

**From:** Standards Director [REDACTED]  
**To:** [REDACTED]  
**Sent:** Tuesday, September 12, 2023 at 4:35 PM  
**Subject:** Kappa Kappa Gamma Membership Status

September 12, 2023

Dear Patsy,

In accordance with the Fraternity *Bylaws* and *Standing Rules*, a member may be dismissed for violating the purposes and standards of the Fraternity. As Standards Director, it is my responsibility to inform you that your alleged violations of the Use of Membership Lists and Contact Information Policy, Internet Policy, Local Regional or National Media Policy, Social Media Guidelines, Speaking for the Fraternity Policy, and the Human Dignity Policy have been referred to Fraternity Council for action, and your dismissal is being considered.

In accordance with Fraternity *Standing Rule 7.4*, you now have the opportunity to submit a written response presenting any arguments or pertinent information that you wish to be considered by Council in its deliberations. ***Please provide this response to me at [REDACTED] In order to be considered, I must receive your response by Tuesday, Sept. 26, 2023.*** Following the Council vote, you will receive a notice of the action taken.

Please don't hesitate to reach out to me if you have any questions.

Loyally,

 Kappa Kappa Gamma

[REDACTED]  
Fraternity Standards Director

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Kappa Kappa Gamma

[REDACTED]  
[kappa.org](http://kappa.org)

  
Kappa Kappa Gamma  
*dream boldly. live fully.*

**Patsy Levang**

**September 26, 2023**

Via Email Only:

*Fraternity Standards Director*

**Kappa Kappa Gamma**

Dear ,

I write in response to your letter of September 12, 2023 claiming that I have violated the Fraternity Bylaws and Standing Rules and that I am being considered for dismissal.

To begin with, you have accused me of violating various fraternity policies but have failed to point to any specific conduct and/or any specific policy provision at issue. Fraternity Standing Rule 7.4 requires a written complaint in order to begin the process, presumably one that accurately and specifically identifies the alleged policy violations I am accused of committing, yet none has been provided to me.

Further, as you are aware, I have devoted significant time and effort in support of Kappa Kappa Gamma. While I no

longer serve on the Foundation Board, I am committed to maintaining the mission and integrity of the organization I joined so many years ago. The Wyoming lawsuit brought to light numerous actions that were taken by the Fraternity in violation of the Bylaws, that contradict the Fraternity's founding principles and are plainly not in the Fraternity's best interests. Members of an organization have a legal right to bring derivative suits in order to protect the rights of the organization. To the extent that I have used my voice to increase awareness of the lawsuit and, more importantly, the facts giving rise to it, I have done so, not for any personal gain, but for the good of the Fraternity.

The Fraternity's actions in seeking my dismissal because I have been open about my objection to the Fraternity's conduct constitutes an abuse of corporate power and retaliation. There is no support for the leadership's decisions in the Standing Rules or Bylaws. It is antithetical to the Fraternity's mission and traditions and runs afoul of the applicable law regarding the protection of minority rights in voluntary membership organizations.

Sisterhood is a contract. It makes demands and confers benefits. I have more than satisfied the contractual demands to remain a life-member of the Fraternity. Any attempt to strip me of the benefits of membership in retaliation for my efforts to support those who challenge the Fraternity's improper conduct constitutes a breach of that contract. Alternatively, the Fraternity made promises to me, e.g., lifetime membership, upon which I reasonably relied. It cannot now dishonor those promises simply because I disagree with positions taken by its current leadership and because I have sought to support those members who assert the Fraternity's rights in court.

In summary, I deny that I have violated any policy, standard or bylaw. Indeed, the lack of specificity in your letter tells me that this is merely an attempt to silence dissenting voices and preserve control of the Fraternity. Again, this is

inconsistent with the Fraternity's fundamental purposes, its legal obligations to its members, and the idea of sisterhood. The leadership should agree to immediately cease and desist any retaliation against Kappa Kappa Gamma members or alumnae who object to the policies and decisions which gave rise to the Wyoming lawsuit and reconsider its refusal of the demands made by the plaintiffs in that case.

Loyally,

Patsy Levang

**From:** Cheryl Tuck-Smith [REDACTED]  
**Sent:** Tuesday, September 26, 2023 10:55 AM  
**To:** [REDACTED]  
**Subject:** RESPONSE TO DISMISSAL

Dear [REDACTED]

Attached you will find my response to your letter of September 12, 2023 threatening dismissal of my membership in Kappa Kappa Gamma.

Loyally,  
Cheryl Tuck-Smith

**CHERYL L. TUCK-SMITH**

September 26, 2023

Via Email Only - [REDACTED]

[REDACTED]  
Fraternity Standards Director  
Kappa Kappa Gamma

**RE: Termination of Membership**

Dear [REDACTED]

This letter is in response to your letter of September 12, 2023 claiming that I have violated the Fraternity Bylaws, Standing Rules, and Policies of Kappa Kappa Gamma, and that I am being considered for dismissal.

At the outset, you accused me of violating various fraternity policies but have failed to point to any specific conduct and/or any specific policy provision at issue. Fraternity Standing Rule 7.4 requires a written complaint in order to begin the process, presumably one that accurately and specifically identifies the alleged policy violations I am accused of committing, yet none has been provided to me.

Further, as a 53 year member of this organization, I have devoted significant time and effort to support Kappa Kappa Gamma. I am committed to maintaining the mission and integrity of the organization I joined so many years ago, even if the current leadership refuses to do so. The Wyoming lawsuit brought to light numerous actions that were taken by the Fraternity in violation of the Bylaws, Standing Rules and Policies of the organization. Members of an organization have a legal right to bring derivative suits in order to protect the rights of the organization. My communication to the membership increased awareness of the lawsuit, and more importantly, the facts giving rise to it. Supporting the derivative action is not for any personal gain but for the good of the Fraternity, and it constitutes Fraternity business.

The leadership's actions in seeking my dismissal are purely retaliatory for objecting to the Fraternity's conduct and raising legitimate concerns regarding the misconduct of the leadership. It also demonstrates a clear abuse of corporate power. There is no support for such retaliatory conduct in any Fraternity policy, the Standing Rules or Bylaws. Indeed, it is contrary to the Fraternity's mission and traditions.

I have more than satisfied the contractual obligations necessary to remain a life-member of this Fraternity. Any attempt to strip me of the benefits of membership in retaliation for my efforts to support those who challenge the Fraternity's improper conduct constitutes a breach of that contract. Alternatively, the Fraternity made promises to me, e.g., lifetime membership, upon which I reasonably relied. It cannot now dishonor those promises simply because I disagree with positions taken by its current leadership and because I have sought to support those members who assert the Fraternity's rights in court.

I have not violated any policy, standard or bylaw. Indeed, the lack of specificity in your letter suggests that this is merely an attempt to silence the voices of those acting for the benefit of the organization, when the leadership should devote its time to addressing the concerns of its members in Kappa Kappa Gamma Omicron, follow the Standing Rules and Bylaws of the organization, and honor the long-standing mission of the Fraternity. The leadership should agree to immediately cease and desist any retaliation against Kappa Kappa Gamma members or alumnae who object to the policies and decisions which gave rise to the Wyoming lawsuit and reconsider its refusal of the demands made by the plaintiffs in that case.

Loyally,

Cheryl Tuck-Smith

**From:** Standards Director [REDACTED]  
**To:** [REDACTED]  
**Sent:** Monday, October 16, 2023 at 12:45:59 PM CDT  
**Subject:** Kappa Kappa Gamma Membership Status

October 16, 2023

Dear Patsy,

As Standards Director, I write in response to your letter to provide you additional information that you requested. Specifically, you have requested more information pertaining to the conduct giving rise to the cited policy violations.

As identified in my letter dated September 12, 2023, your dismissal is being considered for violations of the Use of Membership Lists and Contact Information Policy, Internet Policy, Local Regional or National Media Policy, Social Media Guidelines, Speaking for the Fraternity Policy, and the Human Dignity Policy. Additional information is included in the Reminder to Alumna letter dated July 7, 2023.

Specifically, Kappa has a Use of Membership Lists and Contact Information Policy. That Policy provides that membership lists and member contact information available through the Kappa website, including names, emails, phone numbers, and mailing addresses, may only be used by Kappa alumna members in conducting the Fraternity business and shall not be used in non-Fraternity business or furnished to or used by anyone outside of the Fraternity. We have received complaints from Kappa alumna members that have been solicited by you and others that you have organized to donate money for the crowd funding site. Your use of member contact information to solicit donations to fund litigation against Kappa is a clear violation of Kappa's policy.

For example, on August 5, 2023, you sent an email to Alumnae Association Presidents entitled "Case for Gamma Omicron KKG Lawsuit" including a "case statement" soliciting donations to fund litigation against the Fraternity. Additionally, on August 22, 2023, you sent an email to Alumnae Association Presidents entitled "Response to Letter from Council." Further, on August 27, 2023, an email was sent by Jeleen Guttenberg, including your signature, to Alumnae Association Presidents and other Kappa members entitled "Wyoming Litigation Update." Each of these communications was forwarded to Kappa by members who received it expressing complaints and concerns due to the content.

Further, Kappa has a Local, Regional or National Media Policy. That Policy requires individuals secure the approval of Kappa Kappa Gamma Headquarters before participating in any local, regional, or national media. We have become aware of multiple instances, examples of which are identified below, in which you have spoken to media about the ongoing litigation in a manner that is injurious to the organization and perpetuates harmful stereotypes and false information without seeking approval from Kappa Kappa Gamma Headquarters.

Additionally, there is a Speaking for the Fraternity Policy that provides that members shall not speak for the Fraternity. In making the statements to media, you have directly referenced your former role with Kappa Kappa Gamma. This could be construed as an attempt to lend the impression that you have the authority to speak on behalf of the organization, which you do not.

Examples of these violations include the following:

April 4, 2023: participation in PRNewswire Article, Attorney for the Plaintiffs in Kappa Case  
Weights In: KAPPA KAPPA GAMMA SISTERS FILE LAWSUIT AGAINST SORORITY TO



DEFEND WOMEN'S RIGHTS TO SINGLE-SEX CLUBS, in which you spoke with the media, claiming association with Kappa, without approval.

April 25, 2023: participation in The Federalist article, Judge Forces Sorority Girls To Disclose Identities To Stop Disturbing 'Trans' Male From Moving Into Their House, in which you spoke with the media, claiming association with Kappa, without approval.

June 15, 2023: participation in The Epoch Times article, Wyoming Sorority Sisters Sue Fraternity for Inducting Biological Male as First 'Trans' Member, in which you spoke with the media, claiming association with Kappa, without approval.

June 22, 2023: participation in National Review article, Women-Only Spaces Must Resist the Transgender Assault, in which you spoke with the media, claiming association with Kappa, without approval.

September 7, 2023: participation in FoxNews interview, in which you spoke with the media, claiming association with Kappa, without approval.

Finally, Kappa has a Human Dignity policy, which provides that all members are expected to promote integrity, respect and regard for others, and appreciation for the worth of all individuals. Any member who makes discriminatory, inflammatory, or inappropriate actions based on race, national origin, religion, disability, age, gender identity, sexual orientation or other class protected by local, state/provincial, or federal law shall be subject to dismissal or other disciplinary action. The aforementioned communications and statements to media evince clear and deliberate violations of this policy in your discriminatory treatment of a transgender member and the validity and right to existence of transgender people in general.

Regarding your question pertaining to Standing Rule 7.4, subd. B, on or about August 11, 2023, as Standards Director, I received a formal complaint from an alumna member identifying the aforementioned violations. On or about August 17, 2023, I received a second formal complaint from another alumna member citing similar concerns. In response to those complaints as well as the informal complaints from members regarding the unsolicited emails, an investigation was conducted, resulting in confirmation of the information outlined herein, and a determination was made that dismissal may be justified.

You now have the opportunity to submit a response presenting any arguments or pertinent information that you wish to be considered by Fraternity Council in its deliberations. Please provide any written response to me at [REDACTED]. In order to be considered, I must receive your response by October 26, 2023. If you desire, I can also schedule a time to meet with you in which you can present your defense verbally. Let me know by October 20, 2023 if you want to have a meeting to present your defense. Following the Council vote, you will receive a notice of the action taken.

Please don't hesitate to reach out to me if you have any questions.

Loyally,

 Kappa Kappa Gamma

[REDACTED]  
*Fraternity Standards Director*

Kappa Kappa Gamma

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Kappa Kappa Gamma  
*dream boldly. live fully.*

(SOURCE: INDEPENDENT WOMEN'S FORUM)

**From:** Cheryl Tuck-Smith [REDACTED] >  
**Sent:** Tuesday, October 24, 2023 1:48 PM  
**To:** [REDACTED] >  
**Subject:** Response to Termination of Membership

Dear [REDACTED]

Attached is my Response to Termination of Membership. Please notify me that you have received said Response.

Sincerely,  
Cheryl Tuck-Smith

**CHERYL L. TUCK-SMITH**

**October 24, 2023**

Via Email Only - [REDACTED]

[REDACTED]  
Fraternity Standards Director  
Kappa Kappa Gamma

RE: Termination of Membership

Dear [REDACTED]

I have reviewed the allegations in your letter of October 16, 2023, and I must disagree that my actions have, in any way, violated Kappa Kappa Gamma's rules, bylaws and policies. On the contrary, my actions are entirely consistent with the rules, bylaws and policies consonant with the spirit that animates them. Indeed, adherence to

our governing documents and principles required that I take the actions noted in your letter.

Turning, first, to the alleged violations of the Use of Membership Lists and Contact Information Policy. I have not shared the membership lists with anyone outside of the Fraternity. Rather, my communications were directed to fellow Kappa Kappa Gamma sisters in an effort to take action to protect the Fraternity. As I explained in my September 25, 2023 letter, the derivative action filed in the Wyoming District Court served to bring claims *on behalf of*, not "against," the Fraternity. It raised numerous claims about the failure of the Fraternity to follow its own bylaws and standing rules.

One of the central tenants of our Fraternity is to "unite women, through membership, in a close bond of friendship..." (Bylaws, Art. II, Purpose.) The Fraternity Bylaws make clear that membership is limited to women. (Bylaws, Art. III, Members, Sec. 1.A., Sec. 2.) This is in keeping with the Fraternity's founding purpose to provide a support group and launching pad for women - in contrast to the all-male fraternities at the time - where one had not previously existed. Regardless of your position on the admission of biological males who identify as women, it is undeniable that this question is fundamental to the Fraternity's purpose

and continued existence and, as such, it should not be taken lightly or without following the proper procedural safeguards.

As our fellow Kappa Kappa Gamma sisters noted in their Complaint, the Fraternity has made no effort to amend the Fraternity's Bylaws, Standing Rules or Articles of Incorporation to broaden the definition of "woman" to include individuals who identify as women. The Bylaws may only be amended "by a Convention by a two-thirds vote providing notice of the amendment indicating its *exact content* has been sent to voting members of the Convention three months prior to the Convention." (Art. XXIV, Section 1.) (Emphasis added.) But the Fraternity circumvented these requirements and violated the Bylaws by adopting the Bylaws and Standing Rules Revisions: FAQs at the 2022 convention without proper notice.

The Fraternity also appears to have ignored reports of clear violations of the Standing Rules that occurred in connection with Artemis Langford's membership. By way of example, the Gamma Omicron Chapter permitted the vote to occur without the participation of all active members, used a voting system that was not selected by the Fraternity, and conducted the voting under conditions that were not confidential. Further, the Fraternity appears to have suspended the grade requirements in evaluating

Langford's membership application. While each active member is expected to meet or exceed chapter-specific GPA requirements, Langford appears to have been exempted from such mandatory requirements.

Even more troubling is the Fraternity's efforts to retaliate against members, both current students and alumnae (myself included) as a result of their efforts to hold the Fraternity leadership accountable for clear violations of the Bylaws and Standing Rules. The Fraternity's leadership has created distrust and divisions among the members; established an environment that stifles members' freedoms of speech, opinion and expression; and creates an environment that encourages retaliation against those who seek to preserve and protect the Fraternity's mission.

The Fraternity's leadership has not acted in the best interests of the organization or its membership, and my letters of support for those members who bravely filed suit on behalf of the Fraternity to preserve the Fraternity's mission were well within the confines of Fraternity business.

I turn, next, to the allegations that I have violated the Fraternity's Human Dignity Policy.

Your claims that my communications rise to the level of "discriminatory treatment of a transgender member" and that I have challenged "the validity and right to existence of transgender people in general" are nonsensical and diminish the very purpose for which laws prohibiting discrimination exist. Moreover, it demonstrates a complete disregard for the violations I noted above and a complete lack of respect and appreciation for the tireless efforts that generations of women have undertaken to ensure that women have the same academic and professional opportunities that were once limited to men.

From the inception of sororities, or women's fraternities, sisters - all biological women - banded together to overcome barriers to their academic and professional advancement. See *Bound by the Mighty Vow: Sisterhood and Women's Fraternities, 1870-1920*, Diana Turk. Indeed, early Kappa Kappa Gamma members, such as Alice Duer Miller and E. Jean Nelson Penfield, were suffragists whose work made it possible for women to vote. And, it is precisely because of the mission and principles adopted at their inception that sororities have continued to provide members with the tools and opportunities to overcome gender barriers, even today. Sororities promote education, help develop strong leaders, and provide professional support and networks that are necessary to advance their careers after college.

Yet, in spite of the strides our members have made throughout the decades, the Fraternity has openly disregarded the rules and procedures it has applied to female members for more than a century in an effort to accommodate Langford's membership. The discriminatory behavior in this instance is not mine. To the contrary, rather than debate this important issue, the Fraternity leaders defaulted to smears of "discrimination" and "transphobia" to detract from their intentional violations of Fraternity rules and their efforts to prioritize the needs and identity of biological men over the women the Fraternity was established to support.

I trust this adequately addresses your claims, and I look forward to my continued membership in Kappa Kappa Gamma.

Loyally yours,

Cheryl Tuck-Smith

**Patsy Levang**

**October 26, 2023**

*Fraternity Standards Director*

**Kappa Kappa Gamma**

Dear [REDACTED],

I have reviewed the allegations in your letter of October 16, 2023, and I disagree that my actions have, in any way, violated Kappa Kappa Gamma's rules, bylaws and policies. In light of the Fraternity's recent conduct, it has been incumbent upon the members to take immediate action to preserve and protect the Fraternity and its mission. My actions have been entirely consistent with the Fraternity's purpose to "advocate for and seek to address issues of concern for members and women in general." (Bylaws, Art. II, Purpose.)

Your claim that I violated the Use of Membership Lists and Contact Information Policy is simply wrong. I have not shared the membership lists with anyone outside of the Fraternity. My communications were directed to fellow Kappa Kappa Gamma sisters in an effort to take action to protect the Fraternity. As I explained in my previous letter, the derivative action filed in the Wyoming District Court served to bring claims on behalf of, not "against," the Fraternity. The lawsuit raised numerous claims



about the failure of the Fraternity to follow its own bylaws and standing rules. It is not a violation of the policy to communicate with the membership regarding those claims and/or areas in which members can pursue an appropriate remedy on behalf of the Fraternity.

Similarly, any claim that I violated the Speaking for the Fraternity Policy requires a strained reading of the policy language and is based on pure speculation. The policy states, in pertinent part, “Chapters, alumnae associations, and members shall not speak for the Fraternity.” The policy neither prohibits members or alumnae from stating the undisputed fact of their membership in the Fraternity. In fact, none of the examples you provide suggest that I have spoken or attempted to speak for the Fraternity. That you would cite as policy violations the possibility that someone might “construe” my comment as an “attempt to lend the impression of having authority to speak for the fraternity” demonstrates that frivolousness of your claim.

I also take issue with the any attempt to dismiss me from the Fraternity for a claimed violation of the Local Regional or National Media Policy. Here, the Fraternity’s own conduct has given rise to the media coverage regarding the Wyoming lawsuit and its impact on women’s rights. My comments and participation in the examples you cited merely demonstrate my opinion in response to the Fraternity’s conduct and serve to advocate for fellow members and women in general. To accept your interpretation of the policy requires one to believe the Fraternity seeks silence the voices and opinions of women. That not only flies in the face of the founding principles of this Fraternity but it amounts to an unreasonable interference with members’ First Amendment rights.

The accusations lodged against me ignore the purpose and intent of my actions – to advocate for and protect those members who were told they are not welcome in the Fraternity

unless they disavow the very principles upon which the Fraternity was founded. One of the central tenants of our Fraternity is to unite women. (Bylaws, Art. II, Purpose.) But the Fraternity leadership has failed entirely in this regard.

As our fellow Kappa Kappa Gamma sisters noted in their Complaint, the Fraternity has made no effort to amend the Fraternity's Bylaws, Standing Rules or Articles of Incorporation to broaden the definition of "woman" to include individuals who identify as women. The Fraternity may only amend the Bylaws "by a Convention by a two-thirds vote providing notice of the amendment indicating its exact content has been sent to voting members of the Convention three months prior to the Convention." (Art. XXIV, Section 1.)(Emphasis added.) But the Fraternity circumvented these requirements and violated the Bylaws by adopting the Bylaws and Standing Rules Revisions: FAQs at the 2022 convention without proper notice.

At best, the Fraternity's conduct exhibited a careless disregard for the Bylaws, but at worst it was a dishonest attempt to push a political agenda. Regardless of your position on the admission of biological males who identify as women, there is no denying that this question is fundamental to the Fraternity's purpose and continued existence and should not have been taken lightly or without following the proper procedural safeguards.

The Fraternity also appears to have ignored reports of clear violations of the Standing Rules that occurred in connection with Artemis Langford's membership. By way of example, the Omicron Chapter permitted the vote to occur without the participation of all active members, used a voting system that was not selected by the Fraternity, and conducted the voting under conditions that were not confidential. Further, the Fraternity appears to have suspended the grade requirements in evaluating Langford's membership application. While each active member is expected to meet or exceed chapter-specific

GPA requirements, Langford appears to have been exempted from such mandatory requirements.

Even more troubling is the Fraternity's efforts to retaliate against members, both current students and alumnae (myself included) as a result of their efforts to hold the Fraternity leadership accountable for clear violations of the Bylaws and Standing Rules. The Fraternity's leadership has created distrust and divisions among the members; established an environment that stifles members' freedoms of speech, opinion and expression; and creates an environment that encourages retaliation against those who seek to preserve and protect the Fraternity's mission.

Lastly, with regard to your allegations that I have violated the Fraternity's Human Dignity Policy. Your claims that my communications rise to the level of "discriminatory treatment of a transgender member" and that I have challenged "the validity and right to existence of transgender people in general" are nonsensical and diminish the very purpose for which laws prohibiting discrimination exist. These allegations are, no doubt, a tactic designed to direct attention away from the Fraternity's own discretions. Sadly, they also demonstrate a complete lack of respect and appreciation for the tireless efforts that generations of women have undertaken to ensure that women have the same academic and professional opportunities that were once limited to men.

From the inception of sororities, or women's fraternities, sisters – all biological women – banded together to overcome barriers to their academic and professional advancement. See *Bound by the Mighty Vow: Sisterhood and Women's Fraternities, 1870-1920*, Diana Turk. It was through this sense of community and sisterhood that members such as Betty Robinson Schwartz (gold medalist at the first ever Olympic track event for women) and Dr. Emily Dunning Barringer (first female ambulance

surgeon) were able to make strides in fields traditionally dominated by men.

That the Fraternity has openly disregarded the rules and procedures it has applied to female members for more than a century in an effort to accommodate the membership of a biological male serves as an insult to every woman who helped pave the way for the current membership and its leaders. That is not in the best interest of the Fraternity or its membership.

I trust this adequately addresses your claims, and I look forward to my continued membership in Kappa Kappa Gamma.

Loyally yours,

Patsy Levang



Subject Kappa Kappa Gamma Membership Status  
From Kappa Kappa Gamma HQ [REDACTED]  
To: [REDACTED]  
Date Today at 9:46 AM

Nov. 01, 2023

Dear Ms. Levang:

The Fraternity Council of Kappa Kappa Gamma has reviewed all relevant materials related to your violation of Fraternity standards and taken a final vote. At this time, I regret to inform you that you have been dismissed from the Fraternity as of October 29, 2023.

The Fraternity regrets the necessity of this action.

Sincerely,

[REDACTED]

[REDACTED]

Executive Director



From: Kappa Kappa Gamma HQ [REDACTED]  
Date: November 1, 2023 at 8:46:17 AM MDT  
To: [REDACTED]  
Subject: Kapp Kappa Gamma Membership

Nov. 01, 2023

Dear Ms. Tuck-Smith:

The Fraternity Council of Kappa Kappa Gamma has reviewed all relevant materials related to your violation of Fraternity standards and taken a final vote. At this time, I regret to inform you that you have been dismissed from the Fraternity as of October 29, 2023.

The Fraternity regrets the necessity of this action.

Sincerely,

[REDACTED]

[REDACTED]

Executive Director