



# **The Constitution and Bylaws of Theta Chi Fraternity, Inc.**

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of  
Theta Chi Fraternity, Inc.  
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## **Preamble**

**Inasmuch** as it is the highest duty of man to so order his life that his Creator may call it good and humanity may be the better for his having lived, and since in union there is strength so that a body of men working together for a common cause can accomplish more and greater things than any individual member of that body, making the mutual assistance of brothers thus held together by the everlasting bonds of fellowship of the greatest importance to themselves, their alma mater, their country, and their God - - Hence the following:

# **Constitution and Bylaws Of Theta Chi Fraternity, Inc.**

## **Article I Purpose, Scope and Governing Law**

### **Section 1. Purpose**

The purpose of Theta Chi Fraternity, Inc., a New York Corporation (the “Corporation”), shall be to establish, maintain, govern, improve and promote the welfare of a fraternal order to be known as “Theta Chi Fraternity” (the “Fraternity”), which shall have for its objects: the mutual benefit and assistance of its members; the binding by closer bonds of its members one to another; the rendition of mutual assistance to its members during life and after their death to their dependents; the assisting of needy but deserving young men to obtain a higher education; the fostering of high scholastic achievement among its members; the extending of true charity to those who need such assistance; the promoting of good citizenship; the training and the developing of civic leaders; and, by all means within its power, the inculcation and the extension throughout the land of the highest ideals of honor, charity, tolerance, and true patriotism.

### **Section 2. Composition of Fraternity**

The Fraternity shall consist of the Corporation, active chapters established and existing from time to time at recognized institutions of higher learning in the United States of America and Canada, Theta Chi Chapter, and the members and New Members of the Fraternity. No other corporation, association or other body shall be deemed to be a constituent part of the Fraternity, but nothing in this Section shall limit the right and power of one or more members to form any such corporation, association or other entity for assisting the Fraternity or one or more of its active chapters in achieving the objects of the Fraternity.

### **Section 3. Use of Name**

Except for the entities and individuals identified in the first sentence of Section 2 of this Article I, no entity or individual shall have the right to use the name “Theta Chi Fraternity”, or the combined Greek letters for “Theta” and “Chi”, or the Coat of Arms of the Fraternity, or any recognizable variant of any of the foregoing, as a part of its name, or to identify itself or himself, or to claim an affiliation with the Fraternity, without the express written permission of this Corporation, which permission may be limited to a stated period of time.

## **Section 4. Governing Documents**

The Constitution and Bylaws of Theta Chi Fraternity, Inc. (the "Bylaws") shall be the supreme law of the Fraternity. Except as provided in these Bylaws, the governing law of the Fraternity shall be the resolutions of the National Convention and the resolutions of the Grand Chapter, ranking in that order. Any bylaw, regulation, legislation or resolution of any chapter of the Fraternity in conflict with any of the foregoing shall be null and void. The Ritual of the Fraternity, including all ceremonies provided for therein, as in effect from time to time, shall be deemed incorporated into these Bylaws, and any amendment, alteration or repeal of any portion of said Ritual shall be made only in accordance with Article IX, Section 2, treating the proposed amendment, alteration or repeal as one being made to these Bylaws.

## **Article II Board of Directors**

### **Section 1. Name, Role and Powers**

The term Grand Chapter shall mean and refer to the Board of Directors of the Corporation. The Grand Chapter shall be the administrative, executive and judicial head of the Fraternity, and shall have, in addition to the powers expressly provided for elsewhere in these Bylaws, the power to decide all questions concerning the meaning and interpretation of these Bylaws and the Ritual, and the power to adopt such other resolutions, not inconsistent with these Bylaws, the Ritual or resolutions adopted by the National Convention, as shall be necessary or appropriate for the welfare of the Fraternity.

### **Section 2. Composition**

The Grand Chapter shall consist of eight alumnus members of the Fraternity each of whose original undergraduate college class shall have been graduated from college or university for at least six years. Except as provided by Section 6 of this Article II, members of the Grand Chapter shall be elected by the National Convention for terms of approximately four years (such terms to expire at the National Convention four years hence), with four of such members being elected at each National Convention, in the manner provided in Section 4 of this Article II. No member of the Grand Chapter shall be eligible to succeed himself more than once, regardless of the manner in which he was first elected to the Grand Chapter or the length of term he may be serving, and no individual shall be eligible for election pursuant to Section 4(e) of this Article II to any term which would entitle him to serve on the Grand Chapter for more than eight years out of any twelve-year period.

### **Section 3. Members**

- (a) The members of the Grand Chapter shall be known as National President, National Vice President, National Secretary, National Treasurer, National Counselor, National Marshal, National Chaplain, and National Historian, ranking as here listed.
- (b) The National President and the National Vice President shall be elected by the National Convention. All other officers shall be appointed by the National President following that election and prior to the installation of the new Grand Chapter.
- (c) All officers shall be elected or appointed for a term of approximately two years (such term to expire at the next National Convention).
- (d) No individual shall be eligible to be elected to more than two consecutive terms as National President.

#### **Section 4. Nomination and Election of Members**

- (a) Nomination of an alumnus member for election to the Grand Chapter may be made by the Grand Chapter or by an active chapter, nominations not being limited to the chapter(s) of which the nominee is a member.
- (b) All nominations by an active chapter must be submitted to the Executive Director not later than ninety (90) days preceding the date for the beginning of a National Convention and not later than April 1 before a National Convention held between July 1 and October 1. Each nominee shall be notified by the Executive Director, and his consent obtained within thirty (30) days of notification, in order for the nomination to be effective.
- (c) The names of all nominees shall be submitted together with a statement of their Fraternity experience by the Executive Director to all active chapters not later than sixty (60) days prior to the date for the beginning of a National Convention and not later than May 1 before a National Convention held between July 1 and October 1.
- (d) No nominations may be considered which are not so proposed, so presented, and so qualified.
- (e) In voting for members of the Grand Chapter at the National Convention, each delegate shall vote for four nominees for terms of four years each, except that if, pursuant to Article III, Section 7(c)(1), one delegate has the power to cast two votes on behalf of his chapter, that delegate shall cast two votes for each of four nominees. The four nominees receiving the highest number of votes shall be declared elected if each receives a number of votes which is at least equal to a majority of the total number of valid votes cast divided by the number of nominees to be elected. No ballot shall be counted which does not contain the names of four different nominees.
- (f) In the event that less than four nominees receive the required number of votes for election under subsection (e) on the first ballot, those receiving the required vote shall be declared elected and the presiding officer shall then order another ballot, each delegate being required to vote for as many nominees as there remain vacancies to be filled. This process shall be continued until the necessary number has been elected. If on any ballot subsequent to the first no nominee is elected, then prior to the next ballot the presiding officer shall determine the nominee having received the lowest number of votes on that ballot and declare that said nominee is eliminated from the subsequent ballot; provided, however, that if two or more nominees are tied for the lowest number of votes no such elimination shall be made.
- (g) Following the completion of the election of Grand Chapter members, the presiding officer shall open the floor for nominations of members of the Grand Chapter (after giving effect to the election just concluded) for National President. When all nominations have been received, each delegate shall vote for one candidate, except that if, pursuant to Article III, Section 7(c)(1), one delegate has the power to cast two votes on behalf of his chapter, that delegate shall cast two votes for one candidate. The nominee receiving the highest number of votes shall be declared elected if he receives a number of votes at least equal to a majority of the total number of valid votes cast for National President. In the event that no nominee receives the required number of votes for election on the first ballot, the presiding officer shall state that there has been no election and announce the names of the two nominees with the greatest number of votes. The delegates shall then vote upon those two nominees, and the required number of votes stated above shall elect.
- (h) Following the completion of the election of the National President, the presiding officer shall open the floor for nominations of the remaining members of the Grand Chapter for National Vice President. The process shall be the same as set forth in subsection (g) for the election of the National President.
- (i) No member of the Fraternity shall at any time disclose the results of any ballot other than the name or names of the nominees elected or that another ballot is or was necessary in order to complete the election.

## **Section 5. Removal from Office**

No member of the Grand Chapter shall be removed from office before the expiration of his term except for cause, as determined by the Grand Chapter in its sole discretion, based on a three-fourths vote of all members of the Grand Chapter then in office. Any member so removed may appeal to the next National Convention. The affirmative vote of at least three fourths of the total number of votes which all seated delegates at the National Convention are entitled to cast shall be required to overturn action by the Grand Chapter to remove a member of the Grand Chapter from office. Any such successful appeal shall be deemed to remove any individual elected to the Grand Chapter to fill the vacancy created by the removal, but shall not invalidate any action taken by the Grand Chapter or any member thereof following the Grand Chapter vote to remove and prior to the National Convention vote to overturn the removal.

## **Section 6. Vacancies, How Filled**

- (a) When, for any reason, a member of the Grand Chapter leaves office before the expiration of his term, the Grand Chapter shall select a successor who shall serve for the unexpired portion of the vacated term.
- (b) Except in the case where the member of the Grand Chapter leaving office is the National President, the National President shall have the power to determine whether the successor shall assume the office vacated by the member leaving office or, with the consent of the member to be displaced, an office lower in rank or an office higher in rank. In the event that the successor is designated to an office other than the office vacated by the member leaving office, the National President shall then designate the displaced member to a new office in the same manner provided for a successor selected pursuant to subsection (a).
- (c) In the case where the member of the Grand Chapter leaving office is the National President, the National Vice President shall become the National President and the vacated office shall be considered to be that of National Vice President. The new National President shall then have the power to determine the office to be held by the successor selected pursuant to subsection (a) in the manner provided in subsection (b).

## **Section 7. Duties and Privileges of Members**

- (a) **The National President** shall preside at meetings of the Grand Chapter and at the National Convention. He shall have the privilege of voting in the Grand Chapter, but shall not vote in the National Convention except in case of a tie vote on a matter other than an election under Section 4 of this Article II.
- (b) **The National Vice President** shall assist the National President in the discharge of his duties and in case of the absence of the National President shall preside or act in his place.
- (c) The National Secretary shall keep a record of the proceedings of the Grand Chapter and of the National Convention. He shall be responsible for appropriate correspondence between the Grand Chapter and other organizations within and outside of the Fraternity.
- (d) **The National Treasurer** shall oversee the collection of all New Member registration fees, initiation fees, rechartering fees and other forms of income established by the Grand Chapter or the National Convention. He shall have responsibility for all monies in any form belonging to the Grand Chapter, and shall have full discretion with respect to the investment of funds of the Grand Chapter. He shall provide a report at each National Convention and such other financial reports as the Grand Chapter may request.
- (e) **The National Counselor** shall have the responsibility for proposing additions, revisions, or modifications to the Counselor Program and shall assist with the recruitment of volunteers.
- (f) **The National Marshal** shall serve as Chairman of the Standards Committee provided for in Section 9 of this Article II, and shall have the powers pertaining to chapter probations set forth in Section 4(a) of Article IV.

- (g) **The National Chaplain** shall have responsibility for proposing additions, revisions, or modifications to the Ritual, and shall supervise the performance of the Ritual or any portion thereof at Grand Chapter meetings, the National Convention and other similar events.
- (h) **The National Historian** shall seek to collect and preserve artifacts and historical items of the Fraternity.
- (i) The National President shall appoint a member of the Grand Chapter as Bylaws Officer, who shall be responsible for the study and review of, and proposals to modify, these Bylaws, as directed by the Grand Chapter, and shall serve, in conjunction with any Parliamentarian or Parliamentary Committee established pursuant to Section 3 of Article IX, as the Grand Chapter representative for questions referred by chapters and members regarding the interpretation of these Bylaws.
- (j) The members of the Grand Chapter may perform such other duties as the Grand Chapter shall prescribe. Except as provided in subsection (a) of this Section 7, members of the Grand Chapter shall not be eligible to vote at the National Convention. Current and past members of the Grand Chapter shall be entitled to all rights and privileges of presidents of active chapters in the performance of the Ritual, and may preside over meetings of active chapters during visits or at other times.
- (k) The reasonable expenses of members of the Grand Chapter shall be paid for attending (A) Grand Chapter meetings, (B) National Conventions, and (C) such other events and functions as shall be approved by the National President, except that reasonable expenses of the National President under this clause (C) shall be approved by the National Treasurer.
- (l) All past members of the Grand Chapter shall be members ex-officio for life. They shall be entitled to receive written notice of Grand Chapter meetings, and shall be entitled to attend Grand Chapter meetings and National Conventions (except that no such past member shall be entitled to attend any election provided for in Section 4 of this Article II if he is a nominee), in each case at their own expense, and participate and advise on discussions and matters being considered, but they shall not be entitled to a vote.

## **Section 8. Meetings**

- (a) The Grand Chapter shall meet at such times and places as the National President shall prescribe, provided that in each case the National President or the Executive Director shall notify all members of the Grand Chapter and all active chapters in advance of the meeting date, but the failure to provide such notice to any chapter shall not invalidate any action taken by the Grand Chapter at such meeting. Any member may, in writing, waive the giving of notice of any meeting to him, and such waiver may be made either before or after the meeting in question. The National President shall call a meeting within thirty (30) days after receiving a request for such meeting from four members of the Grand Chapter. In the absence of the National President or upon his inability or refusal to act, a Grand Chapter meeting may be held upon the call of any four members of the Grand Chapter.
- (b) Five members of the Grand Chapter shall constitute a quorum for the transaction of business, except that, if there are less than five members then in office, the remaining members may meet for the purpose of filling vacancies as provided in Section 6 of this Article II. A meeting at which a quorum has been established may continue to transact business notwithstanding the subsequent withdrawal of one or more members with the result that five members are no longer in attendance.
- (c) Except where a different vote is expressly required by another section of these Bylaws, a majority vote of those members present at a meeting at which a quorum is present shall be sufficient to approve any action of the Grand Chapter.
- (d) At any meeting of the Grand Chapter, one or more or all of the members may participate by speaker telephone or other similar arrangement pursuant to which such member or members may hear, and be heard by, all other members attending the meeting, and any member so participating shall be deemed to be present for all purposes.

- (e) Upon direction of the National President, the Grand Chapter may also act without a meeting by written ballot, which may be transmitted by regular mail, overnight courier, facsimile, e-mail or other similar method. In the case of such a direction, the Executive Director shall submit the written ballot to all members, with appropriate explanatory materials, and the resolution shall be deemed adopted if the Executive Director, within 30 days, receives the affirmative written votes of at least six members of the Grand Chapter. The Executive Director shall cause the National Secretary to insert a copy of any such action by written ballot in the minute book of the Grand Chapter.
- (f) Promptly following each meeting of the Grand Chapter, and following each action taken pursuant to subsection (e) of this Section 8, the Executive Director shall communicate to the active chapters generally, or to such active chapters and such members as may be affected, the pertinent results of said meeting or action, to the extent that such notice is necessary or appropriate, giving due consideration to the confidentiality interests of the Grand Chapter, the individual active chapters, and individual members.

## Section 9. Committees

- (a) The Grand Chapter may from time to time maintain a Standards Committee and a Loss Prevention Committee.
  - (1) **The Standards Committee** shall serve as a standards board for the Fraternity, serve in an advisory capacity to the Grand Chapter on standards issues, oversee the investigation of alleged violations by chapters of any of the provisions of these Bylaws, and formulate recommendations for any appropriate sanctions and/or remedial actions to address any such violations. The Standards Committee shall be composed of the National Marshal, as Chairman, and the following members to be designated by the National President: a second member of the Grand Chapter, a Counselor, an undergraduate member, and an additional alumnus member who is not a member of the Grand Chapter, a Counselor or an employee of the Corporation. The terms of all members of the Standards Committee shall expire at each National Convention. An employee of the Corporation appointed by the National President shall serve as an ex-officio member of the Standards Committee.
  - (2) **The Loss Prevention Committee** shall have responsibility for creating and maintaining appropriate risk management manuals and similar documentation, making recommendations with respect to risk management programs and policies of the Fraternity, and making recommendations regarding insurance policies, carriers and coverages.
- (b) The Grand Chapter may from time to time by resolution create, designate or abolish other committees of the Grand Chapter, each of which shall have such purposes, and such powers, as may be set forth in the original resolution of the Grand Chapter creating the committee or in any subsequent resolution of the Grand Chapter pertaining to that committee.
- (c) Except as otherwise specifically provided in these Bylaws or in the resolution creating a committee, the National President shall have the power to designate the chairman of each committee, who shall serve for an indefinite term. The National President, in consultation with the committee chairman, shall appoint the remaining members of the committee, who shall similarly serve for indefinite terms. Each committee shall have at least three members, at least one of whom shall be a then-current member of the Grand Chapter. Notwithstanding the provisions of the foregoing two sentences, the National Advisory Committee shall be composed of all living former National Presidents.
- (d) Unless otherwise provided for in these Bylaws or in a resolution of the Grand Chapter pertaining to such committee, a majority of the members then serving on a committee shall constitute a quorum for a meeting of the committee, and the vote of a simple majority of those present at a meeting at which a quorum is present shall be sufficient to approve any action of the committee. Each committee shall determine the number and schedule of meetings to be held.

## **Section 10. The Executive Director and the International Headquarters Staff**

- (a) The Grand Chapter is authorized to appoint, for a definite or indefinite term, an Executive Director, who shall be an alumnus member, to manage and supervise the International Headquarters staff and the day-to-day operations of the Fraternity, consistent with policies established by the Grand Chapter, and to perform such other duties and exercise such other powers as are specified elsewhere in these Bylaws or as may be assigned to him from time to time by the Grand Chapter. The Executive Director shall receive such compensation as the Grand Chapter may determine. At least annually, the Grand Chapter, during a meeting and with the Executive Director in attendance, shall conduct a comprehensive review and appraisal of the performance of the Executive Director in achieving the purposes of the Corporation and the objects of the Fraternity, and shall establish goals for the Executive Director's future performance.
- (b) The Executive Director is authorized to appoint, for definite or indefinite terms, additional employees of the Corporation, and to establish titles, duties and compensation for such employees, subject to the limitations of the budgets established by the Grand Chapter pursuant to Section 11 of this Article II.
- (c) The Executive Director and all other employees of the Corporation shall be ineligible for election to the Grand Chapter during and for a period of three years after any such individual shall have ended his employment with the Corporation.
- (d) The Executive Director, during his term of office, shall be ex-officio a member of the Grand Chapter without the right to vote.

## **Section 11. Financial Matters**

- (a) The Grand Chapter shall adopt, and monitor on a regular basis, an annual budget covering the revenues and expenditures of the Corporation. The Executive Director shall be responsible for implementing and monitoring that portion of the budget pertaining to the operations of the International Headquarters, and shall report promptly to the National Treasurer if he determines that any budgeted category of expenditure has been, or is likely to be, exceeded.
- (b) The Grand Chapter shall have the authority to assess an annual Rechartering Fee for each active chapter. The revenue from this Fee will be used for the operations of the Fraternity, and the amount of the Fee may be adjusted annually by the Grand Chapter to provide adequate operational funding for the Fraternity. The amount of the Fee may vary depending upon chapter size, defined as the number of New Members and undergraduate members according to the official records maintained by the International Headquarters, as of April 10th of each year, and the Fee shall be payable on such date as the Grand Chapter shall determine.

## **Section 12. Counselor Program**

- (a) The Executive Director shall be charged with recruiting, training, organizing and managing the Counselors.
- (b) The Executive Director shall have the authority to appoint and remove a Counselor and to assign or remove any Counselor to or from specific assignments.
- (c) Counselor appointments shall automatically terminate at the closing of the National Convention. Nothing precludes a Counselor from being re-appointed to his prior position and duties.
- (d) Each Counselor shall be evaluated for performance annually.
- (e) A Counselor shall be entitled to speak on all questions at a National Convention (except that no Counselor shall be entitled to attend any election provided for in Section 4 of this Article II if he is a nominee)
- (f) The Executive Director will establish and communicate the responsibilities, duties and expectations required for all Counselors.

- (g) Reasonable costs and expenses, as determined by the Executive Director or his designee, incurred by Counselors in the discharge of their duties shall be paid for or reimbursed by the International Headquarters.
- (h) Conditions governing the payment of expenses for attendance of Counselors at National Conventions and other national or regional events shall be established by the Grand Chapter.
- (i) No Counselor shall receive any funds or property belonging or owing to the Corporation without the express written consent of the Executive Director.
- (j) Each Counselor shall be entitled to possess a copy of the Ritual of Theta Chi Fraternity that shall remain the property of the Fraternity.

## **Article III The National Convention**

### **Section 1. Site and Date**

The Grand Chapter shall select the time and place of each National Convention, to be held biennially, giving appropriate consideration to (A) the opportunity for maximum possible undergraduate and alumnus member participation, (B) the alternation of sites among various sections of the United States and Canada to the extent that financial considerations permit, and (C) the minimum disturbance to the academic schedules and activities of undergraduate members.

### **Section 2. Composition**

The term "National Convention" shall refer to the business sessions conducted as provided by Section 7 of this Article III. The National Convention shall be composed of the Grand Chapter and one undergraduate and one alumnus delegate from each active chapter; provided, however, that only delegates entitled to be seated pursuant to Section 5 of this Article III shall be considered to be part of the Convention.

### **Section 3. Powers**

The National Convention shall have the power (A) to adopt resolutions concerning matters of interest to the Fraternity, including resolutions to amend, alter or revoke any portion of these Bylaws pursuant to Article IX, Section 2, or to amend, alter or revoke any resolution adopted by the Grand Chapter; (B) to hear and decide any appeals expressly provided for elsewhere in these Bylaws from an action of the Grand Chapter; (C) to elect the members of the Grand Chapter; and (D) to elect the National President and the National Vice President.

### **Section 4. Resolutions, Appeals and Amendments**

- (a) All appeals, amendments to these Bylaws, or other resolutions to be considered by the National Convention must be presented in writing to the Executive Director by an individual (in the case of an appeal pursuant to Article II, Section 5, by an active chapter or by the Grand Chapter not less than ninety (90) days prior to the opening date of the National Convention, except in the case of a summer Convention, when the final date shall be April 1; provided, however, that, in the case of an appeal of an action taken by the Grand Chapter:
  - (1) After the date which is thirty (30) days prior to the date by which presentation to the Executive Director would otherwise be required by this subsection but,

- (2) Prior to the opening date of the National Convention, presentation shall be deemed timely if made reasonably promptly after the chapter or individual submitting the appeal learns of the Grand Chapter action.
- (b) All appeals, amendments to these Bylaws, or other resolutions submitted pursuant to subsection (a) shall be submitted by the Executive Director to the active chapters not less than sixty (60) days prior to the opening date of the National Convention, except in the case of a summer Convention, when the final date shall be May 1; provided, however, that, in the case of an appeal described in the proviso to subsection (a) of this Section 4, the appeal shall be submitted by the Executive Director as soon as reasonably practicable.
  - (c) Any appeal, amendment to these Bylaws, or other resolution not submitted in accordance with subsection (b) may nevertheless be presented to and considered by the National Convention upon the affirmative vote of at least two thirds of the total number of votes which all seated delegates are entitled to cast or upon such lesser affirmative vote as the Grand Chapter shall specify by resolution.
  - (d) Promptly after the receipt of any item presented under subsection (a) or subsection (c) above, the Executive Director, in consultation with the Bylaws Officer and any Parliamentarian or Parliamentary Committee designated pursuant to Article IX, Section 3, shall determine whether the item may properly be brought before the National Convention pursuant to these Bylaws and, if so, whether such item is properly characterized as an appeal, an amendment to these Bylaws, or a resolution of the National Convention. Upon such determination, the Executive Director shall notify the chapter or individual presenting the item of his determination, and shall advise the presenter and the National Convention as to the voting procedures and requirements applicable to the item.
  - (e) Any presenter wishing to rephrase an item presented with proper technical or clarifying language may do so at any time prior to the vote, provided that such change does not alter the intent and purpose of the original submission.
  - (f) Any item submitted to the National Convention which constitutes an amendment to these Bylaws shall be approved and shall become effective in accordance with Article IX, Section 2 of these Bylaws. Any item submitted to the National Convention which constitutes an appeal of an action by the Grand Chapter shall be approved and shall become effective as provided in the Section of these Bylaws providing the right to appeal. Any item submitted to the National Convention which constitutes a resolution of the National Convention shall be approved upon the favorable vote of a majority of the votes cast, and shall become effective immediately, unless otherwise provided by the terms of such resolution.

#### **Section 5. Delegates Eligible to be Seated**

- (a) Each undergraduate delegate shall be an undergraduate member of the chapter he represents. Each alumnus delegate shall be an alumnus member or an honorary member of the chapter he represents. Delegates shall be selected in such manner as each active chapter may desire. Their names shall be submitted to the Executive Director by the active chapter secretary not less than sixty days prior to the date of the opening of the National Convention, except in the case of a summer Convention, in which case the final date for submitting names shall be May 1. In case the names of one or both of the delegates from any chapter are not so submitted, or in the case of the inability of a specified delegate to attend, the Grand Chapter, or its designee for such purpose, may permit the seating of a delegate whose name was not provided to the Executive Director as specified above, but in the absence of such permission a chapter may not be represented by any delegate whose name was not so provided.

- (b) At the beginning of each National Convention, the Executive Director shall present a list of those chapters which are not in good financial standing with the Grand Chapter. Financial good standing is defined as owing \$ 100 or less to the Grand Chapter as of the first day of the month during which the National Convention begins. Delegates from these chapters may be seated only upon full payment of the debt, or with the approval of a Credentials Committee established by the Grand Chapter.
- (c) No member (or ex-officio member) of the Grand Chapter, nor the Executive Director or any then-current member of the International Headquarters staff, may serve as or be seated as an alumnus delegate.
- (d) No undergraduate or alumnus delegate from an inactive chapter or from a suspended chapter shall be seated nor will any such chapter be recognized for any purpose except that an inactive chapter will be recognized for the purpose of bringing an appeal pursuant to Article IV, Section 4(e).

#### **Section 6. Penalty for Failure to Attend of Seat Undergraduate Delegate**

- (a) Any active chapter which fails to have an undergraduate member registered for and in attendance at a National Convention shall be automatically placed on probation, and shall pay a fine in such amount as may be set from time to time by resolution of the Grand Chapter unless payment of such fine is waived by the National President upon good cause shown.
- (b) Any active chapter which fails to seat an undergraduate delegate at a National Convention shall not be eligible to vote in any ratification vote pursuant to Section 2(b) of Article IX arising out of actions taken at that National Convention.

#### **Section 7. Manner of Conducting National Convention**

The National Convention and all matters incidental thereto shall be conducted in accordance with this Section, unless the National President directs otherwise. Any procedural question not addressed by these Bylaws shall be resolved in accordance with the then-most recent edition of Robert's Rules of Order.

- (a) **Presiding Officer.** The National Convention shall be called to order by the undergraduate delegate of the oldest active chapter having an undergraduate delegate seated. The undergraduate delegate of the newest active chapter having an undergraduate delegate seated shall act as guard. As soon as the delegates are properly seated and the National Convention has been called to order, the alumnus delegate from the oldest active chapter having an alumnus delegate seated shall retire and conduct into the room the members of the Grand Chapter. The National President shall then take charge of the National Convention, appointing one or more non-delegate alumnus members to act as guards. The National President shall remain in charge of the National Convention until its conclusion, except during the time of the election of members of the Grand Chapter and the National President and the National Vice President, during which time the members of the Grand Chapter shall retire and the undergraduate delegate from the oldest chapter having an undergraduate delegate seated shall again preside. During the election, a former member of the Grand Chapter, not a candidate for election, designated by the National President, shall remain and assist the presiding officer in conducting the election. As soon as the election of the members of the Grand Chapter and the National President and the National Vice President is completed, the Grand Chapter (as it was constituted prior to the elections) shall again return and the National President shall again take charge of the meeting.
- (b) **Order of business.** The order of business shall be as follows unless otherwise ordered by the National President or the affirmative vote of at least two thirds of the total number of votes which all seated delegates are eligible to cast:
  - (1) Calling the National Convention to order by the undergraduate delegate of the oldest active chapter having an undergraduate delegate seated.

- (2) Entrance of Grand Chapter -- recognition by Grand Honors.
- (3) Opening prayer by National Chaplain.
- (4) Report of Credentials Committee.
- (5) Calling the roll of active chapters by National Secretary, unless Credentials Committee report renders this unnecessary.
- (6) Approval of reports of National President, National Treasurer, Executive Director and other officers.
- (7) Consideration of Resolutions, presented by chapters in the order of their installation.
- (8) Consideration of other business.
- (9) Election of members of Grand Chapter.
- (10) Election of National President and National Vice President.
- (11) Re-entrance of Grand Chapter -- recognition by Grand Honors.
- (12) Announcement of election results by the undergraduate delegate of the oldest active chapter having an undergraduate delegate seated.
- (13) Installation of new Grand Chapter.
- (14) Closing prayer by National Chaplain.
- (15) Adjournment.

**(c) Voting; how done.**

- (1) Each undergraduate delegate and each alumnus delegate shall have one vote during the National Convention; provided, however, that, in the case of any active chapter for which only an undergraduate delegate is seated, or only an alumnus delegate is seated, said delegate shall be entitled to cast two votes.
- (2) Voting shall be by acclamation, by raised hands, by standing, or by secret ballot. The method of voting shall be at the discretion of the presiding officer, except that: (A) voting for members of the Grand Chapter, National President and National Vice President shall be by secret ballot unless in a particular case the number of nominees for Grand Chapter, National President or National Vice President does not exceed the number to be elected, (B) voting on any other matter shall be by secret ballot if the National Convention adopts a resolution to that effect by a majority of all votes cast, and (C) in any situation not covered by clauses (a) and (c) of this subsection (c)(2), voting shall be by standing upon the request of any delegate.
- (3) The National President shall have the privilege of voting in case of a tie on a matter other than an election, but the other members of the Grand Chapter have no vote unless presiding in the absence of the National President.

- (d) Only seated delegates, present and past members of Grand Chapter, and Counselors shall be entitled to address Convention business sessions, but the presiding officer may, in his sole discretion, permit others to address Convention business sessions if he believes that such a step would be likely to assist the Convention's decision-making process.

### **Section 8. School of Fraternity Practices**

A "School of Fraternity Practices" shall be held in conjunction with each National Convention, and adequate time shall be allowed for its designated curriculum.

### **Section 9. Local Fraternity Guests**

Representatives of colonies, local fraternities or interest groups may attend the School of Fraternity Practices held in conjunction with the National Convention, but only members of the Fraternity may attend sessions of the National Convention.

## **Article IV**

### **Establishment and Status of Active Chapters**

#### **Section 1. Names**

Subject to Section 10 of Article VI, the active chapters shall be named by the letters of the Greek alphabet, with the first chapter being Alpha, until all single letters have been used. The next series of chapters shall use the prefix Alpha, with the first chapter of that series being Alpha Beta, followed by a series using the prefix Beta, with the first chapter of that series being Beta Alpha. Succeeding series of chapters shall have prefixes established in the order of the Greek alphabet. To avoid confusion, chapter names consisting of the same letter used twice, such as Alpha Alpha, shall not be used. The same name shall not be given to more than one chapter, and the name once given to an active chapter at a particular institution shall not be withdrawn from that institution.

#### **Section 2. Expansion**

The Fraternity shall seek to expand by establishing new active chapters, and for this purpose the Grand Chapter shall have the authority to establish colonies at four-year undergraduate educational institutions in accordance with policies, practices and criteria adopted from time to time. Before any colony of the Fraternity shall be established, the Grand Chapter, by resolution, shall approve the campus as a site for expansion, and shall thereafter, by separate resolution, approve the group seeking colony status.

#### **Section 3. Chartering**

- (a) The procedure for the establishment of new active chapters through the granting of new charters shall be as set forth in this Section 3. The procedure for the re-establishment of an active chapter through re-installation of a chapter whose charter has been revoked shall be as set forth in Section 4(g) of this Article IV.
- (b) All petitions for charters shall be submitted to the Grand Chapter for approval, which approval shall require a three-fourths vote of all Grand Chapter members then in office.
- (c) The Grand Chapter shall determine the installation date for all new active chapters, as well as the amount of the installation or re-installation fee, which may include the costs of the charter document, gavel, photographs of the Founders of the Fraternity and other similar items.

#### **Section 4. Discipline of Chapters; Probations; Suspension; Revocation of Charter; Re-Installation**

- (a) **Probation.**
  - (1) The National Marshal shall have the power, after considering any written recommendation of the Executive Director, or of the Standards Committee pursuant to Article II, Section 9(a)(1), to place a chapter on probation for a period of up to six months, or to impose any lesser sanction, for violation of an applicable law, these Bylaws, or any other Fraternity policy, position statement, practice or procedure.

- (2) The National Marshal, after considering any written recommendation of the Executive Director, or of the Standards Committee pursuant to Article II, Section 9(a)(1), may also recommend any longer period of probation by forwarding such recommendation to the other members of the Grand Chapter, and each such Grand Chapter member shall have five business days following receipt of such recommendation to notify the other members that he requests a change in the recommended sanction, or a vote on the recommendation. If no such notification is made, the recommendation of the National Marshal shall become effective as the act of the Grand Chapter.
  - (3) The Grand Chapter may at any time place an active chapter on probation for any such violation.
  - (4) In connection with any such probation, the National Marshal or the Grand Chapter, as the case may be, may place upon any such chapter any limitation on its activities, not inconsistent with these Bylaws, and may specify any affirmative requirement for the chapter's conduct, that it deems necessary or appropriate.
  - (5) The party establishing any probation pursuant to paragraphs (1), (2) or (3) of this Section 4(a) may establish a Probation Committee, consisting of not less than three nor more than seven alumnus members (who need not be members of the chapter in question) for the purpose of guiding the chapter in question during its period of probation, assisting in the recruitment, education and initiation of New Members, and otherwise facilitating the successful completion of the probation. The party establishing the Probation Committee shall designate the chairman of the Committee, and the affirmative vote of a majority of the members of the Committee present at a meeting at which a quorum is present shall be sufficient for the approval of any Committee action. The Committee shall have the power to interview undergraduate members of the chapter in question, and make such other investigation as it deems appropriate. Based on the results of such information and other investigation, and upon any input from the Standards Committee or the International Headquarters, the Committee shall have the power granted to the Grand Chapter pursuant to Section 13(d) of Article VI to suspend undergraduate members, and to remove and replace any officers of the chapter in question.
  - (6) If the Grand Chapter determines, in the case of any probation pursuant to paragraphs (1), (2) or (3), that the probation of the chapter in question requires guidance and facilitation but that the creation of a Probation Committee is not feasible or advisable, it may, by resolution, grant to the Executive Director the powers enumerated in paragraph (5) of this Section 4(a) to suspend undergraduate members pursuant to Section 13(d) of Article VI and to remove and replace officers of the chapter in question.
  - (7) The Grand Chapter may at any time remove a chapter from any probation, and the National Marshal may at any time remove a chapter from any probation imposed pursuant to paragraph (1) or (2) of this subsection.
- (b) **Limited Orders.** The Executive Director may issue a Limited Order, which may restrict an active chapter from undertaking, performing or participating in a specific activity or event or from conducting specific chapter operations for a period of up to ten days from the date of the Limited Order, and which shall be delivered to the active chapter president in the most expeditious manner reasonably available.

- (c) **Suspension.** The National President shall have the power, upon the written request of the Executive Director, to temporarily suspend the charter of any active chapter for a stated period not to exceed 60 days. The Grand Chapter shall have the right to suspend the charter of an active chapter, for a stated period not to exceed 180 days, for violation of an applicable law, these Bylaws, or the terms of any probation previously placed upon the active chapter. Any chapter placed upon suspension shall be given a reasonable time after notification of the suspension to remedy the circumstances giving rise to the suspension and to satisfy any other conditions which may be placed upon the chapter in connection with the suspension before any action is taken by the Grand Chapter pursuant to subsection (d) of this Section 4. A suspended chapter may not extend an invitation to any individual to become a New Member, or initiate any member, and may conduct only such activities as shall be stated in the original declaration of suspension or thereafter approved by the Grand Chapter. The Grand Chapter shall have the right to lift any suspension placed upon an active chapter prior to its stated expiration.
- (d) **Revocation of Charter.** The Grand Chapter, by a three-fourths vote of all members then in office, shall have the right to revoke the charter of any active chapter (1) For material or repeated violation of or failure to comply with any applicable law, these Bylaws, the terms of any probation or suspension previously placed upon the active chapter, or any statement of minimum standards of operation adopted by the Grand Chapter or, (2) As a result of any other condition or circumstance which, in the opinion of the Grand Chapter, prevents the continued viable operation of the active chapter. Following the action of the Grand Chapter to revoke a charter, the affected chapter shall be considered an inactive chapter, and shall not be considered an active chapter for any purpose.
- (e) **Appeal of Revocation.** Any action by the Grand Chapter revoking a charter may be appealed to the next National Convention, and the appeal shall be declared sustained upon receiving at least three fourths of the total number of votes which all seated delegates at the National Convention are entitled to cast.
- (f) **Safekeeping of Chapter Items.** Upon the revocation of the charter of any active chapter, all records, Ritual Books, minutes and correspondence, and the charter, of the chapter shall be immediately returned to the International Headquarters.
- (g) **Re-Installation.** The Grand Chapter, by a three-fourths vote of all members then in office, shall have the right to re-install any inactive chapter, including an inactive chapter of any fraternity merged with or into the Fraternity. In conjunction with a decision whether or not to re-install any such chapter, the Grand Chapter may follow any procedures, impose any conditions, and assess any charges, as if the decision were one to approve a petition for a new charter pursuant to Section 3(A) of this Article IV.

## **Article V**

### **Organization and Conduct of Active Chapters**

#### **Section 1. General**

- (a) Chapter Bylaws may be adopted and amended from time as an active chapter deems advisable, provided that they in no way conflict with these Bylaws or the Ritual of this Fraternity, or with any resolution of the National Convention or of the Grand Chapter, or with any written directive of the Executive Director which has been distributed to active chapters.
- (b) References in this Article V to “members” shall, unless otherwise specified or unless the context clearly requires otherwise, mean undergraduate members of the active chapter in question.
- (c) Except as otherwise specifically provided in these Bylaws, the vote to approve a particular active chapter action, and the members eligible to vote concerning such action, shall be determined by reference to the active chapter’s Bylaws or otherwise determined by the active chapter.

## **Section 2. Active Chapter Officers**

The officers of the active chapter shall include a president, vice president, secretary, treasurer, marshal, chaplain, historian, scholarship chairman, first guard, second guard and recruitment chairman, and shall rank in the order named. In addition, each active chapter shall appoint a risk management chairman. Bylaws of active chapters may provide for such other and additional officers as such chapters may desire; provided, however, that additional officers shall be inferior in rank to those named herein, and none of the officers named shall be eliminated. All officers of the active chapter shall be undergraduate members of that active chapter.

## **Section 3. Election of Active Chapter Officers**

- (a) Officers of each active chapter shall be elected annually before April 1 of each school year for one-year terms. If necessary to the efficient operation of the chapter, a chapter may by its own Bylaws provide for the holding of semi-annual elections. The term of office of any officer shall expire at the installation of his successor. No person shall hold two of the offices listed in the first sentence of Section 2 of this Article V when another person holds none, except by the unanimous vote of the chapter.
- (b) All officers enumerated in the first sentence of Section 2 of this Article V shall be elected by vote of the chapter. The election of each such officer shall be by ballot at a meeting at which a quorum is present; the nominee receiving the majority of all votes cast being declared elected. In case no person receives such a majority, the president shall immediately state that there has been no election and announce the names of the two candidates with the greatest number of votes, but shall give no other information regarding the ballot. The members shall then vote upon these two names, and a majority shall elect. In case this shall result in no election, the president shall again announce no election, but no other information in regard to the ballot. The election of such officer shall be then postponed to the next regular meeting when the above rules shall again govern. On determination of a successful ballot, the president shall announce the name of the member so elected, but shall give no other information in regard to the ballot. No record of the ballot shall be kept except the name of the member elected.
- (c) In the event of the death, resignation or removal of any officer elected pursuant to subsection (B) of this Section 3 for any cause whatsoever, his successor shall be chosen at the next meeting of the chapter in the manner prescribed in subsection (b) above.
- (d) Notwithstanding any other provision of this Section 3, in the case of an active chapter on probation pursuant to Section 4(a) of Article IV, active chapter officers may be appointed by a Probation Committee acting pursuant to Section 4(a)(5), or by the Executive Director pursuant to Section 4(a)(6), in each case after conducting such procedures, and giving such notice, as it or he deems appropriate.

## **Section 4. Removal of Active Chapter Officers**

- (a) Before any elected officer may be removed from his office, at least one-third of the members of the active chapter shall prepare and sign a statement of charges, setting forth their reasons for the proposed removal. This statement of charges shall be submitted to the chapter president. If the chapter president is the officer in question, then the charges shall be submitted to the vice president. The president or other officer shall then schedule a meeting to address the charges in accordance with the procedures specified in this section.
- (b) A separate statement of charges, which does not contain the names of the members who signed the statement submitted to the president or vice president, must be given personally to the officer in question at least seven (7) days before the meeting is held regarding the charges. The statement of charges must also contain the day, date, time and place of the meeting. Members of the chapter must be notified of the day, date, time and place of the meeting through the most expeditious form(s) of communication for the chapter.

- (c) If the statement of charges cannot be given personally to the officer in question, the statement of charges must be sent by registered mail, or comparable method resulting in a receipt being delivered to the chapter, to the last known address of the officer in question. The letter must be postmarked at least fourteen days before the date of the hearing.
- (d) An alumnus member must be present for this meeting.
- (e) The chapter president may chair the meeting, or he may ask an alumnus member to chair the meeting. If the chapter president is the officer in question, the vice president may chair the meeting or ask an alumnus member to chair the meeting.
- (f) After calling the meeting to order and determining that a quorum of members is present, the chair shall state the nature of the charges without revealing the names of the members who signed the statement. Witnesses may be called to support the charges, and the officer and other members may question the witnesses. The officer in question may then respond to the charges, and may call witnesses on his behalf. Members may ask questions of the officer in question and his witnesses.
- (g) The officer in question shall then withdraw from the meeting and the members present shall be given an opportunity to discuss the matter. The officer in question may be recalled to the meeting to answer any questions at the request of any member.
- (h) After any additional questions have been asked, the officer in question shall withdraw from the meeting. The members shall then vote as to whether the officer in question should be removed from office. If two thirds of the members present and eligible to vote shall vote to remove the officer from office, he shall be declared removed from office. The chapter secretary shall immediately inform him of the decision. The former officer may enter the meeting, and another member should be elected pursuant to Section 3(b) of this Article V to fill the vacancy created by the removal.
- (i) If less than two thirds of the members present and eligible to vote shall vote to remove the officer in question from office, the officer shall remain in office, the matter shall be considered closed, and the officer may not thereafter be charged pursuant to this Section 4 based upon the same actions that brought about the original charges.
- (j) Upon completion of the meeting, the presiding officer or alumnus shall, if the officer is removed, prepare a report describing the meeting and outcome and submit the report within seven (7) days to the Executive Director.
- (k) Notwithstanding any other provision of this Section 4, in the case of an active chapter on probation pursuant to Section 4(a) of Article IV, active chapter officers may be removed by a Probation Committee acting pursuant to Section 4(a)(5), or by the Executive Director pursuant to Section 4(a)(6), in each case after conducting such procedures, and giving such notice, as it or he deems appropriate.

### **Section 5. Absence of Active Chapter Officers**

In the event of the absence of any officer(s) at the formal opening of any meeting, the president shall appoint a member or members to fill the vacancy or vacancies during the absence of the officer(s). In the event of the absence of the president and vice president, the next highest ranking officer who is present shall preside and shall fill any vacancies as provided above.

### **Section 6. Duties and Powers of Active Chapter Officers**

- (a) **President.** The president shall preside at all meetings of an active chapter, perform all duties expected of the president of a parliamentary body and organization, and have the privilege of voting on all questions and all candidates for admission to membership in the chapter. In the event of a tie vote, if the president or acting president has voted, the motion shall be declared lost. The president shall oversee the general operation of the chapter and the performance of his fellow officers and shall serve as a representative of and spokesman for his chapter.

- (b) **Vice President.** The vice president shall officiate in the absence of the president with the same powers and privileges as the president. The vice president shall oversee the internal operations of the chapter, supervise all committees and committee chairmen, and assist the president in carrying out his duties and responsibilities.
- (c) **Secretary.** The secretary shall keep an accurate, complete and impartial record of the meetings and proceedings of the chapter, and shall have custody of these Bylaws, chapter Bylaws, meeting minutes, member records, and other records of the chapter, except for those pertaining to the treasurer or any other officer as specifically provided. He shall be responsible for submitting all required or appropriate fees and forms to the Executive Director, including all forms and records required by subsections 4(c), 4(e) and 4(h) of Article VI in connection with the registration of New Members, requests for initiation, and the recording of new initiates. Except as otherwise provided, he shall process and respond to all correspondence from the Executive Director, any member of the International Headquarters staff, the Grand Chapter, any Counselor, any alumnus member and any other active chapter.
- (d) **Treasurer.** The treasurer shall collect all fees, dues, assessments and fines. He shall collect all New Member registration and initiation fees for the secretary. He shall be responsible for establishing and following a budget for each school year.
- (e) **Marshal.** The marshal shall be responsible for the education of New Members of the chapter. His responsibilities shall include development of the educational program and conduct of the entire educational process, and shall continue until the New Members have been properly prepared for initiation. He shall assist the treasurer and the secretary in the collection of fees and the filing of forms required by subsections 4(c) and 4(e) in connection with the registration of New Members and the initiation of members. He shall at all times serve as an example for New Members and members to follow, and shall make certain that no hazing practices are allowed to take place in the educational program or otherwise, or tolerated under any circumstances. He shall make certain that every New Member is assigned an undergraduate member as a big brother or other mentor to assist him in learning about the Fraternity.
- (f) **Chaplain.** The chaplain shall conduct devotional exercises at all appropriate times. He shall be responsible for the proper conduct of the Ritual and for safekeeping of all items used during the Ritual. He shall be responsible for keeping the Ritual books secure and in good condition, but accessible for all members to review. He shall use every opportunity to educate the members about the Ritual.
- (g) **Historian.** The historian shall maintain written and photographic records of chapter activities, events, occurrences, awards, achievements and honors. He shall keep a permanent record of all undergraduate and alumnus members and shall inform the International Headquarters of address changes for such members on a regular basis. He shall seek to obtain, collect and preserve all historical and archival items and materials and keep these in suitable containers or display areas.
- (h) **Scholarship Chairman.** The scholarship chairman shall design and implement programs to promote, encourage and recognize high academic achievement by members and new members, and shall monitor and report on the chapter's scholarship standing from time to time. He shall be responsible for assisting any member or new member in obtaining appropriate tutoring or other study assistance.
- (i) **First Guard.** The first guard shall be custodian of the chapter meeting room. He shall guard the door during meetings and admit no one but members of the Fraternity. He shall also assist the chaplain in preparation for and conduct of the Ritual.
- (j) **Second Guard.** The second guard shall assist the first guard in the discharge of his duties.
- (k) **Recruitment Chairman.** The recruitment chairman shall conduct the recruitment and bid process, document all relevant actions and activities.

- (l) **Risk Management Chairman.** The risk management chairman shall establish, and educate all members and New Members with respect to, policies, practices and rules which shall ensure that the chapter is at all times in compliance with the requirements of the Risk Management, Standards, and Insurance Manual of Theta Chi Fraternity and that the health and safety of members, New Members and visitors at chapter functions is safeguarded to the maximum extent possible.
- (m) All of the foregoing officers shall share responsibility for the overall compliance of the chapter with these Bylaws, the Ritual, the Bylaws of the chapter, and other applicable rules.

### **Section 7. Scheduling of Active Chapter Meetings**

- (a) Each active chapter shall hold a regular meeting once a week when school is in session, unless for very urgent reasons such a meeting be impractical. The day and hour of the meeting shall be determined from time to time by vote of the chapter and shall not be changed except with the knowledge of all the undergraduate members. If for any reason a regular meeting be omitted, the president shall call a special meeting as soon thereafter as possible to take the place of the meeting omitted.
- (b) Special meetings of any chapter may be called by the president at his discretion, and must be called on the request, to the president or the secretary, of members constituting at least one fourth of the undergraduate members eligible to vote. Notice of all special meetings shall be given to every undergraduate member by the secretary. In case fewer than two thirds of the undergraduate members are notified, the meeting shall be postponed. A special meeting held in spite of the fact that fewer than two thirds of the undergraduate members have been notified shall be invalid, and any action taken at such meeting shall be void unless ratified at a subsequent regular meeting.

### **Section 8. Conduct of Active Chapter Meetings**

- (a) A majority of the undergraduate members of a chapter eligible to vote shall constitute a quorum for the transaction of business, but a smaller number may meet and adjourn. Subject to the provisions of Section 1(a) of this Article V, each chapter, in meeting assembled, has full power to enforce the rules of the chapter.
- (b) All questions except those specifically provided for in these Bylaws, resolutions of the National Convention or of the Grand Chapter, or the Bylaws of the chapter, shall be decided by a vote of the undergraduate members of the chapter. Members shall vote by use of the working sign or, at the request of a majority of members present, by secret ballot. If secret ballots are used, they shall be destroyed as soon as possible after the vote.
- (c) If at a meeting of a chapter any member shall be absent or shall absent himself for any cause, he shall forfeit his right to vote on any question that may come before the chapter at such meeting, and the acts of the meeting shall be valid without his vote; voting by proxy in any manner is prohibited. This shall not be construed to deprive any member of his right to vote on a reconsideration of the same question at a subsequent meeting or upon a reintroduction of the same or a similar question at a subsequent meeting.
- (d) The order of business in active chapter meetings, unless suspended by a three-fourths vote of the members present, shall be as follows:
  - (1) Opening of the chapter.
    - (A) Call to order.
    - (B) Duties of officers.
    - (C) Calling the roll.
  - (2) Reading and approval of the minutes from the most recent meeting.
  - (3) Election of officers.
  - (4) Installation of officers.

- (5) Initiation of candidates.
- (6) Proposing and voting on names for membership.
- (7) Reading of communications and responses.
- (8) Reports of officers and committees.
- (9) Old business.
- (10) New business.
- (11) Report of the critic and appointment by the president of the next critic.
- (12) Good of the Fraternity.
- (13) Closing of the chapter.
  - (A) Collection of Ritual books.
  - (B) Closing prayer, followed by music.
  - (C) Adjournment.

### **Section 9. Active Chapter Finances**

- (a) At least annually, the treasurer shall prepare and propose, and the chapter shall approve and adopt, a budget for the operations of the chapter, which shall reflect all reasonably foreseeable revenues and expenses of the chapter. The treasurer shall report regularly at meetings of the chapter on the chapter's financial results and financial condition, and shall promptly advise the chapter if it appears that the budget will not be met.
- (b) All chapter checking, savings and investment accounts, and all other deposits of chapter funds, shall require the signature of at least two different officers of the chapter for the disbursement of funds.
- (c) The treasurer shall, to the maximum extent possible, seek the advice and guidance of a financial advisor to the chapter, any other alumnus member having relevant expertise, and any expert available through the college or university, in the discharge of his duties.

### **Section 10. Residence Requirement**

All undergraduate members shall be required to reside in the chapter house unless the member is married, receiving lodging in connection with employment or otherwise required by his employment to reside outside the chapter house, or living with relatives. If the number of undergraduate members exceeds the residential capacity of the chapter house, the active chapter shall decide which members may be excused from this requirement.

### **Section 11. Hazing Prohibited**

The Fraternity prohibits absolutely all physical hazing, paddling, uncalled-for humiliation, and public display in connection with New Member education and pre-initiatory activities, and subscribes to the North-American Interfraternity Conference resolutions and the Fraternity Executives Association's "Statement of Position on Hazing and Pre-Initiatory Activities" which condemn all forms of hazing in connection with New Member education and pre-initiatory activities. The active chapters shall carry out the Fraternity's policy and conform strictly to this policy, not only to escape the danger of bringing discredit to the Fraternity and injuring the entire fraternity cause, but also to build higher respect for the chapters and the Fraternity in the minds of New Members and to instill a finer type of loyalty thereby. The Fraternity prohibits all forms of public initiation, and pre-initiatory and initiation activities shall not be permitted to interfere in any way with the scholastic obligations or class attendance of those involved.

## **Section 12. Risk Management and Insurance**

All active chapters and colonies shall comply with all requirements of the Risk Management and Standards Program as set forth in the Risk Management, Standards, and Insurance Manual of Theta Chi Fraternity. Each active chapter and colony shall participate in the National Liability Insurance Program, and shall promptly pay all required fees pertaining thereto as established from time to time by the Grand Chapter.

## **Section 13. Alcoholic Beverages**

The rules and regulations governing the use of alcoholic beverages in the active Chapters and at all Fraternity functions shall be in conformance with the rules, regulations and policies of the institution at which the Chapter is located, with the State and local laws pertaining to same, and with the Risk Management, Standards and Insurance Manual of Theta Chi Fraternity.

## **Section 14. Firearms**

The possession, display or use of firearms or similar weapons or explosive devices in a chapter house or lodge, or on chapter property or at any event which an observer would associate with the Fraternity, is strictly prohibited.

## **Section 15. Thefts**

The theft or unauthorized removal of any item from any chapter house or other chapter facility by another chapter or a member of another chapter shall not be considered a prank, and appropriate disciplinary action will be taken by the Grand Chapter or any other appropriate body.

## **Section 16. Notifications to International Headquarters**

Any active chapter or colony under investigation, placed on probation or receiving disciplinary sanctions, for any reason, by college or university authorities shall report this to the International Headquarters immediately, and shall provide all details of the reasons for the investigation or sanctions and the names of any individual members charged in the investigation or sanctions.

## **Section 17. Auxiliary Organizations**

No active chapter or colony shall establish, recognize or support any women's auxiliary organization.

## **Section 18. Limitation on New Member Period**

Every chapter shall initiate each New Member within eight (8) calendar weeks following the formal New Member Ceremony of said individual or the formal commencement of his New Member status (such eight week period to be measured without regard to whether the institution at which said chapter is located is or is not in session) unless, prior to the expiration of said eight week period, the chapter shall have certified in writing to the International Headquarters that said New Member (i) is no longer enrolled as an undergraduate at said institution, (ii) has had his status as a New Member terminated in accordance with Section 4(f) of Article VI of these Bylaws, (iii) has resigned or withdrawn from his status as a New Member, or (iv) is ineligible to be initiated under applicable rules of the institution at which the chapter is located.

### **Section 19. Minimum Chapter Size**

Every chapter shall maintain, as of each April 10, an aggregate number of undergraduate members and New Members at least equal to the lesser of (i) 30 or (ii) the average size of all other chapters existing at the institution where the chapter is located of fraternities that are members of the North-American Interfraternity Conference. This Section shall not apply to any chapter if, and for so long as, there are no other chapters existing at the institution where the chapter is located of fraternities that are members of the North-American Interfraternity Conference.

### **Section 20. No Authority to Bind the Fraternity**

No individual or group, including chapters, chapter officers, members, advisors, housing corporation, or housing corporation officers, has the authority to bind the Fraternity in any manner, unless such actions are taken pursuant to these bylaws, a delegation of authority by resolution of the Grand Chapter, or employment with the Fraternity. This restriction includes, but is not limited to, any attempt to bind the fraternity to an agreement or promise to indemnify a third-party or accept liability on behalf of any other person or group.

## **Article VI Membership**

### **Section 1. Classes**

Membership in the Fraternity shall be limited to male persons of good moral character who have been initiated in accordance with these Bylaws and the Ritual, and shall be of two classes: (1) undergraduate, being any member who is in academic residence at an institution of college or university education where there exists an active chapter of which the individual is a member, and has not completed an undergraduate degree; and (2) alumnus, being all other members. There shall be no other classifications of membership, such as “inactive”, or “social”, or “local”.

### **Section 2. Membership for Life**

Any person joining Theta Chi Fraternity becomes a member for life, except that he may be expelled for cause as provided in Section 13 of this Article VI, and no member of this Fraternity shall, under any circumstances, become a member of any other similar fraternity; provided, however, that the Grand Chapter may, upon petition of any member of the Fraternity, or upon its own motion, release a member, whether undergraduate or alumnus, from his membership, and may also waive the prohibition of this Section upon becoming a member of another similar fraternity, in either case upon approval of the Executive Director. Any individual released from membership pursuant to this Section 2 shall not be permitted to resume membership in the Fraternity unless initiated under Section 4(e) or Section 5(c) of this Article VI after approval of the Executive Director.

### **Section 3. Qualifications for Undergraduate Membership**

Any male duly enrolled at any institution of college or university education, or branch or campus thereof, at which there is an active chapter of the Fraternity, and in good standing under the rules of that institution, shall be eligible for initiation into the Fraternity as an undergraduate member of that active chapter, provided that he is not already a member of another similar fraternity. The Grand Chapter may from time to time determine, by resolution, that an institution of college or university education at which there is an active chapter of the Fraternity is so inextricably linked, integrated or closely affiliated with another institution of college or university education that students enrolled at the latter institution shall be deemed to be enrolled at the former institution for purposes of these Bylaws, including without limitation this Section 3 and Section 1 of this Article VI.

### **Section 4. Election of Undergraduate Members**

- (a) Any eligible person not already a member or New Member of the Fraternity may be proposed as a candidate for undergraduate membership in an active chapter, by a motion that the person be invited to become a New Member. The term "New Member" is used throughout these Bylaws to refer to an individual who has been invited to become a candidate for undergraduate membership, and has accepted that invitation, but has not yet been initiated.
- (b) If the motion contemplated by subsection (a) of this Section 4 is approved by a majority of all undergraduate members of the active chapter who are eligible to vote on such a motion (or who would be eligible to vote if present), the individual shall be invited to become a New Member.
- (c) The individual, upon accepting the invitation to become a New Member, shall complete or have completed for him a New Member Registration Form, which shall be forwarded, along with the New Member Fee provided for in Section 9(a) of this Article VI, to the International Headquarters within ten (10) days following the New Member Ceremony.
- (d) When any New Member is proposed for undergraduate membership in an active chapter, a secret ballot shall be taken as to each New Member so proposed. If three fourths of all undergraduate members of the active chapter who are eligible to vote on such a motion (or who would be eligible to vote if present) shall vote in the affirmative, the New Member shall be invited to become an undergraduate member. Any active chapter shall have the power to establish a lower required vote for purposes of this subsection (d) (but not less than a majority of all undergraduate members of the active chapter eligible to vote on such a motion (or who would be eligible to vote if present)), but shall not have the power to establish a higher required vote, and any bylaw, rule, resolution or other action purporting to establish a higher vote shall be null and void.
- (e) Following the approval of an individual for undergraduate membership pursuant to subsection (d), the active chapter shall submit to the International Headquarters a New Member Initiation Request Form, along with the Initiation Fee provided for in Section 9(b) of this Article VI. Only after this Form and the Initiation Fee have been received and approved by the International Headquarters and notice of the approval has been given to the active chapter by the International Headquarters may the individual be initiated, and the initiation shall be in accordance with the Ritual.
- (f) Any active chapter may terminate the status of a New Member, at any time prior to a favorable vote to initiate pursuant to subsection (d) of this Section 4, by a one-fourth vote of all undergraduate members of the active chapter who are eligible to vote on such a motion (or who would be eligible to vote if present). Any active chapter shall have the power to establish a higher required vote for purposes of this subsection (f) (but not more than a majority of all undergraduate members of the active chapter eligible to vote on such a motion (or who would be eligible to vote if present)), but shall not have the power to establish a lower required vote, and any bylaw, rule, resolution or other action purporting to establish a lower vote shall be null and void.

- (g) The Grand Chapter shall have the power to change voting requirements, on an individual active chapter basis, in any manner necessary to meet the requirements of the institution at which a chapter is located.
- (h) Each active chapter shall establish and maintain an accurate roster of its members in accordance with such system and forms as shall be specified by the Executive Director.

### **Section 5. Qualifications for and Election of Alumnus Members**

- (a) In order to be initiated as an alumnus member of the Fraternity, an individual not already initiated as an undergraduate member shall, in addition to meeting the qualifications set forth in Section 1 of this Article VI, qualify under not less than three of the following criteria, and shall not be a member of another similar fraternity:
  - (1) He shall be a person of distinction by virtue of outstanding character proven over a long period of time;
  - (2) He shall have been the recipient of an earned or honorary degree from a duly recognized college or university;
  - (3) He shall be a member of the faculty, staff or board of directors of an institution at which an active chapter exists;
  - (4) He shall have demonstrated an unusual degree of interest in and affection for one or more active chapters;
  - (5) He shall be an alumnus of, or enrolled in a graduate school of, an institution at which an active chapter exists; and
  - (6) He shall be the grandfather, father, step-father, uncle, cousin, brother, or guardian of a New Member or member.
- (b) Any active chapter wishing to confer alumnus membership upon an individual meeting the criteria of subsection (a) shall submit an application setting forth the individual's qualifications along with the Initiation Fee provided for by Section 9(b) of this Article VI and the appropriate initiation request form.
- (c) Upon receipt of any application under subsection (b), the Executive Director, after conducting such further inquiry as he deems appropriate, shall approve or deny the application. The proposing chapter shall be advised promptly of the result of the decision, and, in the case of a favorable decision, may proceed with initiation of the individual in accordance with these Bylaws.

### **Section 6. Election of Members from Absorbed Entities**

- (a) Notwithstanding any other provision of this Article VI, a member of a colony, a local fraternity, or a chapter of another national fraternity, may, with the approval of the Grand Chapter, be invited to become a member of the Fraternity, either undergraduate or alumnus as defined in Section 1 of this Article VI, and may be initiated into the Fraternity at the time that any such colony, local fraternity or chapter of another national fraternity is installed or re-installed as an active chapter of the Fraternity, or at any time thereafter.
- (b) Prior to the installation or re-installation of the chapter, the president of the group shall submit to the Grand Chapter a list of individuals proposed for initiation in connection with the installation or re-installation. The Grand Chapter shall have complete discretion in deciding which of the members of a colony, local fraternity or chapter of another national fraternity being installed as an active chapter of the Fraternity shall be invited to become undergraduate or alumnus members of the Fraternity. Upon approval of some or all of said individuals by the Grand Chapter, the group shall promptly remit to the International Headquarters the Initiation Fees provided for by Section 9(b) of this Article VI and the appropriate initiation request forms.

- (c) Members of any national fraternity merged into or combined with the Fraternity whose chapter is no longer active may, with the approval of the Grand Chapter, be initiated into the Fraternity and shall be alumnus members of the Fraternity at large.

### **Section 7. Transfer of Chapter Membership**

In the event that any member who has not completed an undergraduate degree transfers to an institution at which there is an active chapter of the Fraternity, he may request a transfer of his membership to that chapter by presenting any available documentation of his good standing to the chapter to which he wishes to transfer his membership. The transferee chapter shall verify the membership status of the individual with the International Headquarters. After the members of the chapter to which the individual wishes to transfer his membership approve the transfer, by a majority vote of all members eligible to vote and attending a meeting at which a quorum is present, he shall be considered an undergraduate member of that chapter, although his name shall not be enrolled on the roster as an initiate, but rather shall be enrolled on a separate record for transfers. Notice of the transfer shall be given promptly to the International Headquarters, with a copy to the chapter from which the transfer is being made, using such form as shall be specified by the International Headquarters.

### **Section 8. Honorary Chapter Members**

- (a) Any alumnus or undergraduate member who assists with or participates in the installation or re-installation of an active chapter, other than an individual already a member of that chapter, shall automatically become an honorary member of that chapter. The Executive Director shall be responsible for identifying the individuals covered by this subsection in the case of each installation, and shall have the authority to provide certificates or other similar documentation of honorary chapter membership.
- (b) Honorary chapter membership may also be extended by any active chapter at any time, pursuant to procedures to be established by such chapter, to any alumnus member of the Fraternity not already a member of that chapter in recognition of the contributions of said alumnus member to the chapter or to the Fraternity. The chapter shall promptly notify the International Headquarters of all honorary chapter memberships granted under this subsection (b).
- (c) All honorary chapter members shall be recorded on one or more separate pages of the roster book required by Section 4(h) of this Article VI.

### **Section 9. New Member and Initiation Fees**

- (a) Any individual who accepts an offer from an active chapter to become a New Member shall pay a New Member Fee in an amount to be established from time to time by the Grand Chapter. Upon payment of the New Member Fee, each New Member shall receive a personal copy of The Manual of Theta Chi Fraternity and such other materials as shall be determined by the Executive Director.
- (b) Any individual to be initiated as a member of the Fraternity shall pay an Initiation Fee in an amount to be established from time to time by the Grand Chapter.
- (c) Payment of the Initiation Fee shall entitle a member to an undergraduate subscription to The Rattle of Theta Chi, a membership certificate, a membership card, and a plain, non-gold badge without further charge.

### **Section 10. Theta Chi Chapter**

- (a) In addition to the alumnus members qualified and admitted to membership pursuant to Sections 5 and 6 of this Article VI, the Grand Chapter shall have the power to select individuals for alumnus membership in Theta Chi Chapter of the Fraternity.

- (b) Theta Chi Chapter shall be a constituent part of the Fraternity pursuant to Article I, Section 2 of these Bylaws, but shall not be considered an active chapter for any purposes of these Bylaws.
- (c) All members of Theta Chi Chapter shall be alumnus members of the Fraternity.
- (d) Membership in Theta Chi Chapter shall be open to any male person of good character who can be expected to be a credit to the Fraternity, and by his conduct and actions can be expected to labor for the advancement, interests and welfare of the Fraternity, but who for reasons acceptable to the Grand Chapter has not previously become an undergraduate or alumnus member of the Fraternity.
- (e) Members of Theta Chi Chapter can only be elected by an affirmative vote of at least six members of the Grand Chapter. Any member of the Grand Chapter may nominate an individual for membership in Theta Chi Chapter by submitting a form specified by the Executive Director setting forth the qualifications and other pertinent information concerning the individual.
- (f) The initiation fee for membership in Theta Chi Chapter shall be the Initiation Fee in effect for members pursuant to Section 9(b) of this Article VI. The fee shall be payable by the individual unless otherwise directed by the Grand Chapter. Each initiate into Theta Chi Chapter shall be presented with a plain, non-gold badge, a membership card and a membership certificate.
- (g) The National President shall establish the time and place of initiation of individuals into Theta Chi Chapter. He shall also appoint or identify the initiation team, which may be composed of undergraduate members from one or more chapters, members of the Grand Chapter, Counselors, the Executive Director or members of the International Headquarters staff, or other alumnus members. The National President shall charge the initiation team to instruct the initiate in the Ritual of the Fraternity, these Bylaws, and the organization, principles, objectives, history, traditions and purposes of the Fraternity, or to determine that such instruction has been provided.

#### **Section 11. Determination of Members Status**

- (a) Any determination required to be made by these Bylaws, by any resolution of the Grand Chapter or of the National Convention, or by any other official document of the Fraternity, as to the membership status of any individual shall be made by reference to records maintained for such purpose by or under the direction and control of the Executive Director. Except as set forth in subsection (b) of this section, such records shall be conclusive on any question of whether a particular individual is a member or New Member of this Fraternity, or whether any individual was or was not duly and legally initiated, or was or was not duly suspended or expelled, or any similar question.
- (b) The Grand Chapter shall have the power, by three-fourths vote of all members then in office, to cause the Executive Director to add to, delete from, or otherwise modify the membership records of the Fraternity if it shall determine that such addition, deletion or modification is (1) appropriate in light of evidence then available to the Grand Chapter concerning compliance with rules regarding the acceptance of New Members and initiation of members, the payment of fees, the filing of forms, and other relevant facts, and (2) fair and equitable under all the circumstances. The Grand Chapter shall, in directing any such addition, deletion or modification, specify the effective date. Any action of the Grand Chapter under this subsection shall be final and not subject to any appeal.

#### **Section 12. Limitation on Other Memberships**

In addition to, and not in limitation of, the prohibition on other memberships contained in Section 2 of this Article VI, no member of the Fraternity shall be initiated into Theta Nu Epsilon, and all members are prohibited from joining, affiliating with, taking an active interest in, or otherwise assisting, Kappa Beta Phi or any collegiate organization of similar ignoble aims or qualification.

### Section 13. Suspension and Expulsion Procedures

- (a) Any undergraduate or alumnus member who shall violate his obligations to the Fraternity, to the active chapter of which he is a member, or to his fellow chapter members, or who shall by any conduct indicate that he is unworthy to represent, bear the name of or wear the badge of the Fraternity, or who shall violate any of the oaths taken during the Ritual, may be suspended or expelled from membership in the Fraternity pursuant to the procedures specified in this Section. Without limiting the generality of the foregoing, grounds for suspension or expulsion shall include a violation of the limitations on memberships contained in Section 12 of this Article VI; participation in an initiation conducted in violation of subsection (e) of Section 4 of this Article VI; or violation of any financial obligation to an active chapter.
- (b) **Active Chapter Action.** Any undergraduate or alumnus member of a chapter may accuse any other undergraduate or alumnus member of that chapter of conduct justifying suspension or expulsion under subsection (a) of this Section 13 by making a statement of the charges, orally or in writing, privately to the president of the chapter. If the accusing member requests action upon the accusation, the president shall follow the following procedures:
- (1) The president shall establish a date, time and place for a meeting to consider the matter, which shall be scheduled as soon as reasonably practicable.
  - (2) The president shall notify the accused member in writing, personally served upon the accused member, of the date, time and place of the meeting, at least seven days prior to the time the meeting is scheduled to begin. The notice of meeting must also contain the specific charges against the accused member so that he may prepare a defense to the accusations if he chooses to do so. If personal service is not feasible, the president shall notify the accused member in writing, by registered mail or similar method resulting in delivery of a receipt to the active chapter, mailed at least fourteen days prior to the meeting to the last known address of the accused member.
  - (3) The president shall notify all undergraduate members of the active chapter of the date, time and place of the meeting by the most expeditious means, either orally or in writing.
  - (4) After the meeting is called to order and a quorum is determined to be present, the president shall state or read the accusations, withholding the name of the member who made the accusations. The meeting may proceed whether or not the accused member attends.
  - (5) Witnesses (whether members or non-members) may be called by the president or any member, including the accused member, to testify as to their knowledge of the subject matter of the accusations. Members, including the accused member, may ask questions of any witness.
  - (6) The accused member shall have the right to speak on his own behalf. Members may ask questions of the accused member.
  - (7) After all witnesses have been heard, the accused member shall withdraw from the meeting. The remaining members shall then ballot upon a motion to suspend the accused member. The affirmative vote of at least two thirds of all undergraduate members of the active chapter eligible to vote under applicable chapter Bylaws and rules (or who would be eligible to vote if present) shall be necessary to sustain the motion to suspend.
  - (8) If the motion to suspend is sustained, the remaining members shall vote upon a motion to recommend expulsion of the accused member to the Grand Chapter. A three-fourths vote of all undergraduate members of the active chapter eligible to vote under applicable chapter Bylaws and rules (or who would be eligible to vote if present) shall be necessary to sustain the motion to recommend for expulsion.
  - (9) If two or more members have been accused of the same or related conduct and the hearings of the accusations for such members have been scheduled for a single meeting, all of the accused members shall withdraw from the meeting before members vote on any of the motions,

individual votes shall be taken with respect to each member, and no such accused member shall be eligible to vote, for purposes of paragraph 8) above, with respect to a motion relating to any other of the accused members.

- (10) The result of the votes on all resolutions shall be promptly communicated to the accused member, who shall govern himself accordingly.
- (11) No record of the proceeding with respect to an accused member shall be retained unless the motion to suspend is sustained.
- (12) In the event that the motion to recommend expulsion is sustained, the active chapter shall promptly send to the International Headquarters a copy of the notice of meeting served in accordance with item 2) above; a complete statement of the original accusations and any written response made by the accused member; a numerical record of the number of all members eligible to vote, the number of members eligible to vote and present for the vote, and the number of such members voting for the motion; a summary of all evidence submitted by all witnesses; and a copy of the minutes of the meeting recording the action of the chapter. In the event that the motion to recommend expulsion is not sustained, the active chapter shall promptly advise the International Headquarters that the accused member has been suspended.
- (13) If, at any time when an individual who has been suspended pursuant to this Section 13(b) continues to be a member, the president of the chapter which has imposed the suspension shall receive a petition signed by more than one third of all undergraduate members of the chapter seeking the lifting of said suspension, the president shall call and conduct a meeting in accordance with the provisions of paragraphs (1) through (6), and the first sentence of paragraph (7), of this Section 13(b). At that time, the remaining members shall ballot upon a motion to lift the suspension. The affirmative vote of at least one half of all undergraduate members of the active chapter eligible to vote under applicable chapter Bylaws and rules shall be necessary to sustain the motion.

**(c) Grand Chapter Action.**

- (1) The Grand Chapter, and only the Grand Chapter, shall have the power to expel any member of the Fraternity who is found to have engaged in conduct constituting grounds for suspension or expulsion as set forth in subsection (a) of this Section 13 when, in its discretion, such action is necessary or appropriate in the best interests of the Fraternity; provided, however, that the accused member in question shall be provided with notice and an opportunity for a hearing as set forth in this subsection (c).
- (2) The Grand Chapter shall have jurisdiction to entertain any recommendation that any member be expelled, whether presented 1) by an active chapter pursuant to subsection (b) of this Section 13 or 2) by any member of the Grand Chapter acting on personal knowledge or on information provided by the Executive Director, any Counselor, any other alumnus member, or any other appropriate source.
- (3) The Grand Chapter shall first vote to determine if it will entertain a particular recommendation to expel. If the Grand Chapter determines to entertain the recommendation for expulsion, it shall set a date for a meeting to consider the recommendation, and shall cause the Executive Director to provide not less than thirty days notice, by registered mail, or similar method resulting in delivery of a receipt to the Executive Director, to the last known address of the accused member, of the date, time and place of the meeting. In the case where the recommendation has been initiated by a member of the Grand Chapter pursuant to item (2) of this subsection (c), the notice shall also set forth in full the accusations made against the accused member.
- (4) At any meeting at which a recommendation to expel is to be heard, the accused member shall have the right to:

- (A) appear and speak on his own behalf (whether in person or by speaker telephone or other similar arrangement pursuant to which he may hear, and be heard by, all other meeting attendees),
- (B) present witnesses or other evidence,
- (C) ask questions of any other witnesses,
- (D) have read any written statement which the accused member may chose to submit in lieu of appearing at the meeting; provided, however, that the Grand Chapter shall have the right to place reasonable limitations on the number of witnesses and other evidence to be presented.

Any individual making the recommendation to expel, or representing a chapter making the recommendation to expel, shall be entitled to be heard and to present witnesses. The Grand Chapter may request that other specified individuals (whether or not members) having information relating to the recommendation appear at the hearing or submit written statements.

- (5) If the National President determines that the circumstances require that a particular recommendation for expulsion, which the Grand Chapter has determined to entertain pursuant to paragraph (3) above, be disposed of in the most expeditious manner possible, he may appoint a committee, consisting of two or more voting members of the Grand Chapter, to conduct the hearing contemplated by paragraphs (3) and (4) above. In such case, all of the provisions of paragraphs (3) and (4) above relating to notice of, and rights of the accused member at, a hearing shall apply to the meeting of the appointed committee to entertain the recommendation, and references to the role of the Grand Chapter at such hearing shall be deemed to be references to the role of the committee. Following the meeting to entertain the recommended expulsion, the appointed committee shall submit a written report to the Grand Chapter, which shall thereafter vote upon the matter as provided in paragraph (6) below.
  - (6) The affirmative vote of six members of the Grand Chapter shall be necessary to sustain the recommendation to expel. In voting upon the recommendation, the Grand Chapter shall have the power to provide that expulsion will not take effect if the accused meets specified conditions within a specified time.
- (d) **Suspension in connection with probation.** In addition to suspensions by action of an active chapter pursuant to subsection (b)(7) of this Section 13, the Grand Chapter shall have the power to suspend an undergraduate member, by a simple majority vote of all members then in office, when (1) the active chapter of which the undergraduate member is a member has been placed on probation pursuant to Article IV, Section 4(a), and (2) the Grand Chapter has determined that the continued participation of the member in the activities of the active chapter is inimical to the future of the active chapter. The Grand Chapter shall have the power, for good cause shown, to lift any suspension imposed pursuant to this Section 13(d), at any time when the individual continues to be a member, by a simple majority vote of all members then in office.
  - (e) **Appeals of certain suspensions.** In the case of any suspension of an undergraduate member pursuant to subsection (d) of this Section 13 which is ordered by a Probation Committee pursuant to Section 4(a)(5) of Article IV, or by the Executive Director pursuant to Section 4(a)(6) of Article IV, the suspended member shall have the right to appeal, within 30 days of receiving notice of his suspension, to the Standards Committee. A simple majority vote of the members of the Standards Committee shall be sufficient to uphold or reverse any such suspension.
  - (f) **Suspended members.** Any member suspended pursuant to subsection (b)(7) or subsection (d) of this Section 13 shall continue to be considered a member of the Fraternity but shall not participate in any activities of the Fraternity so long as he remains an undergraduate member.

- (g) **Expelled members.** In the event that the Grand Chapter shall approve a recommendation to expel pursuant to subsection (c)(6) of this Section 13, prompt notice shall be sent to all active chapters and colonies by whatever means the Executive Director shall deem most appropriate advising that the individual, identified by name and chapter, is no longer a member of the Fraternity, and including the date of the action taken by the Grand Chapter. Any individual who has been expelled from membership shall be ineligible to join or in any way affiliate or be associated with any chapter or colony of the Fraternity unless reinstated by the Grand Chapter by unanimous vote based on new evidence presented to the Grand Chapter.

## **Article VII Indemnification and Insurance**

### **Section 1. Indemnification**

- (a) Every individual who is then serving, or shall have served, as a member of the Grand Chapter or as Executive Director, and the personal representatives of any of the foregoing, shall, to the full extent permitted by applicable law, be indemnified and held harmless by the Corporation against any and all costs and expenses incurred by him or imposed upon him in connection with or resulting from any action, suit, or proceeding to which he may be made a party by reason of his being or having been a member of the Grand Chapter or the Executive Director, except in relation to such matters as to which he shall have acted in bad faith or committed willful misconduct in the performance of his duties, in either case as determined by the Grand Chapter. Costs and expenses for which this Section provides indemnification shall include, without limitation, reasonable attorneys' fees, damages, judgments, fines, and reasonable amounts paid in settlement.
- (b) Only the Grand Chapter has the authority to agree to defend or indemnify any third-party on behalf of the Fraternity. Notwithstanding the foregoing, the Executive Director, upon written request by a host institution, shall have the authority, but not the obligation, to add the host institution as an Additional Insured on the Fraternity's general liability policy.
- (c) Unless specifically permitted by the Grand Chapter, no individual or group, including, but not limited to, any chapter, chapter member, chapter advisor, volunteer, housing corporation, or housing corporation officer, has the authority to agree to or execute a document that:
- (1) Purports to bind the chapter or the Fraternity to an indemnification provision or agreement; or
  - (2) Attempts to limit or eliminate any protection afforded the Fraternity's volunteers under the Federal Volunteer Protection Act, 43 U.S.C. § 14501 or any other applicable state or federal statute that may limit an individual's liability while acting for or on behalf of the Fraternity or any of its chapters.

### **Section 2. Insurance**

- (a) The Corporation shall have the power to purchase and maintain Directors' and Officers' or similar insurance, covering the members of the Grand Chapter and such of the employees of the Corporation as the Grand Chapter deems necessary or appropriate, in such amounts and with such terms as it shall determine.
- (b) The Corporation shall maintain Bodily Injury and Property Damage insurance, and Comprehensive Public Liability insurance, protecting the Corporation, the members of the Grand Chapter, the Executive Director, members of the International Headquarters staff, and the Counselor Staff in such amounts and with such terms as the Grand Chapter shall determine.

- (c) Members of the Grand Chapter and all employees of the Corporation shall be bonded, or covered for dishonest acts by insurance or other similar means, for such sums as shall from time to time be fixed by the Grand Chapter.

## **Article VIII**

### **Publications, Awards, Insignia and Traditions**

#### **Section 1. Publications**

- (a) The official name of the magazine of the Fraternity shall be “The Rattle of Theta Chi”.
- (b) The Grand Chapter shall cause to be published “The Manual of Theta Chi Fraternity” and “The Risk Management, Standards, and Insurance Manual of Theta Chi Fraternity”, compliance with which shall be compulsory in all active chapters.

#### **Section 2. Awards**

The rules and procedures for the Fraternity’s awards are set forth in a document entitled “Theta Chi Fraternity Award Descriptions and Procedures” which may not be modified or amended except by resolution adopted by the vote of at least six members of the Grand Chapter.

#### **Section 3. Insignia**

- (a) (1) The badge of the Fraternity shall be in the form of a rattlesnake which shall be so fashioned as to form the Greek letter “Theta”. Its head shall be in the upper-right hand side near the center of the letter, its tail passing around by the head, behind the neck and half-way down the letter. It shall then come in sight and pass across, forming the bar of the “Theta.” The eye of the snake shall be a ruby. This shall be surmounted by two swords placed satyr ways points downward, thus forming the Greek letter “Chi.”
- (2) Rubies, pearls and diamonds only may be used as ornamentation jewels in the manufacture of the badge, and only in ways approved by the Grand Chapter.
- (3) The dies of the badge shall not be used for any purpose other than the manufacture of Fraternity badges, and the official badge shall not be mounted on keys, chains, rings, bar pins, or any other type of jewelry or article. Representations of the badge may be applied to the surface of such items, or clothing, or other items, as the Grand Chapter may approve by resolution.
- (4) The badge of the Fraternity may be worn only by a member of the Fraternity who is not under suspension, or by such a member’s mother, wife, daughter, sister or acknowledged fiancée.
- (5) The badge shall be worn at all times on a collared shirt which is being worn as an inner garment, on the left side, in the vicinity of the heart, and no preparatory, class or other fraternity pin shall be worn exposed in the same locality.
- (6) The badge shall be worn at a distinctive angle, with the long axis of the “Theta” bisecting the angle formed by the head and right shoulder. During the third degree of the initiation ceremony of the Ritual, as a part of the ceremony, the standard badge of the Fraternity shall be conferred upon each new member.
- (b) The miniature reproduction of the official badge, in gold or gold finish, shall be the official Recognition Pin of the Fraternity.
- (c) (1) The official New Member button shall be a red oval surrounded by and crossed diagonally with narrow white stripes presenting a close resemblance to the badge of the Fraternity.

- (2) The New Member button shall be worn with appropriate clothing, such as a collared shirt, sweater or more formal attire. It shall always be worn in the vicinity of the heart and, unlike the badge, may be worn on the lapel of a suit jacket or blazer.
- (3) The New Member button shall be worn only at times and under circumstances where it would be appropriate to wear the badge of the Fraternity, and shall be worn with respect for and understanding of the Fraternity.
- (d) There shall be an official Chapter President's Key. Each active chapter shall possess one of these keys, and a key shall be provided for each new active chapter that is installed. The key shall remain in the permanent possession of each active chapter, and shall be in the custody of the chapter president during his term of office.
- (e) Each member of the Grand Chapter shall wear an insignia of his office at meetings of the Grand Chapter and at other appropriate Fraternity events, whether or not non-members are present.
- (f) The official Theta Chi flag shall be as follows: size - 6x9 feet or 4x6 feet; material - fine wool bunting, doubled and sewed back-to-back; white field, with a 9-inch red border for the 6x9 foot size and a 6-inch red border for the 4x6 foot size; Greek letters "Theta Chi", coiled rattlesnake and "1856" appliquéd on both sides in fine French finish felt; canvas heading with grommets.
- (g) The official Theta Chi chapter banner shall be as follows: material - fine French finish felt; white background with red border superimposed thereon; Greek letters "Theta Chi", coiled rattlesnake, and "1856" appliquéd in felt and pure silk bonaz machine embroidery; size - 24x36 inches (3 inch border), 32x48 inches (4 inch border), and 36x54 inches (4 1/2 inch border).
- (h) The official Theta Chi pennant shall be as follows: material - fine French finish felt; white background at head and red background at point; coiled rattlesnake in red felt appliqué and machine embroidery on the white field, Greek letters "Theta Chi" in white on red field; ribbon ties; size - 18x42 inches or 12x36 inches.
- (i) There shall be an official Alumni Key, to be made in 10K yellow gold, consisting of the Greek letters "Theta" and "Chi" superimposed, mounted on a key shank and so made that the key is double-faced, with on one side the Theta being uppermost and on the other side the Chi being uppermost.
- (j) (1) Each member may wear a robe at each meeting of the active chapter, such robes to be purchased as each chapter may desire. Each officer and initiate shall wear the appropriate robe during the initiation Ritual.
- (2) All robes and insignia shall conform to the standards and specifications established by the Grand Chapter from time to time and maintained on file by the Executive Director.
- (3) The robes of the Fraternity shall be as follows:
  - (A) Member's robe – military red sateen.
  - (B) Officer's robe - military red sateen with insignia.
  - (C) Grand Chapter robe - military red silk poplin, with insignia, band of embroidery on the sleeves and white facing down the front.
  - (D) Counselor's robe - similar to Grand Chapter robe, with insignia.
  - (E) Executive Director's robe - similar to Grand Chapter robe, with insignia.
  - (F) Ritualist's Robe - similar to Grand Chapter robe, with insignia.

#### **Section 4. Traditions**

- (a) All active chapters shall observe the tenth day of each April as Founders' Day. This anniversary of the establishment of the Fraternity shall be celebrated as each active chapter may deem proper; except that at 9:00 of that evening, if an active chapter is in secret session, it shall stand and, in unison and in low voice, repeat the third oath to the Fraternity; if, however, the observance is a public affair, all activities shall cease for two minutes, from one minute before until one minute past the hour of 9:00 p.m.

- (b) "Old Theta Chi" (also known as "It is to Thee, Dear Old Theta Chi") shall be the anthem of the Fraternity and shall be respected accordingly.
- (c) The standard Fraternity colors shall be military red and white.
- (d) The Objectives of Theta Chi Fraternity have been adopted and established, and shall be observed by chapters and members.
- (e) The maxim of the Fraternity shall be as follows: "Alma Mater first, and Theta Chi for Alma Mater".
- (f) An inventory shall be made and maintained of all Fraternity memorabilia located in the International Headquarters.

## **Article IX Miscellaneous**

### **Section 1. Fiscal Year**

The fiscal year of the Corporation shall be from July 1 through June 30.

### **Section 2. Amendments**

- (a) These Bylaws may be amended or supplemented either
  - (1) by the affirmative vote of at least two thirds of the total number of all votes which seated delegates at a National Convention are entitled to cast, followed by a ratification by the active chapters of the action of the National Convention conducted in accordance with subsection (b) of this Section; or
  - (2) by a three-fourths vote of all members of the Grand Chapter then in office; provided that no amendment or supplement to these Bylaws shall be adopted by the Grand Chapter if it is contrary to, or inconsistent with, any amendment or supplement previously adopted (subsequent to the 1996 National Convention) pursuant to subsection (a)(1).
- (b) Any amendment or supplement to these Bylaws adopted by a National Convention pursuant to subsection (a)(1) of this Section 2 shall be submitted to the active chapters eligible to vote by the Executive Director within 60 days after the close of Convention. Such amendment or supplement shall be considered adopted if it receives the affirmative ratifying vote of a majority of the active chapters eligible to vote within a ratification period of 120 days. Any amendment or supplement shall become effective immediately upon the determination by the Executive Director that the required ratifying vote has been received, or at such later date as may be specified in the adopting resolution of the National Convention.

### **Section 3. Parliamentarian**

To assist the Grand Chapter in the prompt, consistent and equitable interpretation of these Bylaws, the Grand Chapter may from time to time appoint one or more alumnus members to serve as Parliamentarian or a Parliamentary Committee.