

National Constitution: Sigma Beta Rho Fraternity, Inc.

### **Article I | Name**

The name of this fraternity shall be Sigma Beta Rho.

### **Article II | Purpose**

Sigma Beta Rho Fraternity, Inc. is a multicultural service and social organization, dedicated to the betterment of society through the pursuit of its principles: society, brotherhood and remembrance. Sigma Beta Rho exists to instill leadership qualities in collegiate men, organize and motivate collegiate men to provide service to society and raise cultural awareness and add to diversity in various campuses. Above all, Sigma Beta Rho builds nationwide brotherhood of future professionals who can contribute to their schools and community.

### **Article III | Motto**

The motto of this fraternity shall be "Brotherhood Beyond All Barriers."

### **Article IV | Mascot and Colors**

#### *Section 1 | Mascot*

The mascot of this fraternity shall be the "King Cobra."

#### *Section 2 | Colors*

The colors of the fraternity shall be Red, Black and Green.

### **Article V | Membership**

#### *Section 1 | Eligibility*

1. A male student who is attending an accredited University that is also an already established chapter or colony of Sigma Beta Rho Fraternity, Inc.
2. A male student who is eligible as a result of the legacy clause (Ref. Article V Section 4)
3. A male student who is enrolled in an accredited University that is part of an expansion initiative.

#### *Section 2 | Membership*

Membership is granted to any eligible candidate upon the successful completion of the New Member Education Program as prescribed by the fraternity.

#### *Section 3 | Alumni*

A member shall be considered an Alumnus as soon as he receives his undergraduate degree. Members who are no longer in the pursuit of an undergraduate degree or pursued an alternative career path that does not require a college degree to work full time may also be considered alumni. Alumni members belong to the chapter or colony they were inducted.

#### *Section 4 | Legacy Clause*

Any individual who is of direct-relation to a current or alumni member of the fraternity is considered a legacy prospective member (hereby referred to as "legacy") by Sigma Beta Rho Fraternity, Inc.; direct-relation is defined as a biological brother, biological son or adoptive son. All legacies are granted one (1) automatic bid to begin the fraternity's new member education

process; these individuals must be pursuing a bachelor's degree at an accredited four-year institution of higher learning to be eligible for an automatic bid. Any chapter or colony wishing to challenge the automatic bid granted must do so via a formal challenge made in writing to the National Vice President of Expansion, who will investigate the basis for the challenge and present the case to the National Judicial Board for deliberation and voting.

If the legacy attends an institution of higher education at which there is no chapter, associate chapter or colony, he must initiate contact with the National Vice President of Expansion and form an interest group for expansion at the institution of higher education at which he is enrolled. The interest group must meet all pre-existing national requirements in order to be considered as an official interest group, despite the automatic bid granted to a legacy. If the legacy is unable to form an interest group meeting all pre-existing national requirements within six (6) months of initiating contact with the National Vice President of Expansion, the legacy may elect to either pledge under an established chapter, associate chapter or colony (assigned to him by the National Executive Board).

Upon the commencement of the new member education process, the legacy is subject to the same rules and standards as all other new members undergoing the education process. Should the legacy elect to discontinue the new member education process following the granting of an automatic bid, his automatic bid is considered by the Fraternity to be null and void; the legacy is then subject to the normal rules and standards regarding the bidding process should he later attempt to join the Fraternity.

## **Article VI | National Council**

The National Council shall be the governing body of this fraternity.

### *Section 1 | Composition and Purpose*

The National Council shall be composed of:

1. National Founding Fathers
2. Members of the National Executive Board
3. Undergraduate representatives of all chapters, elected by the active undergraduates of the respective colonies.
4. Undergraduate representatives of all colonies that pay dues, elected by the active undergraduates of the respective colonies.
5. Alumni representatives of all chapters, elected by the active alumni of respective chapters.

### *Section 2 | Voting*

Each member of the National Council, with the exception of National Founding Fathers, is vested with one vote. The National Founding Fathers shall be non-voting members of the National Council.

### *Section 3 | Responsibilities*

The National Council shall be responsible for the following:

1. Passing amendments and bylaws
2. Expulsion of a member
3. Passing general fraternity policies

*Section 4 | Quorum*

The quorum for decision-making by the National Council is sixty percent of the voting members.

**Article VII | National Executive Board**

The executive and administrative powers of the National Council shall be vested in the National Executive Board.

*Section 1 | Officers*

1. President
2. Executive Vice President
3. Vice President of Finance
4. Vice President of Undergraduate Affairs
5. Vice President of Expansion
6. Vice President of Operations
7. Vice President of Marketing

*Section 2 | Eligibility*

Only members who have gained alumni status and have completed one year as an active member (between induction date and the start of election month) can hold a position in the National Executive Board.

*Section 3 | Responsibilities*

1. President. The President will be responsible for the proper executions of all the duties of the Executive Board. He will be responsible for conducting meetings, and must have a written agenda at every meeting.
2. Executive Vice President. The Executive Vice President will oversee all committees and serve as the chair for the National Council. He will be responsible for calling of these meetings and providing an agenda. He will also be responsible for overseeing the Alumni Association as well as legal matters of the fraternity. He will also work towards the national recognition of Sigma Beta Rho fraternity and work as a liaison to that extent.
3. Vice President of Finance. The Vice President of Financial Affairs will be responsible for maintaining all financial records according to generally accepted accounting principles, the collection of dues from both the alumni and the undergraduate, setting up a National budget for the year, and ensuring that regular payments are made to ensure the continuance of the insurance policy.
4. Vice President of Undergraduate Affairs. Vice President of Undergraduate Affairs will be responsible for monitoring all the undergraduate chapters and colonies and ensuring that their responsibilities and activities are carried out in a timely and effective manner. He may establish, with the consultation of the rest of the executive board, any and all programs that make such responsibilities feasible. The Vice President of Undergraduate Affairs is responsible for overseeing the Regional Governors. He is also responsible for coordinating the annual inter-chapter events. He is responsible along with consultation from the National Executive Board of appointing a New Member Education Coordinator.
5. Vice President of Expansion. The Vice President of Expansion will be responsible for making first contact with interest groups or individuals who have expressed interest in our fraternity. He is responsible for establishing and heading informational sessions at on site locations towards the purposes of gauging interest and fostering growth of the fraternity at a given campus as well as targeting different colleges and universities in various regions. He is also to work alongside the Vice President of Marketing and Public Relations in the efforts of

- creating interest in different regions. He will also be responsible for the maintenance of the National Expansion Policy.
6. The Vice President of Operations will be responsible for the day to day running of the fraternity. He will take minutes at every national meeting and send it to the list serves as promptly as possible. He will do any necessary paper work for the National Executive Board and keep a Calendar of Fraternity Events Year Round and make it available to the general body of the fraternity. He will update and keep a database of all active and inactive members. He will keep an updated list of member's information and profiles as well as class lists. He will make sure each chapter has an updated version of the constitution, bylaws, New Member Education Manual, any forms, and any public records such as the press kit. The Vice President of Operations will act as the national historian and will keep any records that are of historical value.
  7. Vice President of Marketing & Public Relations. The Vice President of Marketing & Public Relations will be responsible for conducting relations with outside organizations, maintaining corporate sponsorships. He will be responsible for approving all chapter-level social events and approving the use of all fraternity material (crests, trademarks, etc). The Vice President of Marketing & Public Relations will be responsible for maintaining all copyrights and trademarks for fraternity material and making sure all documents are kept up to date and accurate. He will be responsible for the creation of and release of a national newsletter. He oversees the Philanthropy Committee along with the Design Committee. He is responsible along with the consultation from the National Executive Board of appointing the philanthropy chair.

*Section 4 | Term*

The term of the National Executive Board shall be one calendar year.

*Section 5 | Vacancy*

Vacancy is defined as a position left unfilled during elections or during term of position due to departure, death, resignation of a candidate or Member serving on the current National Executive Board.

In the event of a vacancy an eligible member will be chosen by the current National Executive Board.

**Article VIII | Regions**

Regions are established within the fraternity to govern the chapters and colonies in an efficient manner.

*Section 1 | Regions*

National Executive Board establishes the Regions. Chapters and colonies are placed into Regions based on their geographic locations.

**Article IX | Regional Governor**

The National Executive Board appoints Regional Governors to govern the Regions.

*Section 1 | Eligibility*

Only an active alumnus can be appointed as the Regional Governor.

*Section 2 | Term*

The term of the Regional Governor ends with the term of the Executive Board. The Vice President of Undergraduate Affairs can replace the Regional Governor at any time during the course of the term after notifying the President and Executive Vice President.

*Section 3 | Responsibilities*

1. Act as the representative of the Vice President of Undergraduate Affairs.
2. Enforce new member education period deadlines
3. Enforce chapter and associate chapter requirements by collecting mid semester reports
4. Enforce the code of conduct
5. Recommend chapter status revocation in case of violation of National Policies
6. Assign fines for violation of policies, deadlines and code of conduct
7. Monitor expansion within the Region

**Article X | Elections**

Elections for the positions in the National Executive Board shall be held once every calendar year.

*Section 1 | Election Month*

Election Period shall be from the first of July until the first of August, every calendar year.

1. Nomination Period: July 1st through July 7th shall be considered Nomination Period. Anonymous nominations may be submitted to the Election Committee. The nominations shall remain confidential until the nominee accepts the nomination. Only members who are eligible to hold the positions can be nominated.
2. Candidate Announcement. Election committee shall announce all accepted and declined nominations by July 10th.
3. Campaign Period. July 10th through July 17th. All candidates can present themselves through email platforms with the permission of the election committee during this period. This process shall be strictly monitored and supervised by the election committee.
4. Voting Period. Election Committee shall collect all votes from July 17th through July 24th.
5. Result Announcement. Election committee shall announce the results of the votes within 48 hours after the end of voting period.
6. Candidates have 48 hours from the time of result announcements to present any complaints to the Election Committee
7. The New Executive Board shall take office on August 1st. The outgoing Executive Board shall assume an adviser role during the first month of office.

*Section 2 | Election Committee*

The Executive board shall appoint three members to this committee from the pool of previous executive board members. This committee reports to the National Council.

*Section 3 | Voting*

All active members who have paid their dues are eligible to cast a vote during the elections. The National Treasurer shall publish the voter's list at least one week prior to the start of the election month.

1. Undergraduate votes: All undergraduates who belong to the voter's list shall cast their votes within their chapters. All undergraduates who belong to a colony that pay National dues shall cast their votes within their colonies
2. Alumni Votes: All alumni who belong to the voter's list shall cast their votes within their chapters and Associate Chapters and will be counted as part of the Alumni vote. All alumni

- who belong to a colony that pay National dues shall cast their votes within their colonies, but will be counted as part of the undergraduate vote.
3. Submitting Votes: Each chapter and colony that pays national dues has to submit the detailed breakdown of the votes through their respective undergraduate and alumni national council representative to the election committee.
  4. Decision: Election Committee shall tally up all votes from all chapters and colonies and a sum total will determine the winner of elections for each position.

## **Article XI | Chapters**

### *Section 1 | Chapter*

A chapter is an approved functioning unit of the fraternity and is subjected to the powers of National Council and the National Executive Board. Chapter status is a privilege granted by the National Executive Board. The National Executive Board can revoke the chapter status of this unit and place the unit under probation.

### *Section 2 | Chapter Requirements*

An associate chapter must meet the following requirements in order to gain chapter status.

1. Minimum of fifteen (15) active members.
2. A positive reputation among fellow students, other student organizations, as well as school officials.
3. Recognition – Must be recognized by a Greek council and provide evidence of being active in the council (i.e. brothers holding positions in office) Furthermore, the associate chapter must be on good terms with the campus's Greek Life administration. Letter of recommendation from the Greek council advisor or Greek Life Coordinator is required.
4. Academic achievements - this shall include meeting GPA requirements, study hours to improve low GPAs, mandatory participations in resume workshops and career fairs held by the school and a growing test bank.
5. Faculty advisor - Must have at least one faculty advisor with whom they meet with on a regular basis and maintain a positive relationship with their faculty advisor. They should be aware of your legal efforts to establish a Chapter on campus. A letter of recommendation from Faculty Advisor is required.
6. Ability to interact with other organizations on campus, Greek or Non Greek. Documentation and/or pictures are required to verify campus involvement.
7. Positive relationship with other Chapters of Sigma Beta Rho and ability to organize inter chapter events. Letter of recommendation from the respective Regional Governor is required.
8. Must have a professionally made chapter banner and other chapter traditions (i.e. chapter jersey, annual cookout, chapter retreats, etc) must be cemented. Appropriate document is required in order to verify accomplishment.
9. Must have minimum of \$1000 balance in the chapter bank account
10. Must have a functioning website covering aspects of the history, philanthropy, and contact information.
11. Induction of five classes
12. Letter of good standing from National Vice President of Finance and verification that all payments have been delivered in a timely fashion for the past two (2) years.
13. Successfully organized a philanthropy event dedicated to our National Philanthropy in the current year.
14. Must be an Associate Chapter for a minimum of two (2) years before applying.
15. Must continue meeting all requirements as stated in Article XI Section 3

16. Must organize and hold a conference call with all seven (7) National Executive Board members at least thirty (30) days prior to the declaration date of decisions regarding applications. (Date of decision will be announced when applications are made public)

Presentation by the Associate Chapter and interview will be conducted by the National Executive Board as part of the application process. Meeting these requirements aforementioned doesn't guarantee obtaining Chapter Status as intangible factors can affect the Executive Board's decision making. (i.e. Future growth prospects, Greek relations on campus, etc) If the aforementioned Chapter does not receive full Chapter Status, then the Executive Board will present a detailed explanation to the Chapter that will clearly explain what requirements and factors were met and which ones need to be met and/or improved.

### *Section 3 | Associate Chapter Status*

A colony must meet the following requirements to gain Associate Chapter Status

1. Minimum of ten (10) members or induction of three (3) classes since the establishment of the colony. Meeting this requirement shall demonstrate the continued efforts and ability to recruit quality individuals
2. Recognition – Must be a fully recognized member of a Greek council on campus. Furthermore, the associate chapter must be on good terms with the campus's Greek Life administration.
3. Faculty advisor - Must have at least one faculty advisor with whom they meet with on a regular basis and maintain a positive relationship with their faculty advisor. They should be aware of your legal efforts to establish Sigma Beta Rho on campus. A letter of recommendation from Faculty Advisor is required.
4. Actively participate in three (3) community service events per semester. Proper documentation of pictures is required to verify the service activity.
5. Organize a National Philanthropy Event
6. Host one social/cultural event per semester
7. A constitution, which is compliant to the National constitution and approved by the National Executive Vice President.
8. Successfully functional executive board with at minimum of six (6) officers (i.e. President, Vice President, Treasurer, Social Chair, Community Service Chair, and Secretary).
9. Appropriate documentation of financial records in accord with the guidelines set by the National Treasurer, i.e., use of receipt book, ledger, bank account with official fraternity name, and P.O. Box for purposes of reconciliation
10. Must organize and hold a conference call with all seven (7) National Executive Board members at least thirty (30) days prior to the declaration date of decisions regarding applications. (Date of decision will be announced when applications are made public)

Presentation by the Colony and interview will be conducted by the National Executive Board as part of the application process. Meeting these requirements aforementioned doesn't guarantee obtaining Associate Chapter Status as intangible factors can affect the Executive Board's decision making. (i.e. Future growth prospects, Greek relations on campus, etc). If the aforementioned colony does not receive Associate Chapter status, then the Executive Board will present a detailed explanation to the Colony that will clearly explain what requirements and factors were met and which ones need to be worked on.

*Section 4 | Colony*

A colony is established when members are inducted in a new University. The date of establishment of the colony shall be considered as the Founding Date, when the colony eventually gains chapter status. The Alpha Class of the colony shall be considered as the Founding Fathers when the colony gains chapter status.

**Article XII | National Meetings**

There shall be two National Meetings per calendar year. These meetings shall be scheduled during the summer and winter recess of the school year.

**Article XIII | Dues**

*Section 1 | National Dues*

National dues for the upcoming year will be announced at the Annual National Convention. Individual chapter executive boards are responsible for the payment of this amount.

*Section 2 | Chapter Dues*

The chapter executive board decides chapter dues for the upcoming year prior to the end of the school year.

**Article XIV | Expansion**

The Vice President of Expansion will maintain an expansion policy approved by the National Council.

**Article XV | Cabinet Positions and Committees**

Cabinet positions are appointed by the Executive Committee and will report to a Vice President. Cabinet members are allowed to form committees who will report to the Cabinet member.

**Article XVI | National Judicial Board**

*Section 1 | Authority*

The judicial power of the Fraternity shall be vested in a single National Judicial Board.

*Section 2 | Jurisdiction*

The National Judicial Board shall have jurisdiction:

1. In cases involving the interpretation of the Constitution and Bylaws of the Fraternity.
2. Over conflicts between chapters, associate chapters and/or colonies in cases where the involved chapters, associate chapters and/or colonies have consented to arbitration by the National Judicial Branch, including disputes between a chapter, associate chapter or colony and the National Executive Board as a court of last resort.
3. Over alleged campaign violations in National elections and as a supervising body over the National Election Committee.

*Section 3 | Composition*

The National Judicial Board shall be comprised of two (2) alumni members and one (1) undergraduate member of the fraternity. The justices shall be nominated by the National Vice President of Operations (following an application process overseen by the National Legalities and Standards Chair) and approved by a majority vote, with quorum present, of the National Executive Board. One (1) alumni and one (1) undergraduate member will be nominated and confirmed via the above process to serve as alternate members of the National Judicial Board in

the event of excusal or recusal of any National Judicial Board member due to a conflict of interest.

If a vacancy shall arise, the National Vice President of Operations must appoint another member within fourteen (14) calendar days. Each justice shall remain in office for a term concurrent with the terms of the members of the National Executive Board or until he is impeached or convicted. No justice shall hold any other elected or appointed position within the Fraternity (on a national level) for the duration of his tenure as a member of the National Judicial Board.

*Section 4 | Power and Responsibilities*

The Board holds the power of Judicial Review. The National Judicial Board may decide that any act of the Fraternity, whether in the form of a National Executive Board action or a National Council action, to be unconstitutional and therefore invalid. The National Judicial Board must report any action taken by the Board to the National Vice President of Operations for dissemination and enforcement. The National Judicial Board must dutifully excuse all members who present conflicts of interest, as determined by a simple majority vote of the Board with quorum present, in any case brought before the Board.

*Section 5 | Procedure*

Any person(s) may file a case for the National Judicial Board to determine the constitutionality and/or validity of any act of the National Executive Board or National Council, or of any agency directly associated with the Fraternity, within one (1) year of said action. All deliberations of the Board may be made at their own discretion; all final opinions and holdings, however, must be made public and reported in writing to the National Vice President of Operations.

*Section 6 | Quorum*

The quorum for the conduct of business for the National Judicial Board shall be three (3) Justices

**Article XVII | Conduct**

Each member of the fraternity is expected to conduct himself in a manner fitting of a gentleman and a model citizen. Chapters are required to comply with all fraternity policies. Failure to comply with fraternity policies can result in probation, suspension or expulsion.

*Section 1 | Hazing*

No chapter, associate chapter, colony or individual member shall conduct or condone hazing activities of any kind. A member can be expelled from the fraternity permanently, if proven to have engaged in or have condoned hazing activities. Chapters, associate chapter, and colonies can be suspended if found guilty of hazing.

1. Definition of Hazing. Any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a postsecondary institution.
2. Hazing includes, but is not limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in

- extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student.
3. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

*Section 2 | Risk Management Policy*

The provisions of the Risk Management policy of the fraternity apply to all Chapters, Colonies and individual members. Violation of one or more of these provisions can result in the expulsion of a member or the placement of a member, a chapter, or a colony under probation.

*Section 3 | Hazing Policy*

The fraternity holds a ZERO-TOLERANCE policy in regards to any activity defined as hazing during the new member induction process.

Any chapter that is found hazing will be subject to the following:

1. First offense results in a written warning by the National Executive Board and the assignment of a chaplain to the new member education process.
  - a. This chaplain will serve as a monitor to make sure that there are no more issues regarding hazing.
  - b. This chaplain will not be allowed to educate the line, but must be present at all meetings as a silent brother, and will report directly to the regional governor.
  - c. The brothers found in offense will be banned from attending any more new member education meetings that semester.
2. Second offense results in the immediate removal of the new member educator and a fine of \$250.00 to the respective chapter, associate chapter, or colony.
  - a. In the event of a lack of cooperation the respective chapter, associate chapter, or colony will be fined an additional \$500.00
  - b. The Chaplain will serve as the temporary new member educator, during the meeting at which the original new member educator is removed, until a replacement is assigned.
  - c. The National Executive Board will appoint a replacement new member educator to continue from where the line left off.
  - d. In the event of the pledge class being un-repairable they will be removed from the new member induction process.
3. Third offense results in the chapter's immediate placement on probation and a fine of \$1000.00, which is to be paid before they may present any case to appeal this decision.
4. Brothers responsible for not reporting an act of hazing or attempting to cover-up an act of hazing will be subject to the same individual and chapter repercussions listed above.

*Section 4 | Expulsion*

1. Respective Regional Governor shall recommend the expulsion of a member in a written statement to the National Judicial Board. In the event of a Regional Governor being unable to provide this statement the Vice President of Undergraduate Affairs shall provide the statement.
2. The chair of the National Judicial Board will notify the member about the recommendation via e-mail/mail.
3. The National Judicial Board will allow the member thirty days from the date of the written notice of expulsion to present his case to the Judicial Board
4. A 70% majority of the quorum is required for expulsion and this decision is irreversible.

- a. This voting body is comprised of the Judicial Board & National Executive Board
- b. No more than 10 voting members can be involved in this process.

*Section 5 | Chapter-level Probation*

A chapter, associate chapter, or a colony that fails to meet any or all of the requirements placed on them will be placed on probation.

1. Respective Regional Governor shall recommend the placement of a chapter, associate chapter, or colony in probation. This recommendation shall be made to the Vice President of Undergraduate Affairs.
2. Probation includes:
  - a. Chapter , associate chapter, or colony will not be allowed to start a new member education session, if one is not in progress
  - b. Voting privileges in the National Council will be revoked
  - c. Letter of probationary status will be sent to respective university Administration.
3. The Regional Governor must approve the use of chapter, associate chapter, or colony funds. A written request for use of funds must be submitted at least a week in advance. Regional Governor will respond within one week of the receipt of the request. Use of funds without appropriate approval will lead to suspension.
4. Probation will be removed once the chapter, associate chapter, or colony has complied with all requirements and verified by the Regional Governor.

*Section 6 | Suspension*

A chapter, associate chapter, or a colony that continues to stay on probation for more than two (2) Semesters will be suspended. The announcement of suspension will be made by the Vice President of Undergraduate Affairs to the National Council. The following terms will be applied to a suspended colony or chapter.

1. National Treasurer will seize chapter or colony funds.
2. University officials will be notified of the removal of chapter status.
3. Chapter website will be removed.
4. New member education programs will be suspended.
5. Privilege to use the name of the fraternity for events will be removed in that particular university.
6. Suspension can only be removed by a two-thirds vote of existing and eligible National Council members. The chapter or colony in question will present to the Regional Governor and he in turn will request the chair to initiate the voting process. The chapter, associate chapter, or colony may be asked to present to the National Council if deemed necessary by the chair.

*Section 7 | Appeal*

1. The chapter, associate chapter, or colony can submit a written appeal against probationary status within fourteen days of being placed under probation. A two-thirds majority of the quorum is required to repeal the probationary status. Until the probation is revoked, all terms of probation will be enforced.
2. Appeal process for an expelled member is included in section 3 of this article. The decision made is irreversible.
3. The chapter, associate chapter, or colony can submit a written appeal against suspension within seven days of being placed under suspension. A two-thirds majority of the quorum is required to remove the suspension.

4. Until the suspension is removed, all terms of suspension will be enforced.

**Article XVIII | Maintenance**

The National Council shall make changes to the Constitution. A fifty-one percent majority of the quorum is required to pass a by-law and a two-thirds majority of the quorum is required to pass an amendment to the constitution.