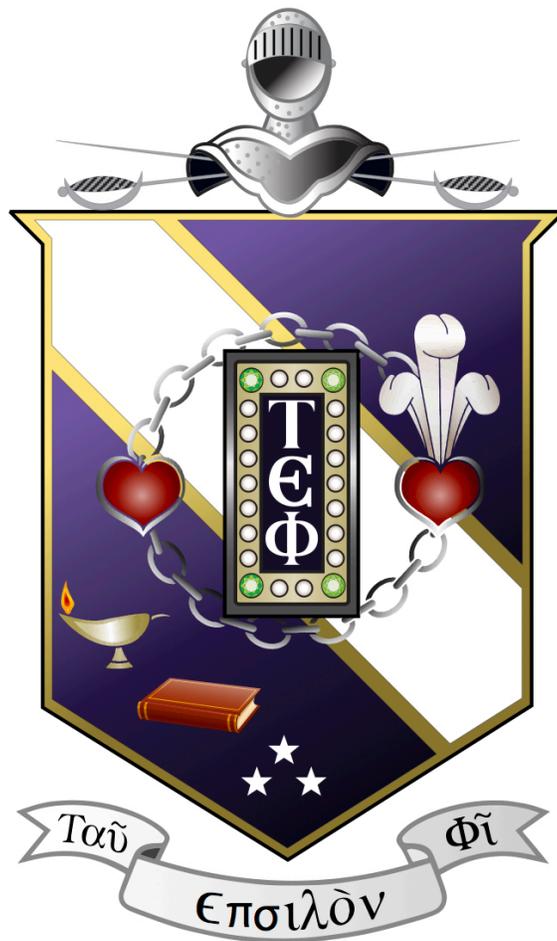


The Constitution and Statutory Code  
of  
Tau Epsilon Phi Fraternity



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# **PREAMBLE**

By the grace of GOD, we, the members of TAU EPSILON PHI FRATERNITY, fully believing that a feeling of true brotherly love and spirit of self-sacrifice can best be promoted by a fraternity of college men, and also believing that such a brotherhood will be an inspiration to the members of this Fraternity toward higher ideals and nobler actions as exemplified by our ritual; and further believing that such a brotherhood will serve as encouragement toward scholastic attainments, do solemnly, and with the faith in the GOD of our forefathers, ordain and establish this Constitution for the Government of our Fraternity.

# THE CONSTITUTION

## **Article I – General Provisions**

### **Section 1 – Name**

The name of this association is and shall be Tau Epsilon Phi Fraternity, Inc.

### **Section 2 – Incorporation**

This Fraternity is and shall continue to be, a corporation organized and existing under the Membership Corporation Law of the State of New York. The members of the Grand Council shall be its officers and directors.

### **Section 3 – Insignia**

#### **a. Official Badge**

The official badge shall be made of gold and shall be oblong in shape, eighteen millimeters long and twelve millimeters wide. It shall have a concentric interior oblong which shall be raised, and the surface of which shall be black enamel with the Greek letters TEΦ in gold. The outer border shall be studded with twenty two jewels arranged as follows: one emerald in each corner, two pearls on each of the shorter sides, and seven pearls on each of the longer side. The Greek letters and the longer sides shall be vertical with the “T” at the top of the badge and the “Φ” at the bottom.

1. The official badge shall be worn only by members of the Fraternity, their mothers, wives, daughters, sisters, or fiancées. It shall be used as a badge only, and shall be worn in a vertical position over the heart.
2. Other badges may be permitted by appropriate provision in the Statutory Code.

#### **b. Coat of Arms**

Arms-Purpose, a bent argent. In fess point, a reproduction of the Tau Epsilon Phi badge proper, surrounded by a chain of twenty-six links, in the center of which, are two hearts on either side. All of this between, in sinister chief three plumes, in dexter base, a flamed lamp of knowledge, a book in perspective (and three mullets one and two, all bondwise and of the forth)

1. Crest – A sovereign’s helmet resting on two swords
2. Motto – “Tau Epsilon Phi” in upper and lower case Greek letters:

#### **c. Colors**

The colors of the Fraternity shall be lavender and white.

#### **d. Flag**

The flag of the Fraternity shall be oblong in shape, with the longer sides vertical. It shall be lavender and white, divided diagonally from the upper left corner to the lower right corner, with the three Greek letters TEΦ in that order vertically. In the center the upper

triangle shall be white and the lower triangle shall be lavender. The letter “T” shall be lavender and the letter “Φ” shall be white in contrast to the fields. The diagonal line shall pass through the letter “E”.

**e. Flowers**

The flowers of the Fraternity shall be violets and lilies-of-the-valley in combination

**f. Seal**

The corporate seal of the Fraternity shall be circular in form, with the coat of arms in the center and word “Grand Seal” directly below it, all of which shall be circumscribed by the words “Tau Epsilon Phi Fraternity, Inc. 1910”.

## **Section 4 – Ritual**

The National Fraternity ritual existing at the time of the adoption of the Constitution shall continue to be the sole and official ritual of the Fraternity. Amendments to the ritual are subject to both the Constitution and Statutory Code.

## **Section 5 – Statutory Code**

There shall be in addition to the Constitution, a code of laws for the government of the Fraternity to be known as the Statutory Code. The Statutory Code shall be adopted and come into existence together with, and at the same time as the Constitution. The Statutory Code, upon the date of its going into effect, shall supersede any and all statutory laws for the government of the Fraternity existing prior to such date; providing they do not conflict with the Constitution. In any event wherever there is a conflict between the Constitution and Statutory Code of the Fraternity, the Constitution shall always prevail and any statutory laws passed in contradiction or restriction of the Constitution shall be null and void.

## **Section 6 – Good Standing**

The term “good standing,” as used in the Constitution and in the Statutory Code, shall be applied only to a member or undergraduate chapter who or which has been duly initiated or installed. They also shall not be in arrears with respect to any financial obligations owed to the National Fraternity or any chapter, agency, or subdivision thereof. The member or chapter must also not be suspended by the Fraternity or any chapter, subdivision thereof, or by the institution at which the chapter is located. The term “good standing” as outlined in Article I, section 6, of the Constitution shall be determined and certified by the Grand Council or the Executive Committee acting on its behalf.

## **Section 7 – Good Scholastic Standing**

The term “good scholastic standing,” as used in the Constitution and in the Statutory Code, shall be applied as follows:

**a. Candidates for membership**

1. In order to join an undergraduate chapter, a potential new member who has yet to establish a collegiate GPA shall have a minimum high school GPA of 2.50.
2. In order to join an undergraduate chapter, a potential new member who has established a collegiate GPA shall have at least a 2.50 collegiate GPA.

b. Undergraduate Chapters

In order to maintain good standing within the fraternity, undergraduate chapters are required to establish and maintain a minimum annual cumulative GPA of:

1. 2.70 or higher; or
2. One that is at or above the all men's GPA for the host institution where an undergraduate chapter exists, if the all men's GPA for the host institution is below a 2.70.
3. Subparagraph b shall take effect on January 1, 2015.

## ***Article II – Membership***

### **Section 1 – Eligibility – Classification**

Any male person of good moral character who conforms to the ideals of the Fraternity shall be eligible for membership, without restriction relating to race, creed, color, sexual orientation, or national origin, in one of the following classes:

**a. Active Undergraduate Membership**

Active Undergraduate Membership may be conferred upon any student who meets the requirements stated in the preceding paragraph, who is in good scholastic standing, who is pursuing an undergraduate or post graduate course at any college or university that has a duly constituted chapter of the Fraternity, and who is not a member of any other collegiate Fraternity, except for honorary, or professional Fraternities.

1. Only the Grand Council may grant inactive status to an undergraduate member of a chapter. A majority vote of the Grand Council is required to grant such inactive status to an undergraduate member. Chapters must petition the Grand Council, in writing, for inactive status to be conferred upon any individual member. The Grand Council shall not withhold a grant of inactive status without good cause.

**b. Alumni Membership**

Alumni membership shall be automatically conferred upon every previous undergraduate active member who has ceased to be an active member of his chapter by reason of the completion of the undergraduate or postgraduate courses, which he has pursued, or by reason of his withdrawal from his college or university. Such alumni membership shall terminate and active membership be restored upon his matriculation at any college or university.

**c. Honorary Membership**

Honorary membership may be conferred upon any man of distinction or eminence whose achievements shall merit such membership, except for one who is already a member of any collegiate fraternity other than an honorary or professional fraternity. The majority vote of the Grand Council members voting shall be necessary for the election of such membership. After such election, the prospective honorary member may be inducted into the Fraternity in such manner as the Grand Council may direct. The total membership of

Honorary members shall not at any time exceed two percent of the total membership of the Fraternity. Deceased members shall not be included in this computation.

**d. The Little Sisters of Tau Epsilon Phi**

The Tau Epsilon Phi Fraternity hereby prohibits any chapter or its members from acting in any fashion or undertaking any actions that organizes, fosters or encourages the existence of any undergraduate auxiliary groups to Tau Epsilon Phi chapters, commonly known as “Little Sisters”.

**e. Discrimination**

There shall be no discrimination against any individual because of race, creed, color, sexual orientation, or national origin. Any member or chapter that is found to be in violation of this anti-discrimination policy shall be subject to disciplinary action provided for under the Constitution or Statutory Code of the Fraternity.

## **Section 2 – Election and Initiation**

**a. Active Undergraduate Members**

The election and induction of active undergraduate members are provided for in Article II, Section 1, subsection (a).

**b. Honorary Members**

The election and induction of honorary members are provided for in Article II, Section 1, subsection (c).

**c. Candidate Admission**

It shall be left to the discretion of each individual chapter by what vote the candidates shall be admitted. No change in the method of exclusion may be made during the period affecting the pledge or pledges involved. In the event that a candidate is excluded from membership, such negative votes may be overruled by a majority vote of the Grand Council taken upon petition of the majority vote of the members in the undergraduate chapter involved.

## **Section 3 – Legacy**

A legacy is the son, grandson, stepson, brother or nephew of an initiated member of Tau Epsilon Phi Fraternity, Inc. If any chapter or colony is notified of a legacy, the chapter or colony must extend him an invitation to go through the chapter or colony’s Rush Program. Extending a bid to the legacy is to be determined by the local chapter or colony in accordance with the Constitution and Statutory Code of Tau Epsilon Phi.

## **Section 4 – Initiation**

**a. Conformity to the Established Ritual**

All initiations shall be in conformity to the established ritual of the Fraternity. Any initiations not conforming thereto shall be void and of no effect.

**b. Payment of Initiation Fees**

No initiation of any candidate for active membership shall be granted unless all initiation fees are paid.

**c. Initiation Statement**

All initiates shall sign a statement containing an agreement to abide by the by-laws, Constitution and Statutory Code of the Fraternity, and the by-laws and rules of the chapter, and that statement shall be provided to the Grand Council of the Fraternity by the individual chapters, within a reasonable period of time following the initiation.

**Section 5 – Transfer**

Any member in good standing in his chapter matriculating in another college or university at which there is a chapter of the Fraternity may, upon application of the latter chapter to the Grand Council, be permitted by the Grand Council to transfer his membership to the later chapter.

**Section 6 – Resignation**

No member of the Fraternity may resign his membership without the approval of the Grand Council.

**Article III – Government Bodies and Officers**

**Section 1 – The Grand Chapter**

**a. Composition**

The Grand Chapter shall be a representative body composed of one or more but not more than six, delegates from each active chapter in good standing. The representatives shall be duly elected in accordance with the provisions of the Statutory Code for the election of officers of undergraduate chapters. There also shall be one or more, but no more than six, duly elected delegates from each recognized alumni club. The delegation from each active chapter or alumni club shall have one vote. If at any time the number of recognized alumni clubs exceeds one-half the number of active chapters then the vote of each recognized alumni club shall be reduced to the point where the combined vote of all recognized alumni clubs is equal to one-half the number of active chapters.

1. Delegate Eligibility – No chapter may select as a delegate a brother who is not or has not been at any time a member of that chapter. No brother may be accredited as a delegate from a chapter unless he is in good standing in his present or previous chapters. No delegate to the Grand Chapter shall represent more than one chapter therein.
2. Credentials Committee – No delegate shall be seated unless approved by the Credentials Committee, which shall be appointed by the Grand Council at the last scheduled meeting prior to the Grand Chapter meeting. The Credentials Committee shall have five (5) members, including the Consul and the Undergraduate Vice Consul. The committee will elect its own chairman.

**b. Officers**

The Grand Chapter shall elect a Grand Chancellor as presiding officer with power to appoint the necessary Grand Chapter committees, except for the Credentials Committee, which shall be composed as specified in Subsection a (2) of this section. The other elected officers shall be the Grand Vice Chancellor, Grand Scribe, Grand Warden and Grand Chaplin. The duties of the respective officers of the Grand Chapter shall be analogous to those corresponding officers of the undergraduate chapter, as set forth in the Statutory Code, Article IV, Section 4(e).

**c. Quorum**

Delegates from a majority of the undergraduate chapters present shall constitute a quorum for the transaction of business. A majority vote of the members of the Grand Chapter present shall be binding as the law of Tau Epsilon Phi Fraternity, Inc.

**d. Powers**

The supreme legislative powers of the Fraternity shall be vested in the Grand Chapter, subject to the provisions of the Constitution.

**e. Sessions**

The Grand Chapter shall hold a regular session once every two years at a time and place to be determined by the Grand Council. Notice of this meeting must be sent to all undergraduate chapters and colonies, and to all alumni clubs one year before the meeting shall take place.

## **Section 2 – The Grand Council**

**a. Powers**

Except as particular powers may be expressly vested by other provisions of the Constitution, the Grand Council shall be the supreme executive, legislative, and judicial body of the Fraternity during the period of time between sessions of the Grand Chapter. In addition to this,

1. The Grand Council may recommend changes in the Constitution and/or Statutory Code by presenting amendments as provided in Article VII.
2. The Grand Council shall have the authority to investigate, audit and take appropriate action on the financial affairs of any member, committee, chapter, or subdivision of the Fraternity.
3. The Grand Council shall be empowered to take any action, disciplinary or otherwise against any officer, chapter, member or committee, which it shall deem necessary or expedient by reason of any irregularity in the financial affairs of such officer, chapter, member or committee.
4. The Grand Council shall be empowered to grant charters, approve colony status, and present awards for chapter excellence.

**b. Election**

All of the members of the Grand Council shall be elected at each regular session of the Grand Chapter.

1. The members of the Grand Council shall hold office until the completion of the administration of the oath of office to the new Grand Council.

**c. Composition**

The members of the Grand Council shall be the International Consul, the International Senior Vice Consul, the International Second Vice Consul, the International Third Vice Consul, the International Undergraduate Vice Consul, the International Quaestor, the International Tribune, the International Praetor, the nine (9) members at large, and the immediate past International Consul of the Fraternity.

**d. Qualifications**

The qualifications prerequisite to election to the Grand Council shall be as follows, except that an honorary member shall automatically be eligible.

1. International Consul: The International President shall be not less than twenty-one (21) years of age. He shall have been a member of the Fraternity for not less than ten (10) years, and shall have served not less than one year as a duly elected member of the Grand Council.
2. Vice Consuls: The qualifications of the three International Vice Consuls shall be the same as those of the International Consul except that he shall not be required to have previously served as a member of the Grand Council.
3. International Undergraduate Vice Consul: The International Undergraduate Vice Consul shall be an undergraduate of an active chapter or shall have been an undergraduate of an active chapter not more than two years previous to his election.

In the event that the position of International Undergraduate Vice Consul becomes vacant, the position may be offered to the three (3) Undergraduate Members-at-Large. The Executive Committee will appoint the position to the most qualified. Applications must be submitted no later than sixty (60) days from the vacancy.

4. International Quaestor (Treasurer): The qualifications of the International Quaestor shall be the same as those of the International Vice Consuls.
5. International Tribune (Recording Secretary): The qualifications of the International Tribune shall be the same as those of the International Vice Consuls.
6. International Praetor: The qualifications of the Praetor shall be the same as those of the International Vice Consuls.
7. Members-at-Large: There shall be nine (9) members-at-large. Six (6) of the nine members-at-large shall be alumni in good standing. In addition there shall be three (3) members-at-large who shall be undergraduates at the time of their election.

8. Reimbursement: The International Consul, the International Praetor, and the undergraduate members of the Grand Council (Undergraduate Vice Consul and three (3) members-at-large must be reimbursed for their reasonable travel expenses and other expenses as they relate to the discharge of their positions on the Grand Council. All other members of the Grand Council may be reimbursed for expenses relating to matters of the Fraternity per the discretion of the International Consul and the International Quaestor.

**e. Duties of Officers**

1. International Consul: The International Consul shall be the chief executive officer and International President of the Fraternity and shall perform all the duties incidental to such office. He shall preside over all meetings of the Grand Council, and shall have a vote on all questions. He shall appoint all committees of the Grand Council. He shall prepare and submit a report on the general condition and welfare of the Fraternity at the Grand Chapter's next meeting succeeding his election. He shall either be present at the installation of every new chapter, or shall delegate a brother to act as his personal representative at such installations. He may appoint a special trial commission chaired by the Praetor to hear and adjudicate charges involving discipline. The International Consul, after consultation with the three International Vice Consuls, shall designate certain areas of responsibility for each Vice Consul. These areas include Undergraduate Affairs, Alumni Affairs, Development, Expansion, Awards & Scholarships, Publicity and Long Range Planning.
2. International Senior Vice Consul: (First Vice President) The International Senior Vice Consul shall assist the International Consul in this discharge of his duties, and in the case of the absence of the International Consul, shall preside or act in his place. In the event of a necessity of succession to position of International Consul, the Senior (in time of service) Vice Consul shall perform the duties of International Consul until a new one can be elected at the first subsequent meeting of either the Grand Council or Grand Chapter meetings, whichever comes first. Senior here, meaning, senior in time of service on the Grand Council or time of membership in the brotherhood if the first is not available.
3. International Second Vice Consul: (Second Vice President) The International Second Vice Consul shall assist the International Consul and the International Senior Vice Consul in the performance of their duties. In case both the International Consul and the International Senior Vice Consul are absent, he shall preside or act in their places. He shall succeed to the office of International Consul in the event that the office becomes vacant and the International Senior Vice Consul is unable to accept the succession.
4. International Third Vice Consul: (Third Vice President) The International Third Vice Consul shall assist the International Consul and the International Senior Vice Consul and the International Second Vice Consul in the performance of their duties. He shall succeed to the office of International Consul in the event that the office becomes vacant and the International Senior Vice Consul and the International Second Vice Consul are unable to accept the succession.

5. International Quaestor: (Treasurer) The International Quaestor shall be elected and shall receive and shall have custody of all the monies due to the fraternity and shall pay all debts owed by the Fraternity upon the authorization of the Grand Council. The International Quaestor shall present to the Grand Council, prior to the beginning of the fiscal year, a detailed budget outlining the expenditures of the Fraternity for the upcoming fiscal year. This budget must be presented and approved by the Grand Council. All checks must be approved by the Quaestor and the International Consul. The checks may be signed by any duly authorized agent of the Fraternity. The Quaestor shall record all matters, receipts and expenditures and upon request by the Grand Council, shall furnish a detailed statement of the finances of the Fraternity. He shall make a full report at each meeting of the Grand Council and shall present to the Grand Chapter at each of its meetings a financial statement audited and certified by a Certified Public Accountant who shall not be a member of the Fraternity. He shall give a surety bond in such form and amount as shall be determined by the Grand Council. He shall be the Treasurer of the Tau Epsilon Phi Fraternity as a body corporate. He shall succeed to the office of International Consul in the event that the International Senior Vice Consul, International Second Vice Consul and the International Third Vice Consul are unable to accept the succession.
6. International Tribune: (Secretary) The International Tribune is responsible for the recording and permanent preservation of the minutes of all meetings of the Grand Council. He shall conduct and preserve the correspondence and records of the Grand Council, and shall collect, arrange and preserve statistics as to membership, and other matters of Fraternity interest. He shall be the recording secretary of the Tau Epsilon Phi Fraternity body corporate. He shall succeed to the office of International Consul in the event that the office becomes vacant and the International Senior Vice Consul, International Second Vice Consul, International Third Vice Consul and the International Quaestor are unable to accept the succession.
7. International Praetor: The International Praetor is responsible for oversight of Discipline for Tau Epsilon Phi. He shall work in conjunction with the International Consul and the International Vice Consul responsible for Undergraduate Affairs. He shall chair all Tribunals appointed by the Consul. He is responsible for the collection of facts and information related to all disciplinary cases. He will insure that all disciplinary proceedings are conducted with due process. He will make recommendations of the appropriate disciplinary action to the Grand Council following consultation with the International Consul and International Vice Consul responsible for Undergraduate Affairs. The International Praetor does not succeed to the Consulship in the event that all other officers are unable to accept the succession.
8. Members-at-Large: Within ninety (90) days of their election, the members-at-large shall elect from their number an "At Large Delegate" to sit and serve as a voting member of the Executive Committee of the Grand Council.

**f. Meetings**

The Grand Council shall hold an in-person organizational meeting within ninety (90) days after its election and it shall meet at any time upon the call of the International President or five members of the Grand Council. The time and place of the meetings shall

conform to the requirements of the pertinent provisions of the Laws of the State of New York.

**g. Quorum**

Seven (7) of the voting members of the Grand Council shall constitute a quorum for the transaction of business. No proxy votes shall be admitted.

**h. Vacancies**

The Grand Council shall have the power to fill any vacancies in its membership, which may occur except as provided in Subsection (e), paragraph 2-6 of this Section. A vacancy shall exist upon the receipt and acceptance of a letter of resignation by the International Consul from any Grand Council member.

**i. Suspension of Authority of Officers and Removal of Directors**

Officers of the Fraternity may have their authority to act as an officer suspended for cause, and directors may be removed from office for cause, as provided for in New York State Not-For-Profit Corporation Law. Cause shall be defined as having an unexcused absence from three (3) successive regularly scheduled Grand Council meetings, or a violation of a relevant section or sections of the Statutory Code that has been judged guilty according to the procedure in the Statutory Code.

**j. Committees**

1. **Executive Committee:** The Grand Council shall have the power to create an Executive Committee, consisting of the International Consul, the three (3) International Vice Consuls, the International Undergraduate Vice Consul, the International Quaestor, the International Tribune, and the immediate Past International Consul, and the Member-at-Large Delegate from the Grand Council. The Executive Committee shall be delegated the full authority to act on behalf of the Grand Council between sessions of the Grand Council, and shall be delegated full authority and responsibility to act upon any business which comes before it relating to the activities of the Grand Council, and the Executive Committee shall be responsible to the Grand Council for any and all its actions. The Executive Committee shall meet upon the call of the International Consul, who shall be its Chairman, or upon the call of a majority of its members.
2. **Standing Committees:** Alumni members of the Grand Council may be nominated and elected by the Grand Council to chair the following standing committees: Finance, Governance, Alumni Affairs, Recruitment and Candidate Education Awards, Fund Raising, Expansion, Rushing, and Undergraduate Affairs.
3. **Special / Select Committees:** The Grand Council may create special committees.

**k. Form of Meetings**

The Grand Council, Executive Committee, and all standing and special committees are allowed to meet electronically using telephone or internet, audio or video conferencing. There must be the opportunity for simultaneous aural communications among all participating members. A quorum must be determined. There must be a

method for raising a point of order to doubt the presence of a quorum, determining recognition, and obtaining the floor. There must be a means by which motions may be submitted in writing during a meeting, and there must be a method for taking and verifying votes.

#### **I. Eligibility**

In order to be eligible to serve on the Grand Council, all members of the Grand Council shall be either an active member of an undergraduate chapter, a member of a recognized alumni club or a member of the National Chapter. The member must also be in good financial standing with the National Fraternity having paid their current undergraduate dues, as defined in Article IV, Section 3(b) of the Statutory Code or by payment of the annual National Chapter dues as defined in Article V, Section 1(a) of the Statutory Code. Those members who are life members of the National Chapter shall be deemed to have satisfied this requirement without further payment.

### **Section 3 – Office Staff**

The Grand Council shall have the authority to employ office staff. The staff may include an Executive Director, Assistant Executive Director and / or Field Consultants.

#### **a. Executive Director**

The Grand Council shall have the authority to employ an Executive Director who shall have active charge of the day-to-day administration of the Fraternity, subject to the direction of the Grand Council.

#### **b. Assistant Executive Director**

The Grand Council shall have the authority to employ an Assistant Executive Director who shall have the same responsibilities and duties of the Executive Director, subject to the direction of the Grand Council.

#### **c. Field Consultants**

The Grand Council may appoint one or more Field Consultants who shall operate subject to the direction of the Executive Director. Anyone so appointed shall be an alumnus in good standing of the Fraternity. The Grand Council shall have the authority to discharge the holder of that office.

### **Section 4 – Regional Governors**

#### **a. Appointment**

Upon recommendation of the chapters and alumni clubs concerned, the Grand Council shall appoint Regional Governors for each of the Geographic Regions of North America as set forth in the Statutory Code. Such Regional Governors shall be subject to the supervision of the International Consul and or such International Vice Consuls as the International President shall designate.

## **b. Duties**

The Regional Governors shall serve as the representatives of the Grand Council in their respective regions.

- a. The Regional Governor shall visit, advise, and cooperate with the chapters in his region on matters of rushing, housing, finances, management, and other Fraternity problems. He shall also work with the alumni clubs in his region.
- b. The Regional Governor will be expected to make trips to chapters, alumni clubs, or other necessary visits for the Fraternity. These trips and other trips by the Regional Governors shall be paid for on a mileage basis by the National Headquarters, when authorized by the Grand Council.
- c. He shall receive all confidential reports from the Fraternity and from the Executive Director for the transmission to the chapters and alumni clubs in his region.
- d. He shall investigate the possibility of and plan for the addition of new chapters in his region. He shall be in close contact with all schools in his region regardless of whether or not there are chapters present, and shall further the interest of the Fraternity at these schools.
- e. He shall encourage and help organize new alumni clubs as well as assist with our meet-and-greet events in his region.
- f. A Regional Conclave shall be held at least during the non-convention years which need not be limited to chapters in one official region, but may be broadened to include more than one region with the consent of the National Office and the representative Regional Governor. The funding and mechanics for the conclave will be determined by the Grand Council.
- g. He shall aid the publication of the *PLUME* in determining that reports of his chapters and alumni clubs are in by the publication deadline. He shall further aid in compiling a list of persons to whom the *PLUME* should be sent.
- h. He shall endeavor to turn over to the chapters in his region the list of new students entering their respective schools.
- i. He shall assist in the promotion of the TEΦ Foundation, Inc.

## **Section 5 – Chapter Advisors**

The Grand Council, upon recommendation of the Regional Governors concerned, and with the consent of the chapter concerned shall appoint at least one chapter advisor for each chapter.

The advisors shall be alumni in good standing, residing in or near the location of the chapter for which they are appointed, and need not be alumni of said chapter. The advisor's duties shall be to advise and aid the chapter as a representative to the Regional Governor. He shall serve during the pleasure of the Grand Council and he shall have the power and the duties of his office until his successor is appointed.

## **Article IV – Undergraduate Chapters**

### **Section 1 – Formation and Colonization**

#### **a. Number and Location of Petitioners**

Undergraduate colonies may be established upon the petition of at least fifteen (15) resident undergraduate members of a college or university each of who agree to abide by the Constitution and Statutory Code of Tau Epsilon Phi.

#### **b. Inspection by Grand Council**

The petitioning group shall be inspected and interviewed by at least one member or representative of the Grand Council.

#### **c. Petition**

The petition for colonization shall furnish such information as may be required by the Statutory Code, and shall be presented together with the report of the inspecting member, at the next meeting of the Grand Council following the inspection.

#### **d. Vote on Petition**

The consent of a majority of the members of the Grand Council present at a meeting thereof shall be necessary to grant colony status to the petitioning group.

#### **e. Installation and Charter**

The petitioning group shall be installed and granted a charter, in the form prescribed by the Grand Council, after the final approval of its petition. Alumni of the petitioning group shall be inducted as alumni members of the Fraternity only with the group at its installation, except that any such alumni not then and there inducted may subsequently be initiated as alumni members of the Fraternity upon the consent of the Grand Council and at such time and place as it may designate. Final approval shall be granted by a majority vote of the Grand Council members voting when the colony has fulfilled the requirements for a Charter as specified in the Statutory Code.

### **Section 2 – Membership**

#### **a. Composition of Chapter**

An active undergraduate chapter shall be composed of such members of the Fraternity as defined in Article II.

#### **b. Conformity of Pledge Requirements**

Candidates for membership shall have been pledged at least one (1) month and shall have conformed to all the requirements of pledging as outlined by statute, excepting the Grand Council may waive the time requirement.

#### **c. Initiation and Enrollment**

All candidates shall be initiated in conformity with Article II, Section 2. All members upon initiation shall be duly enrolled on the chapter and Fraternity rolls, and shall be vested with the raiment of the Fraternity.

#### **d. Hazing**

Hazing is an action taken or situation created, intentionally, whether on or off Fraternity premises, to produce mental or physical discomfort, embarrassment, harassment or ridicule. Such activities and situations, without limitation, including paddling in any form, creation of excessive fatigue, physical and psychological shocks, quests or treasure hunts, scavenger hunts, road trips, or any other such activities carried on outside the confines of the house, wherein, publicly, apparel which is conspicuous and not normally in good taste is worn, engaging in public stunts of buffoonery, morally degrading or humiliating games and activities, late work sessions, which interfere with scholastic activities, and any other activities which are not consistent with Fraternal law, ritual or policy or the regulations and policies of the educational institution at which the chapter is located or any applicable state and local laws or ordinances, are especially forbidden and prohibited by the Fraternity.

### **Section 3 – Constitutional Bylaws**

Each chapter may adopt such by-laws that will not be in conflict with any of the provisions of the Constitution or Statutory Code of the Fraternity or any of the edicts of the Grand Council, or any of the rules and regulations of the college or university in which it is located. A copy of each chapter's by-laws should be on file at the National Headquarters and all amendments and changes should be sent to the National Office as soon as possible.

### **Section 4 – Fees, Dues, and Fines**

#### **a. Responsibility of Chapter**

Each active undergraduate chapter shall pay to the Grand Council such fees as may be provided for in the Statutory Code, at such times as therein provided.

#### **b. Responsibility of Chapter Members**

Each undergraduate chapter member shall be responsible for such dues, assessments, and fines as may be levied by his chapter in accordance with the provisions of its by-laws.

### **Section 5 – Officers**

#### **a. Required Officers**

The required officers of each undergraduate chapter shall be the Chancellor, Vice-Chancellor, Scribe, Bursar, Historian and Warden. Each chapter may have such other officers as may be provided for in its by-laws.

#### **b. Qualifications**

The qualifications for election to any chapter office shall be fixed by the statute or by the by-laws of the chapter.

#### **c. Duties**

The duties of the officers of the undergraduate chapter shall be fixed by statute.

### **Section 6 – Dormancy of Chapter**

When, in the judgment of the Grand Council, an undergraduate chapter shall have failed to perform the proper functions of an undergraduate chapter of the Fraternity, the Grand Council

shall have the authority to declare such chapter dormant and inactive, and to require the surrender of its charter and all its records and property.

## **Article V – Alumni Organization**

### **Section 1 – National Membership**

#### **a. Definition**

The National Chapter shall be composed of all alumni members who conform to the requirements of subdivisions (b) and (c) of this Section.

#### **b. Membership Eligibility**

Any alumnus member of the Fraternity in good standing with his undergraduate chapter shall be eligible for membership in the National Chapter of the Fraternity.

#### **c. Dues / Benefits**

The members of the National Chapter shall pay to the Grand Council such dues, and receive such benefits as shall be provided for in the Statutory Code.

#### **d. Alumni Secretary**

The Grand Council shall have the authority to hire an Alumni Secretary under such terms and for such periods as it may see fit and shall have the authority to designate his duties.

### **Section 2 – Alumni Clubs**

#### **a. Organization / Membership**

Any group of ten (10) or more alumni members of the Fraternity, who shall also be members of the National Chapter, as defined in Section 1, of Article V, may submit to the Grand Council a petition, accompanied by the fee prescribed by the Grand Council, for a charter as an official and recognized alumni club of the Fraternity, and the Grand Council is hereby authorized to grant, in its discretion, such charter. The charter shall be in such form as proscribed in the Statutory Code. An alumni club should have at least one meeting per year, with reports of activities rendered to the National Office annually.

#### **b. Purposes**

The purpose of the alumni clubs shall be to foster and cultivate the ideals of the Fraternity and social and fraternal relations among the members of the clubs, to promote the interests and welfare of the Fraternity generally and of its undergraduate chapters; and to guide, advise and assist such chapters in their financial and other activities; and in problems requiring mature judgment.

#### **c. Dues**

Each alumni club may impose upon its members such dues as it sees fit. At such times as the Grand Council may require, each alumni club shall submit to the Grand Council a list of its members, with their addresses, together with the alumni club dues prescribed in the Statutory Code; and no brother shall be a member of an alumni club unless such dues have been remitted by him as so required.

**d. By-Laws**

Each alumni club may adopt such by-laws that shall not be in conflict with any of the provisions of the Constitution or Statutory Code of the Fraternity, or any of the edicts of the Grand Council.

**e. Officers**

Each alumni club shall elect a President, a Vice President, a Secretary, a Treasurer, and a Reporter. Each club may have such other officers as provided by its by-laws.

**Article VI - Discipline**

**Section 1 – Jurisdiction**

**a. Of Undergraduate Members**

Proceedings may be instituted against an undergraduate member for offenses against the Fraternity, as set out in the Statutory Code, before his chapter, the Grand Council, or a special trial commission.

**b. Of Alumni Members**

Proceedings may be instituted against an alumnus member for offenses against the Fraternity as set out in the Statutory Code, before his chapter, or a body specially appointed for that purpose by the Grand Council.

**c. Of Undergraduate Chapters or Alumni Clubs**

Proceedings may be instituted against an undergraduate chapter or alumni club, for offences against the Fraternity, as set out in the Statutory Code, before the Grand Council.

**d. Inter-Chapter Proceedings**

All fraternal proceedings by one undergraduate chapter against another undergraduate chapter, or by an individual of one undergraduate chapter against another undergraduate chapter or an individual in another undergraduate chapter, regardless of the nature of the offense or complaint, much be instituted before the Grand Council within thirty (30) days after the incident has been reported.

**Section 2 – Appeal**

**a. Right of Appeal**

The accused in a disciplinary proceeding shall have a right of appeal, either from the judgment of guilt or from the nature of the penalty imposed, subject to the following provisions of this section.

**b. Appeal to the Grand Council**

An appeal from a conviction before an undergraduate chapter or alumni club or special trial commission must be heard and may be acted upon by the Grand Council at its discretion.

**c. Appeal to the Grand Chapter**

An appeal from a conviction before the Grand Council must be heard and may be acted upon by the Grand Chapter at its discretion.

**d. Proceedings**

Proceedings as to appeal shall be determined by the body to which the appeal is taken.

**Section 3 – Procedure Preliminary to Trial or Hearing**

The procedure preliminary to trial or hearing shall be as set forth in the Statutory Code.

**Section 4 – Trial**

The Trial or Hearing shall be conducted in accordance with the provisions of the Statutory Code.

**Section 5 – Penalties**

For both undergraduate chapters and members, the penalty for a disciplinary offense may, as determined by the trial body, consist of one or more of the following: censure, fine, suspension from membership in the Fraternity, suspension from office, and expulsion from the Fraternity.

Any undergraduate chapter delinquent sixty (60) days or more in any financial obligation to the Fraternity may be suspended by vote of the Grand Council. Failure of the chapter to pay its arrears within sixty (60) days after suspension for this cause may, in the discretion of the Grand Council, constitute grounds for expulsion.

**Article VII – Parliamentary Authority, and Definitions**

**Section 1 – Parliamentary Authority**

The rules contained in the current edition of *Robert’s Rules of Order Newly Revised* shall govern Tau Epsilon Phi, Fraternity, Inc., in all cases to which they are applicable and in which they are not inconsistent with the laws of the State of New York, the articles of incorporation, this Constitution, the Statutory Code, and any special rules of order the Fraternity may adopt.

**Section 2 – Definitions**

As used in this Constitution and Statutory Code, the phrase “entire Grand Council” means the total number of directors entitled to vote which the Fraternity would have if there were no vacancies.

**Article VIII – Amendment**

**Section 1 – Of Constitution**

**a. Proposal of Amendment**

Any proposed amendment to the Constitution, in order to be considered for adoption, must be submitted in writing to the Grand Council at least forty (40) days before the opening date of the next following session of the Grand Chapter.

The Grand Council, upon receipt of such proposed amendment, shall at least thirty (30) days before the opening date of the next following meeting of the Grand Chapter, send a

copy of such amendment to each undergraduate chapter and alumni club in good standing.

**b. Vote**

An amendment to the Constitution, previously proposed in subdivision (a) of this Section, shall be adopted only by a vote of at least three quarters (3/4) of the undergraduate chapters and alumni clubs represented at the session of the Grand Chapter.

**c. Between Sessions of the Grand Chapter**

Between the sessions of the Grand Chapter, an amendment to the Constitution may be proposed by the undergraduate chapters and/or the Grand Council and shall be acted on upon the recommendation of two-thirds (2/3) of all members of the Grand Council. It may be adopted only by a mail vote in which at least ninety percent (90%) of the active undergraduate chapters and alumni clubs express approval.

**d. At sessions of the Grand Chapter**

In the event that there has been a failure to comply with subdivision (a) or subdivision (b) of this Section, the Grand Chapter of the Fraternity by a three quarters (3/4) vote of those delegates voting may amend the Constitution at any session of the Grand Chapter on any amendment that is proposed by any qualified delegate at any Grand Chapter meeting.

## **Section 2 – Of Statutory Code**

**a. Action of Grand Chapter**

Amendment of, or addition to the Statutory Code shall be by the action of the Grand Chapter at its regular session, as provided for in Article III, Section 1, of the Constitution, except as may otherwise be provided for in the Constitution.

**b. Between Sessions of the Grand Chapter**

Between sessions of the Grand Chapter, an amendment to the Statutory Code may be proposed by the undergraduate chapters and/or the Grand Council, and may be approved by two-thirds (2/3) of all members of the Grand Council voting in a regularly called meeting.

# STATUTORY CODE

## **ARTICLE I – General Provisions**

### **Section 1 – Official Badge**

#### **a. Badges other Than Official Badge**

1. Un-jeweled Badge: The full size plain badge shall be of the same materials, dimensions, and description as the official badge provided for and described in Article I, Section 3, Subsection (a) of the Constitution except that it shall have no jewels, but in place thereof a plain beveled gold edge.
2. Miniature Jeweled Badge: The miniature jeweled badge shall be in all respects the same as the official badge provided for and described in Article I, Section 3, Subsection (a) of the Constitution, except that its height shall be 13 millimeters and its width 8 millimeters.
3. Miniature Un-jeweled Badge: The miniature un-jeweled badge shall be in all respects the same as the miniature jeweled badge provided for and described in Paragraph 2 above, except it shall have no jewels, but in place thereof a plain beveled gold edge.

#### **b. Other Insignia**

The following insignia may be adopted or awarded within the discretion of the Grand Council and the specifications thereof determined by it: Alumni Recognition Key, Associate or Honorary Brother's Key, Bursar's Key, Chancellor's Key, Consul's Key, Founder's Award Key, Meritorious Service Key, National Extra-Curricular Award Key, and the National Key. The Grand Council shall award insignia to an officer of an undergraduate chapter only after approval of that undergraduate chapter.

### **Section 2 – Publications**

#### **a. Exoteric**

The Plume of Tau Epsilon Phi shall be the name of the official exoteric publication of the Fraternity and shall be published under such regulations as the Grand Council may from time to time provide.

#### **b. Esoteric**

The *TEΦ Leader* shall be the official esoteric journal of the Fraternity and shall be published under such regulations as the Grand Council may from time to time provide.

#### **c. Directory**

The Geographic of Tau Epsilon Phi shall be the official name of the Membership Directory of the Fraternity and shall be published at such times and in such manner as the Grand Council may designate.

**d. Pledge Manuals**

*The Portals of Tau Epsilon Phi* shall be the official name of the Pledge Manual of the Fraternity and shall be published at such times and in such manner as the Grand Council may designate.

**ARTICLE II – Membership**

**Section 1 – Election and Initiation**

**a. Initiation Ceremonies**

All chapter initiation ceremonies shall be conducted according to the Ritual provided by the National Headquarters. Local initiation or pre-initiation activities that violate Article IV, Section 2, subsection (d) of the Constitution or are otherwise inappropriate, are expressly forbidden.

**b. Certificate of Membership**

A membership certificate also known as a “shingle” shall be presented by the Grand Council to each initiate. Such certificate shall be in such form and language as may be determined by the Grand Council.

**c. Membership Card**

A membership card shall be presented by the Grand Council to each initiate. Such card shall be in such form and language as may be determined by the Grand Council.

**ARTICLE III – Government Bodies and Officers**

**Section 1 – Regions of the Fraternity**

The Grand Council shall be empowered to break the Undergraduate Chapters into distinct Regions and to assign Regional Governors to service and oversee those Regions. These Regions shall be determined by a geographic partitioning of active Undergraduate Chapters and when possible, shall consist of between five (5) and fifteen (15) chapters each.

**Section 2 – Executive Director**

**a. Qualifications**

The Executive Director shall be at least twenty-one (21) years of age at the time of his appointment.

**b. Duties**

The Executive Director shall manage and administer the National Office of the Fraternity under the direction of the Grand Council. He shall assist the International Treasurer in keeping accounts of the finances of the Fraternity and preparing such financial reports as may be required of the International Treasurer in Article III of the Constitution. He shall be responsible for the preparation and issuance of such publications at such intervals as the Grand Council may direct. He shall make such reports as may be required by the Grand Council. He shall make visits to chapters as the Grand Council may direct. He shall direct the activities of an Assistant Executive Director and/or field consultant(s) as may be appointed by the Grand Council.

## **Section 3 – Assistant Executive Director**

### **a. Qualifications**

The qualifications of the Assistant Executive Director shall be the same as for the Executive Director.

### **b. Duties**

The Assistant Executive Director shall assist the Executive Director in his duties as outlined in Section 2 hereinabove of this article.

## **Section 4 – Contract for Employees**

The Executive Director, Assistant Executive Director, Chapter Field Consultants, and other staff as may be required shall be employed under contract, the terms of which shall be determined by the Grand Council.

## ***ARTICLE IV – Undergraduate Chapters***

### **Section 1 – Petition for Charter**

The Petitioners, in their petition for a charter for an undergraduate chapter, shall furnish the following information: History of the petitioning group as such since its formation, personal information regarding each petitioner as called for by the Grand Council, a financial statement of the group as such, the scholastic record of each petitioner, and a record of each petitioners extracurricular activities. The petition shall also be accompanied by such letters of recommendation from officials of the college or university, or from such other persons as may be required by the Grand Council. The Grand Council must approve or deny the petition for charter within 90 days of its submission.

### **Section 2 – Membership**

#### **a. Requirement of Pledging**

Each undergraduate chapter shall transmit to the Grand Council within one week after pledging, a history card for each pledge, giving such information as may be required by the Grand Council.

#### **b. Requirements for Initiation**

Each chapter shall submit to the Grand Council a written request for permission to initiate each candidate at least ten (10) days before the date of the proposed initiation. Each request shall be accompanied by the candidate's initiation fee.

#### **c. Raiment of Fraternity**

Each member shall receive upon initiation, a certificate of membership "shingle", a membership card, and a standard Fraternity badge.

## Section 3 – Fees

### a. Initiation Fee:

The initiation fee to be paid to the Grand Council for undergraduate members shall be two hundred dollars (\$200.00) payable before initiation to be allocated as the Grand Council may from time to time direct.

The initiation fee to be paid to the Grand Council for each Associate member shall be two hundred dollars (\$200.00) and shall be allocated by the Grand Council to administrative income.

### b. Brotherhood Dues

A tax of five hundred dollars (\$500.00) per year, pro rata, based upon the number of full terms at the University where the chapter is located, excluding Summer sessions, shall be paid by each undergraduate chapter for each member listed on the Opening Chapter Roll, which shall be applied to the cost of the administration of the Fraternity including the cost of the *PLUME* and which shall entitle each initiate to receive the magazine and other national publications during his undergraduate years. The Dues will also be applied against the cost of General Liability Insurance.

### c. The TEP Foundation, Inc. Tax

Annually, a tax of three dollars (\$3.00) shall be paid by each undergraduate chapter for each member listed on the Tribune's Form II, Opening Chapter Roll. The monies collected from this tax shall be paid over and donated by the Grand Council to the TEP Foundation, Inc., to be administered and used as part of its general fund and in accordance with the purposes of said corporation.

### d. National Pledging Fee

A national pledging fee of fifty dollars (\$50.00) shall be paid by each undergraduate chapter for each prospective new member listed on the Declaration of Intent to Pledge Form. Said fee shall be applied to administrative income and particularly used to enhance the Rush and Pledge Programs of the Fraternity.

## Section 4 – Officers

### a. Qualifications

All candidates for office in undergraduate chapters shall be members of the Fraternity in good standing with the Fraternity and their respective chapters, colleges or universities. They shall not be indebted to their respective chapters or organizations thereof, except for the current month's account.

### b. Election

All officers of each undergraduate chapter shall be elected by a vote of the chapter, at a meeting designed for that purpose, by the members in good standing. The candidates shall be nominated and elected at the same meeting.

The floor shall be open for nominations until no further nominations are offered.

The officers shall be chosen by secret ballot. The nominee receiving on the first ballot a number of votes equal to or greater than a majority of the number of brothers in good standing who are present shall be declared elected. In the event that no candidate received such a majority, the candidate (or candidates, if there is a tie) receiving the lowest number of votes shall be dropped from the list of nominees, and a vote taken on the remaining candidates. This process shall continue until one nominee receives such a majority, or until the Chancellor rules such a majority cannot be obtained by the nominees and call for new nominations, for which former nominees shall be eligible. No record of the ballot shall be kept except as to the name of the member elected.

**c. Term of Office**

Officers shall assume their duties one week after election and shall serve until their successors have been duly installed. In the event of a vacancy, officers shall assume their duties immediately upon election.

**d. Vacancies**

An undergraduate chapter, may, by a two-thirds vote, declare any office vacant when the interests of the chapter demand it. Notice of such intended action shall be given by the officer concerned and to all other members of the undergraduate chapter.

An election of officers to fill vacancies shall be conducted in the same manner as provided for in subdivision (b) of this Section, and due notice of the meeting for such purpose shall be given.

**e. Duties of Officers**

1. Chancellor

- a. To be the official executive and responsible head of the chapter.
- b. To preside at all meetings of the chapter, to perform all duties performed by the presiding officer on motions only to make or break a tie, or when his vote would determine the outcome, and on all elections of candidates for admission to the chapter or to an office.
- c. To enforce strict observance of the Constitution and Statutory Code of the Fraternity and of its traditions and ritual, of the chapters, by-laws, and of the regulations of the college or university.
- d. To represent the chapter in all dealings with the officials of the institution at which the chapter is chartered and with the Grand Council or any of its agents.
- e. To appoint all standing committees and special committees, designate the chairman thereof, to see to it that they carry out their duties, and remove members thereof who may neglect their duties or abuse their powers, and to serve as ex-officio of all chapter committees.
- f. To levy fines in accordance with the by-laws of the chapter.

- g. To keep the rituals and ritual paraphernalia securely guarded and to preside at all initiations and to prevent such conduct in connection with initiations that might reflect discredit upon the Fraternity.
- h. To submit to the Executive Director, at the end of his term of office, and at such times as required by the Grand Council, a written report giving a complete and accurate account of the general condition of his chapter.
- i. To countersign all checks and vouchers for cash payments.

## 2. Vice Chancellor

The duties of the Vice Chancellor shall be to serve at all times as the executive assistant of the Chancellor and in the latter's absence, incapacity, or disqualification, to serve as the executive and responsible head of the chapter.

## 3. Scribe

- a. To keep an accurate, complete, and impartial account of the proceedings of his chapter and to forward a copy of such record from time to time to the Executive Director.
- b. To keep custody of true and current copies of the Constitution and Statutory Code of the Fraternity and the chapter's by-laws, and of all minutes and records of the chapter, except those pertaining to other offices hereinafter provided for.
- c. To conduct and file all chapter correspondence and give necessary notices to members and alumni.
- d. To attest the actions of the chapter.
- e. To forward to the Grand Council or any of its agents such forms as are required by statute or as may be requested from time to time.

## 4. Bursar

- a. To collect monies due to the undergraduate chapter giving his receipt thereof.
- b. To hold the funds, securities, vouchers, and account books of the chapter.
- c. To keep the books in accordance with such system of accounts as the Grand Council may require, and to render a monthly statement thereof to the chapter.
- d. To remit to the proper authorities all sums of money lawfully assessed against or owed by the undergraduate chapter.
- e. To furnish a corporate security bond, for which the chapter shall pay premiums, said bonds to be security through the Grand Council.

- f. To forward to the Executive Director a copy of his chapter's annual budget for the coming year at least fifteen (15) days before the end of the scholastic year and such financial statements as may be required by the Grand Council.
  - g. To deliver to his successor or any one designated by the chapter all or any part as directed of the funds, securities, vouchers, and account books of his chapter.
  - h. To sign all checks and vouchers for cash payments.
5. Historian
- a. To keep a history of the chapter.
  - b. To keep a Fraternity and chapter scrapbook.
  - c. To keep a true and accurate roster of the members of his chapter.
  - d. To prepare and forward to the editor of the *PLUME* any chapter information and updates whenever required by that officer.
  - e. To be responsible for the issuance of publicity matter at such times as will be for the best interests of his undergraduate chapter and Fraternity.
6. Warden
- a. To perform the duties of a sergeant-at-arms at all chapter meetings.
  - b. To render prayers at such time as directed by the Chancellor.
  - c. To be responsible for the religious welfare of the chapter.

### **Section 5 – Chapter Property**

All property, whether real, personal or mixed, of any undergraduate chapter shall be acquired and owned, as the Grand Council shall direct. If in the name of a non-stock and non-profit membership corporation, of which all the undergraduate and alumni members of the chapter shall automatically be members, except, however, with respect to the acquisition of personal property, the Grand Council may grant exceptions from the foregoing requirement.

The charter or certificate of incorporation of each such corporation shall contain or be amended to contain the following provisions, or provisions to the same effect, the blank reference to the undergraduate chapter being properly filled in:

“The purpose of this corporation shall include the improvement of the members of the corporation in literary and scientific subjects and culture, and to that end the corporation may receive and hold in trust, or otherwise, and may administer scholarships and other funds and property, and own and maintain a chapter house and other buildings. Upon revocation of the charter of the Chapter of Tau Epsilon Phi Fraternity, Inc., or upon its dissolution, the net assets

of the corporation shall become the property of Tau Epsilon Phi Fraternity, Inc. and shall pay the income thereof to the said Fraternity.

Should a chapter, which formed a holding corporation later dissolved, as provided in the preceding paragraph, be re-chartered or reorganized, and another holding corporation formed, the assets so held in trust by the Grand Council shall be transferred to such new holding corporation.

Each holding corporation existing at the time of adoption of the Statutory Code shall forthwith submit a copy of its charter or certificate of incorporation to the Executive Director and henceforth all chapters intending to form holding corporations shall submit to the Grand Council for approval before filing the same in their respective states, their proposed charters or certificates of incorporation to the Grand Council for approval before filing the same in their respective states.

Each holding corporation shall file a list of its officers with the Executive Director immediately after their election to office.

Each holding corporation shall submit an annual financial report, duly attested by its President and financial officer, to the Grand Council.

The financial officer of each holding corporation shall be bonded in such manner and amount as may be determined by the Grand Council, and the premium for such bond assessed against the corporation.

## **Section 6 – Dormant or Inactive Chapter**

In the event that a chapter is declared inactive, or dormant in accordance with the provisions of the Constitution and Statutory Code, its property, real, personal, or mixed, whether held by a Holding Corporation, Alumni Trust, or otherwise, shall be turned over to the Grand Council. The Grand Council may in their discretion convert this property to cash and hold the same in trust for the subject chapter for a period of five (5) years. Should an inactive or dormant chapter be re-colonized during the five (5) year period, the funds so held in trust shall be made available on ninety (90) days notice by a representative committee of its alumni for the purpose of securing housing for said reactivated, or re-colonized chapter. After five (5) years have passed since the dormancy of said chapter, the funds held in trust for that chapter shall be merged with the general assets of the National Fraternity. It shall be the moral responsibility of the Grand Council to provide equivalent funds to the subject chapter's Alumni Committee, should the chapter be re-colonized at any time after the aforesaid five (5) year period has expired.

## ***ARTICLE V – Alumni Organization***

### **Section 1 – National Chapter**

#### **a. Dues**

The dues of each member of the National Chapter shall be fifty (\$50.00) dollars per year, and each member of an alumni club for whom annual dues are remitted by such club, as provided for in Section 2, subsection (b) of this Article, shall not be required to pay such dues.

**b. Benefits**

Each member of the National Chapter shall receive every issue of the *PLUME* and the Geographic, a membership card, and such communications from the National Office as may from time to time be issued.

**c. Life Members**

A member may become a life member upon payment of one thousand dollars (\$1,000.00). Each member of an alumni club for whom annual dues are remitted by such club, as provided for in Section 2, subsection (b) of this Article, shall not be required to pay such dues.

**Section 2 – Alumni Clubs**

**a. Charter**

A charter shall be issued to each recognized alumni club, and such charter shall be in such form and language as may be directed by the Grand Council.

**b. Dues**

Each alumni club shall remit annually to the Grand Council, as its dues, the sum of ten dollars (\$10.00) for each of its members, except life members as defined in Section 1, subsection (c) of this Article, and each such member in good standing for the National Chapter for the current year. The Grand Council may change the amount of dues in this Section at its discretion.

**ARTICLE VI – Discipline**

**Section 1 – Offenses**

**a. Violation of Laws or Rules**

It shall be an offense to violate the Constitution or Statutory Code of the Fraternity, edicts of the Grand Council, by-laws of chapters or alumni clubs, rules of the college or universities at which chapters are located, or the law of the land.

**b. Violation of Oath or Duty**

It shall be an offense to violate the oath of initiation, or any oath or duty of office in the Fraternity, or any regularly constituted body thereof.

**c. Improper Conduct**

It shall be an offense for any member of the Fraternity or any undergraduate chapter or alumni club to conduct himself or itself in a manner, which is un-fraternal, scandalous, or prejudicial to the good name or best interests of the Fraternity.

**d. Financial Delinquency**

It shall be an offense for a member, an undergraduate chapter, or an alumni club to be delinquent in its financial obligations to the Fraternity, the undergraduate chapter, or any recognized Fraternity body or organization.

**e. Failure to Appear at Grand Chapter**

It shall be an offense for any Chapter in Good Standing to not send a delegate to the Grand Chapter Meeting. Such offense shall be punishable by the assessment of a fine of thirty (\$30.00) per brother in that Chapter.

**Section 2 – Emergency Powers**

The Grand Council or its authorized agents are empowered to enact any of the disciplinary sanctions allowed by the Constitution against any undergraduate member or chapter after a preliminary investigation and without a trial if the compelling interests of the National Fraternity or its Chapters require swift action. In such cases, the undergraduate members and chapters shall have an automatic right of appeal before the Grand Council or an authorized trial commission. The undergraduate members or chapter must be notified of the sanction and their right of appeal by registered mail. Upon receipt of notification, the affected parties have thirty (30) days to submit an appeal in writing to the National Headquarters.

**Section 3 – Procedure Preliminary to Trial or Hearing**

**a. As to undergraduate and alumni members**

Disciplinary action against an undergraduate or alumni member of the Fraternity shall be instituted by any member or officer of the Fraternity by filing with the Executive Director a written and signed complaint. The Executive Director shall present the complaint to the Grand Council. The Grand Council shall determine whether or not it shall entertain the charges. The Grand Council may also initiate disciplinary procedures without written complaint in cases where there is reasonable evidence to pursue further action. If it decides to do so, the Grand Council may hear evidence itself or appoint a trial commission, and shall fix a date for the trial, which will give the accused at least ten (10) days notice. The Executive Director, shall give the accused written notice by registered mail of the date and place of trial, of the charges filed against him, omitting the name of the brother filing the charges where applicable and shall inform the brother of his right to name any brother as his counsel.

**b. As to undergraduate chapters and alumni clubs**

Disciplinary action against an undergraduate chapter or an alumni club shall be instituted by any member or officer of the Fraternity by filing with the Executive Director a written and signed complaint. The Executive Director shall present the complaint to the Grand Council. The Grand Council shall determine whether or not it will entertain the charges. The Grand Council may also initiate disciplinary procedures without a written complaint in cases where there is reasonable evidence to pursue action. If it decides to do so, it may secure evidence by means of a commission to be appointed by it, and shall fix a date on which, and a place where, it shall adjudicate the charges, and shall notify the accused undergraduate chapter or alumni club of such date and place. This notification will be given by Registered Mail and give the chapter at least ten (10) days notice.

**c. As to a National Officer**

Disciplinary action against a National Officer shall be instituted by the filing of a written and signed complaint with the Executive Director, who shall immediately advise the International President. The International President shall determine whether the charges shall be entertained. If it is determined that the charges be entertained, he shall thereupon fix a date and place for a trial, such date shall allow the accused at least twenty (20) days

notice, excepting that if the International President is the accused, the Executive Director, shall advise the International Senior Vice president, in place of the accused. The Executive Director shall give the accused notice, by registered mail, of the charges filed against him, and of the date and place the charges were filed, and shall inform the accused of his right to name any brother as his counsel. Where the International President determines that the charges shall be entertained, he shall, pending the outcome of the trial, relieve the accused officer of his duties.

**d. Trial Commission**

Through its powers to initiate and complete disciplinary proceeding for any offense listed in Section 1 of this Article, the Grand Council may authorize the International President to delegate the authority to hear and adjudicate the aforesaid charges to a Trial Commission made up of no less than three alumni members, at least one of whom if practicable, shall be a member of the Bar. Where possible, the Trial Commission shall be made up of representatives from the Grand Council, National Staff, and the appropriate Regional Governors and Chapter Advisors. No one shall sit on a commission who has an active role in the issues or incidents being considered.

**Section 4 – Trial**

**a. Necessity**

A trial shall be required for the infliction of any disciplinary penalty, except such fines and penalties as may be provided for as standing fines and penalties in the by-laws of the undergraduate chapter, as provided by the Constitution in Article IV, Section 3.

**b. Quorum**

A quorum of the body before which any trial of a disciplinary matter shall be held shall be required for a valid trial. The quorum of a trial commission shall be two-thirds of its members.

**c. Minutes**

The proper officer of the body shall prepare a complete and accurate set of minutes of the trial, in which he shall embody at least in summary, the testimony of each witness, a copy of such minutes shall be sent to the Tribune and another copy to the Executive Director.

**d. Evidence**

Any brother of the Fraternity shall be permitted to testify, or to present evidence tending to show the guilt or tending to show the innocence of the accused as to the matter or matters charged, and the accused shall be permitted, but not required to testify and to present any evidence in his behalf; the accused shall also be permitted to cross examine any witness.

The presiding officer may, within his discretion exclude the proffered evidence as irrelevant, but in any case in which he so excludes evidence, an appeal may be taken to the body by the brother offering it, in which case a vote shall be taken, and the evidence admitted or excluded according to the vote of the majority.

**e. Final Vote**

A vote of at least two-thirds of the members present of the body holding the trial, providing there are at least enough to constitute a quorum, shall be required to adjudge any brother guilty of an offense.

**Section 5 – Appeal**

**a. From the Undergraduate Chapter Trial**

The accused shall have ten (10) days from notification of verdict to submit a notice of appeal in writing to the Grand Council. The Grand Council, at its next meeting, shall hear the appeal and may vacate or suspend the sentence of the lower trial body. The sentence of the lower trial body shall be confirmed unless two-thirds (2/3) of the Grand Council members present and voting uphold other action.

**Section 6 – Reinstatement**

An expelled member may at any time seek reinstatement in the Fraternity by submitting a petition to the Grand Council. The petition shall include all pertinent details concerning the original cause of expulsion and shall give good and sufficient reason why reinstatement is indicated. The Grand Council shall cause an investigation to be made of the case, and, if it is found that the expelled member was wrongfully accused, tried, or convicted, the Grand Council may reinstate him in good standing. In the event that the expelled member was properly accused, tried, and convicted, but that since his conviction extenuating circumstances surrounding his conviction have developed, or, in the case of financial delinquency, payment thereof has been tendered, the Grand Council may, at its discretion, reinstate the expelled member. The vote of the Grand Council, in such cases of reinstatement, shall be by a two-thirds (2/3) vote of the Grand Council members present and voting.