



ALPHA PHI DELTA FRATERNITY

Press Release

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Alpha Phi Delta files civil rights suit against Baruch College/CUNY

Violating the constitutional rights of an American citizen runs contrary to the very core beliefs of our nation. It is particularly heinous when a public university does so against its own students. That is why Alpha Phi Delta, a National Italian-American heritage Fraternity, has filed a federal lawsuit against Baruch College, part of the City University of New York (CUNY). The suit was filed on Tuesday, December 13, 2017 in the United States District Court for the Southern District of New York. The suit charges CUNY, Chancellor James Milliken, Baruch College President Mitchel Wallerstein and other college administrators with violating the students' freedom of speech and association as specified by the First and Fourteenth Amendments to the Constitution.

These administrators set out to punish the Fraternity simply because they dislike it.

Attorneys Timothy M. Burke and Micah E. Kamrass of the firm of Manley Burke, with the assistance of attorney Edward Sawchuk, represent the Fraternity. They are seeking injunctive relief as well as damages.

The suit springs from a campaign of vengeance and harassment Baruch/CUNY has pursued against the men who comprise Alpha Phi Delta's Gamma Rho Chapter. In August, 2014 Baruch

Provost David Christy imposed a moratorium on Greek-letter social organizations. This moratorium was extended several times, forbidding social fraternities and sororities from engaging in pledging and “intake processes”, in other words, recruiting and inducting new members. Prior to the 2015-2016 school year, Alpha Phi Delta’s chapter made the conscious decision to no longer seek recognition as a “Greek club”, in the college’s parlance. In other words, Alpha Phi Delta no longer utilized any of the facilities and benefits the college extends to other student organizations.

It is important to note that during this time, the chapter was not accused of any type of misconduct, such as alcohol abuse or hazing. It should also be noted that this chapter is no different than any other group that associates without formal recognition, such as the YMCA or a religious organization. All this group is seeking is the right to associate with people of their choosing and to be left alone by the university.

Despite this clear separation, in April, 2017, Baruch College charged the individual members of Alpha Phi Delta with violating the moratorium and convened a disciplinary panel against some of the Alpha Phi Delta Brothers. During the disciplinary process, administrators refused to divulge information to the Fraternity members unless they waived their right to legal counsel. In the end, three of the Brothers of Alpha Phi Delta were suspended through the end of the Fall 2017 Semester and their access to transcripts was suspended until June 1, 2018. This has cost the three Brothers access to educational and employment opportunities. One of the young men lost a promising job. Additionally, the remaining Brothers of the chapter have been harassed and impeded in their attempts to register for classes.

About Alpha Phi Delta

Alpha Phi Delta was founded at Syracuse University in 1914 by seven young men who faced adversity and discrimination by other college fraternities simply because their families had emigrated from Italy. Today, the Fraternity has amassed a legacy of nurturing the friendships and dreams of more than 20,000 Brothers.

Over the years, Alpha Phi Delta has evolved to include in its legacy men of all ethnicities, while still honoring its Italian-American heritage. Now in its 103rd year, the national Fraternity currently comprises 43 active chapters and chapters in formation along with 28 alumni clubs with alumni from nearly 100 college campuses nationwide. To this day, it is managed as an all-volunteer organization. The Alpha Phi Delta Foundation, a 501(c)3 non-profit charitable organization, provided more than 50 scholarships for worthy students in 2017. The foundation also supports leadership training and a variety of other programs for undergraduates. For more information about this unique Brotherhood, visit online at www.apd.org.

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