it being submitted. Any allegation made against the Chair shall be submitted to the Executive Director of the KDP.

While there is no limitation of time between the incident and when it can be reported, violations are encouraged to be reported within 7 days of the incident.

In allegations of assault which include a documented complaint to proper law enforcement authorities, the accused member shall immediately be suspended pending the outcome of the complaint. Upon resolution of the criminal complaint, the Investigative Committee shall have the authority to determine whether or not the suspension shall be maintained and what, if any, further corrective action is required.

Any report of improper behavior should include as much detail as is useful. If possible, specific citations from this policy should be included to help determine the scope and focus of an investigation.

Investigation

The Chair shall within 48 hours of receipt of a complaint determine whether a complaint is appropriate under this Code of Conduct policy and, if so, summon a three person Investigative Committee to investigate allegations, determine their validity, and to make appropriate suggestions for corrective action. The Investigative Committee will be comprised of the Chair of the KDP, the Executive Director of the KDP, and the Chair of the Democratic County Party in which the individual filing the complaint resides. In the event a designated member of the Investigative Committee is unable to serve on the committee or the subject of the investigation, the Chair of the KDP will select an alternate member to serve on the Investigative Committee. If that member is the Chair of the KDP, the Executive Director of the KDP will be responsible for summoning the Investigative Committee and any alternate members of the committee. The Investigative Committee shall be afforded 14 days to conduct an investigation and determine a resolution. Any notes or information gathered during the investigation shall be submitted to the Operations Director of the KDP to be filed with the written complaint.

During the investigation period, the complaint, and all information relating to the complaint (including but not limited to the identity of the individual(s) making the complaint and the individual(s) accused of misconduct) shall remain confidential and disclosures of such information shall be limited to those disclosures necessary to complete the investigation. Willful disclosure of such confidential information shall constitute a violation of this code of conduct.

Resolution

The resolution will be determined by a majority vote of the Investigative Committee. The resolution will be delivered in writing with supporting reasoning via email or mail to the individual filing the complaint, the individual who the resolution affects, and the Operations Director of the KDP to be filed with the written complaint and investigation materials. Resolutions may include, but are not limited to, Censure, Suspension, or Removal, as defined below.

Censure: A censure is any statement reprimanding or condemning an individual. Censure may involve Suspension until the individual in question has undergone specific training pertaining to their violation of this Code of Conduct.

Suspension: A suspension is any period of time whereby an individual is barred from participating in party events or from serving in their elected or appointed capacity with the party. Any suspension may include a 120 day probation period whereby the offending member shall be immediately removed should they violate the terms of their suspension. Violations of terms of suspension is to be determined by the Investigative Committee. Suspension is limited to a 2 year duration.

Removal: A removal is the permanent dismissal of an individual from their position or office within the party and from maintaining Membership of the KDP (which includes being barred from serving as a staff member or officer of the KDP in the future, volunteering, and attendance at future events).

If the Investigative Committee determines Removal and alleges facts that, if true, would constitute conduct that could reasonably be determined to be in violation of this code of conduct, the individual in question will face Suspension until the Executive Committee of the KDP can vote on Removal. Adjudication for Removal can only be determined by a majority vote of the Executive Committee of the KDP present and voting at the meeting. Any Affiliate of the KDP may be removed by the Executive Committee if found by the Investigative Committee in serious violation of this Code of Conduct.

Challenging A Resolution

Any individual who has been charged with Suspension equal to or greater than one year, or has been charged with Removal for a period of time no less than two years, may submit in writing to the Vice Chair of the KDP, at any time during Removal or Suspension, a request to have the Executive Committee vote to overturn the previous Resolution of the Investigative Committee (for Suspension) or the Executive Committee (for Removal). This written request should outline why the individual believes the previous resolution should be overturned, what steps they have taken to prevent such behavior in the future, any actions of restitution, and any other supporting documentation.

Any individual who has submitted a Code of Conduct violation that has been deemed resolved by the Investigative Committee may submit in writing to the Vice Chair of the KDP, at any time during Removal or Suspension, a request to have the Executive Committee vote to overturn the previous Resolution of the Investigative Committee. This written request should outline in detail why the individual believes the previous resolution should be overturned.

Any written request and any supporting documentation to overturn a Resolution will be submitted to the Operations Director of the KDP to be filed with other materials pertaining to the initial complaint, investigation, and resolution. The Executive Committee shall vote to overturn the previous Resolution, which can only be accomplished with a majority vote of members present and voting.