



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

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**The Constitution and Bylaws  
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 Pledges 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. In conjunction with the revocation of the charter of an active chapter, said chapter's permission to use the Fraternity's trademarks and intellectual property ceases immediately.

#### **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 International 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.

#### **Section 5. Relationship Defined**

Theta Chi Fraternity has a limited staff. It has limited funding sources which necessarily limit the size of its staff. Theta Chi Fraternity maintains and processes membership and other records for collegiate chapters associated with it. These chapters are located throughout the United States and Canada. Theta Chi Fraternity also serves as an educational resource and service organization for affiliate groups, members associated with those chapters, and for local alumni who volunteer their time on an independent basis to assist an active chapter and/or colony and its associated collegiate members. Theta Chi Fraternity provides education through conferences, written materials, and periodic staff visits to collegiate chapters. Staff visits result in advisory recommendations for chapter operations. Theta Chi Fraternity strives through these educational efforts to enhance life skills, leadership skills, and ethical traits for those who take advantage of these educational opportunities, and to assist through educational and consultant recommendations the success of chapters associated with it. No chapter, colony, or affiliate group of and no member of any chapter, colony, or affiliate group of Theta Chi Fraternity is an agent of Theta Chi Fraternity. No chapter, colony, or affiliate group and no member of any chapter or colony have been appointed as an agent of Theta Chi Fraternity.

## **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 International 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 and Section 10 of Article III, members of the Grand Chapter shall be elected by the International Convention for terms of approximately four years (such terms to expire at the International Convention four years hence), with four of such members being elected at each International 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 International President, International Vice President, International Secretary, International Treasurer, International Counselor, International Marshal, International Chaplain, and International Historian, ranking as here listed. The officer titles of individual Grand Chapter members shall be used for ceremonial and historical purposes of the Fraternity. In this regard, with the exception of the specific officer expectations enumerated in this Constitution and Bylaws document, the expectations of individual members of the Grand Chapter shall be limited to those required by applicable law, the expectations associated with service as a director of a nonprofit corporation, and those expectations that may be assigned by the Grand Chapter from time to time.
- (b) The International President and the International Vice President shall be elected by the International Convention. All other officers shall be appointed by the International 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 International Convention).
- (d) No individual shall be eligible to be elected to more than two consecutive terms as International 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 Chief Executive Officer not later than ninety (90) days preceding the date for the beginning of an International Convention and not later than April 1 before an International Convention held between July 1 and October 1. Each nominee shall be notified by the Chief Executive Officer, 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 Chief Executive Officer to all active chapters not later than sixty (60) days prior to the date for the beginning of an International Convention and not later than May 1 before an International 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 International Convention, each delegate shall vote for four nominees for terms of four years each. 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 International President. When all nominations have been received, each delegate shall vote 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 International 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 International President, the presiding officer shall open the floor for nominations of the remaining members of the Grand Chapter for International Vice President. The process shall be the same as set forth in subsection (g) for the election of the International 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 International Convention. The affirmative vote of at least three fourths of the total number of votes which all seated delegates at the International 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 International 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 International President, the International 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 International 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 International President, the International Vice President shall become the International President and the vacated office shall be considered to be that of International Vice President. The new International 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. Officer Expectations and Privileges of Members**

- (a) **The International President** shall preside at meetings of the Grand Chapter and at the International Convention. He shall have the privilege of voting in the Grand Chapter, but shall not vote in the International Convention except in case of a tie vote on a matter other than an election under Section 4 of this Article II.
- (b) **The International Vice President** shall assist the International President and in case of the absence of

the International President shall preside or act in his place.

- (c) **The International Secretary** shall keep a record of the proceedings of the Grand Chapter and of the International Convention. He shall be responsible for appropriate correspondence between the Grand Chapter and other organizations within and outside of the Fraternity.
- (d) **The International Treasurer**, with the assistance of a Fraternity staff member designated by the Chief Executive Officer, shall oversee the preparation and maintenance of correct and complete records of account showing accurately the financial condition of the Corporation. All fees, notes, securities, and other assets coming into the possession of the Corporation shall be received, accounted for, and placed in safekeeping as the International Treasurer or the designated staff member may from time to time prescribe. The International Treasurer or the designated staff member shall furnish, whenever requested by the Grand Chapter or the International President, a statement of the financial condition of the Corporation and shall perform the expectations usual to such position and such other expectations as the Grand Chapter or the International President may prescribe.
- (e) **The International Counselor** shall assist Fraternity staff designated by the Chief Executive Officer with the recruitment of volunteers.
- (f) **The International Marshal** shall serve as Chairman of the Standards Committee provided for in Section 9 of this Article II, and shall perform such other expectations as the International President or Grand Chapter may prescribe.
- (g) **The International Chaplain** shall assist Fraternity staff designated by the Chief Executive Officer in proposing additions, revisions, or modifications to the Ritual, and shall assist with the performance of the Ritual or any portion thereof at Grand Chapter meetings, the International Convention and other similar events.
- (h) **The International Historian** shall assist Fraternity staff in collecting and preserving artifacts and historical items of the Fraternity.
- (i) The International 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 expectations 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 International 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) International Conventions, and (C) such other events and functions as shall be approved by the International President, except that reasonable expenses of the International President under this clause (C) shall be approved by the International Treasurer.
- (l) All past members of the Grand Chapter shall be members ex-officio for life, with the exception of those members who are removed from office by the Grand Chapter prior to the expiration of their term. The ex-officio members may attend Grand Chapter meetings at their own expense, and participate and advise on discussions and matters being considered, but they shall not be entitled to a vote; provided, however, that the voting members of the Grand Chapter may go into executive session to address certain matters without the presence or participation of ex-officio directors.

## Section 8. Meetings

- (a) The Grand Chapter shall meet at such times and places as the International President shall prescribe, provided that in each case the International President or the Chief Executive Officer 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 International 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 International 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) Any action required or permitted to be taken at any meeting of the Grand Chapter, or any committee thereof, may be taken without a meeting if a written consent describing such action is signed by each member of the Grand Chapter, or committee member and such written consent is included in the minutes or filed with the Corporation's records reflecting the action taken. Action taken by written consent shall be effective when the last Grand Chapter member or committee member signs the consent, unless the consent specifies a prior or subsequent effective date. A consent signed as described in this Section shall have the effect of a unanimous vote at a meeting of the Grand Chapter and may be described as such in any document. Written consent may be given electronically. In the case of an electronic written consent, the transmission of the consent must be sent by electronic mail or another form of electronic communication in which it can reasonably be determined that the transmission was authorized by the applicable member 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 Chief Executive Officer 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 Security 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, hear certain appeals as specified by these Bylaws, and, in some circumstances, formulate recommendations for any appropriate sanctions and/or remedial actions to address any such violations. The Standards Committee shall be composed of the International Marshal, as Chairman, and the following members to be designated by the International President: a second member of the Grand Chapter, a collegiate member, and two additional alumnus members who are not members of the Grand Chapter or employees of the Corporation. The terms of all members of the Standards Committee shall expire at each International Convention. An employee of the Corporation appointed by the International President shall serve as an ex-officio member of the Standards Committee.
  - (2) **The Security Committee** shall have responsibility for making recommendations with respect to safety programs and policies of the Fraternity, and making recommendations regarding insurance programs, coverages, and carriers.
- (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 International President shall have the power to designate the chairman of each committee, who shall serve for an indefinite term. The International 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 International Advisory Committee shall be composed of all living former International 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 Chief Executive Officer and the International Headquarters Staff**

- (a) The Grand Chapter is authorized to appoint, for a definite or indefinite term, a Chief Executive Officer, 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 expectations 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 Chief Executive Officer shall receive such compensation as the Grand Chapter may determine. At least annually, the Grand Chapter, during a meeting and with the Chief Executive Officer in attendance, shall conduct a comprehensive review and appraisal of the performance of the Chief Executive Officer in achieving the purposes of the Corporation and the objects of the Fraternity, and shall establish goals for the Chief Executive Officer's future performance.
- (b) The Chief Executive Officer is authorized to appoint, for definite or indefinite terms, additional employees of the Corporation, and to establish titles, expectations, 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 Chief Executive Officer 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 Chief Executive Officer, 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 Chief Executive Officer 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 International 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 a Programming and Benefits Fee for each active chapter. The revenue from such fees will be used for the operation of the Fraternity, and the amount of the fees may be adjusted annually by the Grand Chapter to provide adequate operational funding for the Fraternity. The amount of the fee may vary depending on chapter size, defined as the number of pledges and collegiate members according to the official records maintained by the International Headquarters on dates specified by the Grand Chapter. The fees shall be payable on dates established by the Grand Chapter.

## **Article III**

### **The International Convention**

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

The Grand Chapter shall select the time and place of each International Convention, to be held biennially, giving appropriate consideration to (A) the opportunity for maximum possible collegiate 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 collegiate members.

#### **Section 2. Composition**

The term "International Convention" shall refer to the business sessions conducted as provided by Section 7 of this Article III. The International Convention shall be composed of the Grand Chapter, one collegiate delegate from each active chapter and one alumnus delegate from each recognized alumni corporation; 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 International 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 International President and the International Vice President.

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

- (a) All appeals, amendments to these Bylaws, or other resolutions to be considered by the International Convention must be presented in writing to the Chief Executive Officer 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 International 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 Chief Executive Officer would otherwise be required by this subsection but,
  - (2) Prior to the opening date of the International 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 Chief Executive Officer to the active chapters not less than sixty (60) days prior to the opening date of the International 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 Chief Executive Officer 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 International 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 Chief Executive Officer, 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 International 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 International Convention. Upon such determination, the Chief Executive Officer shall notify the chapter or individual presenting the item of his determination, and shall advise the presenter and the International 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 International 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 International 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 International Convention which constitutes a resolution of the International 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 collegiate delegate shall be an initiated collegiate member in good standing of the active chapter he represents. Collegiate delegates shall be selected in such manner as each active chapter may desire. The name of a chapter's collegiate delegate shall be submitted to the Chief Executive Officer by the active chapter secretary not less than sixty days prior to the date of the opening of the International Convention, except in the case of a summer Convention, in which case the final date for submitting the name shall be May 1. In case the name of the delegate from any chapter is not so submitted, or in the case of the inability of the 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 Chief Executive Officer 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) Each alumnus delegate shall be an initiated alumnus member in good standing. Each alumnus delegate shall be selected in such manner as any recognized alumni corporation may desire. The name of an alumni corporation's alumnus delegate shall be submitted to the Chief Executive Officer by the alumni corporation not less than sixty days prior to the date of the opening of the International Convention, except in the case of a summer Convention, in which case the final date for submitting the name shall be May 1. In case the name of the delegate from the alumni corporation is 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 Chief Executive Officer as specified above, but in the absence of such permission, an alumni corporation may not be represented by any delegate whose name was not so provided.
- (c) A recognized alumni corporation shall refer to a corporation that is recognized by the Fraternity in accordance with standards adopted by the Grand Chapter.
- (d) At the beginning of each International Convention, the Chief Executive Officer 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 International 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.
- (e) No member currently serving on the Grand Chapter, nor the Chief Executive Officer or any then-current member of the International Headquarters staff, may serve as or be seated as an alumnus

delegate.

- (f) No collegiate 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 or Seat Collegiate Delegate

- (a) Any active chapter which fails to have a collegiate member registered for and in attendance at an International 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 International President upon good cause shown.
- (b) Any active chapter which fails to seat a collegiate delegate at an International 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 International Convention.

## Section 7. Manner of Conducting International Convention

The International Convention and all matters incidental thereto shall be conducted in accordance with this Section, unless the International 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 International Convention shall be called to order by a collegiate delegate of the oldest active chapter having a collegiate delegate seated, or an alternative recommended by the Chief Executive Officer and approved by the Grand Chapter. The collegiate delegate of the newest active chapter having a collegiate delegate seated shall act as First guard. As soon as the delegates are properly seated and the International 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 International President shall then take charge of the International Convention, appointing one or more non-delegate alumnus members to act as guards. The International President shall remain in charge of the International Convention until its conclusion, except during the time of the election of members of the Grand Chapter and the International President and the International Vice President, during which time the current members of the Grand Chapter and candidates for the Grand Chapter shall retire and the appointed collegiate delegate shall again preside. During the election, a former member of the Grand Chapter, not a candidate for election, designated by the International President, shall assist the presiding officer in conducting the election. As soon as the election of the members of the Grand Chapter and the International President and the International Vice President is completed, the Grand Chapter (as it was constituted prior to the elections) shall again return and the International 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 International 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 International Convention to order by the Presiding Officer.
  - (2) Entrance of Grand Chapter -- recognition by Grand Honors.
  - (3) Opening prayer by International Chaplain.
  - (4) Report of Credentials Committee.
  - (5) Calling the roll of active chapters and alumni corporations by International Secretary and verification of the presence of a quorum, unless Credentials Committee report renders this unnecessary.
  - (6) Approval of reports of International President, International Treasurer, Chief Executive Officer 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 International President and International Vice President.
  - (11) Re-entrance of Grand Chapter -- recognition by Grand Honors.
  - (12) Announcement of election results by the Presiding Officer.
  - (13) Installation of new Grand Chapter.
  - (14) Closing prayer by International Chaplain.
  - (15) Adjournment.
- (c) **Voting; how done.**
- (1) Each collegiate delegate and each alumnus delegate shall have one vote during the International Convention.
  - (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, International President and International Vice President shall be by secret ballot unless in a particular case the number of nominees for Grand Chapter, International President or International Vice President does not exceed the number to be elected, (B) voting on any other matter shall be by secret ballot if the International 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 International 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 International President.
- (d) Only seated delegates and present and past members of Grand Chapter 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.
- (e) **Quorum.** A majority of delegates eligible to be seated in accordance with Article III, Section 5 that are properly registered to attend the International Convention in accordance with procedures established by the Chief Executive Officer shall constitute a quorum for transacting business at each session of the International Convention, but a smaller number may meet and adjourn.

## Section 8. School of Fraternity Practices

A "School of Fraternity Practices" shall be held in conjunction with each International 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 International Convention, but only members of the Fraternity may attend sessions of the International Convention.

## Section 10. Emergency Governance Procedures

- (a) If for any reason it has proved to be impractical or impossible for the International Convention to obtain a quorum in order to conduct business of its members in a manner prescribed by Article III, the Grand Chapter shall make reasonable efforts to obtain a quorum and if the International Convention is unable to meet as a result of any act of God; war; riot; civil strife; act of terrorism, domestic or foreign; embargo; governmental rule, regulation or decree; pandemic; flood, fire, hurricane, tornado, or other casualty; earthquake; strike, lockout, or other labor disturbance; whether similar or dissimilar to any of the foregoing, the Grand Chapter may, by a three-fourths vote, cancel, reschedule or relocate the International Convention. The Grand Chapter

shall, by resolution, give notice to chapters and recognized alumni corporations that an emergency was declared pursuant to this section 10 and that the Grand Chapter is invoking one of three of the following emergency governance procedures [Subsections (1), (2), or (3) of this Article III, Section 10(a)] no later than 30-days after the cancellation or relocation of an International Convention:

- (1) **Reschedule and/or Relocate the International Convention.** The Grand Chapter may select a new time and/or place for the International Convention to occur as soon as reasonably practicable but in no case later than seven months following the originally scheduled date of the opening of the cancelled International Convention. An International Convention rescheduled pursuant to this subsection (1) shall conduct business in accordance with all provisions related to the International Convention in these bylaws with the following exceptions:
  - a. All nominations of alumnus members for election to the Grand Chapter by an active chapter must be submitted to the Chief Executive Officer not later than ninety (90) days preceding the originally scheduled date of the opening of the cancelled International Convention and not later than April 1 if the cancelled International Convention was originally scheduled to be held between July 1 and October 1.
  - b. All appeals, amendments to these Bylaws, or other resolutions to be considered by the International Convention must be presented in writing to the Chief Executive Officer 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 originally scheduled opening date of the cancelled International Convention, except in the case of a cancelled Convention that was originally scheduled to be held between July 1 and October 1, 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:
    - (I.) After the date which is thirty (30) days prior to the date by which presentation to the Chief Executive Officer would otherwise be required by this subsection but,
    - (II.) Prior to the opening date of the International Convention, presentation shall be deemed timely if made reasonably promptly after the chapter or individual submitting the appeal learns of the Grand Chapter action.
- (2) **Conduct the International Convention Electronically.** The Grand Chapter may elect to hold the International Convention by conference call, video conference, or other similar arrangement in which all seated delegates and the Grand Chapter may hear, and be heard by, all other seated delegates and the Grand Chapter, and any member so participating shall be deemed to be present for all purposes. Any International Convention held electronically pursuant to this subsection (2) shall convene no later than 30 days after the originally scheduled date of the opening of the cancelled International Convention. An International Convention held in a virtual environment pursuant to this subsection (2) shall conduct business in accordance with all provisions related to the International Convention in these bylaws, except the Grand Chapter may by resolution:
  - (I.) Suspend ritualistic components of the International Convention to preserve the privacy of the ceremonies;
  - (II.) Permit the use of proxies whether written or electronic voting on any matter coming before the International Convention;
  - (III.) Suspend or modify any International Convention procedure that is impossible to accomplish in a virtual environment;
- (3) **Conduct Grand Chapter elections and Legislative Votes in writing or electronically.** The Grand Chapter may elect to authorize the conduct of business that would have occurred at the cancelled International Convention in writing or electronically. In the event the Grand Chapter determines to invoke, after notice, the emergency governance provision of this Section 10(a)(3), the following procedures for Grand Chapter elections, election of the International President and International Vice President, and

consideration of appeals, amendments to these Bylaws, and other resolutions that were to be considered by the cancelled International Convention, shall be followed and supersede any other provision elsewhere in these bylaws:

- a. **Election of members of the Grand Chapter.** No later than 30 days after the date of the originally scheduled opening of the cancelled International Convention, the Chief Executive Officer shall forward to each active chapter and each recognized alumni corporation that would be eligible to be seat a delegate at an International Convention pursuant to Article III, Section 5, a ballot containing the names of each candidate properly nominated to the Grand Chapter pursuant to Article II, Section 4(b). Each active chapter and recognized alumni corporation shall cast a vote for four nominees for terms of approximately four years each (such terms to expire at the International Convention four years hence.) The ballot shall contain certifications from the President and Secretary of the chapter or alumni corporation. All ballots must be returned to the Chief Executive Officer within 30 days of issuance, although the Grand Chapter may extend the voting deadline for up to 14 additional days at its discretion. At the end of the voting period, the Chief Executive Officer shall present all ballots received to the Grand Chapter or its designee for the purposes of tallying. No ballot shall be counted which does not contain the names of four different nominees, is not certified by the appropriate chapter or alumni corporation officers or is not received by the Chief Executive Officer within the timeline specified by this subsection (3)(a). The four nominees receiving the highest number of votes shall be declared elected. In the event that two or more nominees receive the same number of votes in such a manner that it is impossible to declare only four nominees elected, the Grand Chapter, by resolution, shall determine and declare which four nominees are elected provided that:
  - (I.) no nominee shall be declared elected whose vote tally from active chapters and recognized alumni corporations does not rank or tie for first, second, third, or fourth place.
  - (II.) no nominee shall be declared elected if one or more nominees received more votes from active chapters and recognized alumni corporations unless the nominee(s) receiving more votes is(are) also declared elected.
- b. **Election of the International President and International Vice President.** Along with the ballots distributed to active chapters and recognized alumni corporations as described in the previous subsection (3)(a), the Chief Executive Officer shall furnish a nomination form for International President and International Vice President. Each active chapter and recognized alumni corporation may nominate one Grand Chapter member or one Grand Chapter nominee for International President and one Grand Chapter member or one Grand Chapter nominees for International Vice President. Only Grand Chapter candidates and current Grand Chapter members whose term will not expire at the conclusion of the election process may be nominated as International President or International Vice President. The nomination form shall contain certifications from the President and Secretary of the chapter or alumni corporation. All nomination forms for International President and International Vice President must be returned to the Chief Executive Officer within 30 days of issuance, although the Grand Chapter may extend the nomination deadline for up to 14 additional days at its discretion. Upon the completion of the election of members of the Grand Chapter pursuant to this Section 10(a)(3), the Chief Executive Officer shall furnish the newly elected Grand Chapter with the names of those members of the newly elected Grand Chapter who were properly nominated for International President and International Vice President. The newly elected Grand Chapter shall elect one of the nominees for International President to serve as International President and a nominee for International President or International Vice President to serve as International Vice President. In the event that no nominees are received for International President and/or International Vice President who are members of the newly elected Grand Chapter, the newly elected Grand Chapter shall elect one of its own members to serve in the position(s) for which there are no nominations. No individual shall be eligible to be elected to more than two

consecutive terms as International President. All other officers shall be appointed by the International President following the election of International President and International Vice President.

- c. **Resolutions, Appeals, and Amendments.** In the event of the enactment of this Section 10(a)(3), ballots for any resolutions, appeals, and amendments that were properly submitted for consideration by the cancelled International Convention shall be submitted to all active chapters and recognized alumni corporations that would be eligible to be seat a delegate at an International Convention pursuant to Article III, Section 5 by the Chief Executive Officer no later than 30 days after the date of the originally scheduled opening of the cancelled International Convention. Each active chapter and recognized alumni corporation shall vote in favor or against each resolution, appeal, and amendment. The ballot shall contain certifications from the President and Secretary of the chapter or alumni corporation. All ballots must be returned to the Chief Executive Officer within 30 days of issuance, although the Grand Chapter may extend the voting deadline for up to 14 additional days at its discretion. At the end of the voting period, the Chief Executive Officer shall present all ballots received to the Grand Chapter or its designee for the purposes of tallying. No ballot shall be counted that is not certified by the appropriate Chapter or alumni corporation officers and is not received by the Chief Executive Officer within the timeline specified by this subsection (3)(c). Any item voted on pursuant to this subsection (3)(c) shall become effective provided that it receives the number of favorable votes that would be required for adoption by the International Convention as specified in Article III, Section 4(f). Any amendments to *The Constitution and Bylaws of Theta Chi Fraternity, Inc.* approved pursuant to this section (3)(c) must also receive a ratification vote in accordance with Article IX, Section 2(b) in the same manner as if it were adopted by the International Convention.

(b) **Additional Procedures and Rules.** The Grand Chapter may adopt additional procedures and rules to govern the provisions in this Section 10 that are not inconsistent with *The Constitution and Bylaws of Theta Chi Fraternity, Inc.*

## 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 accredited, 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 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 Chief Executive Officer shall have the power, after considering all relevant facts and circumstances, 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. A chapter placed on probation by the Chief Executive Officer shall have the ability to appeal such probation determination to the Standards Committee within thirty (30) days of receiving notice of said probation. The determination of the Standards Committee with respect to any such appeal shall be the final and binding determination.
- (2) The Chief Executive Officer may also recommend any longer period of probation by forwarding such recommendation to the 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 Chief Executive Officer shall become effective as the act of the Grand Chapter.
- (3) The Grand Chapter also shall be authorized at any time to place an active chapter on probation for any such violation.
- (4) In connection with any such probation, the Chief Executive Officer 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 Pledges, 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 except to expel collegiate members. The Committee shall have the power to interview collegiate 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 collegiate members, and to remove and replace any officers of the chapter in question. Probation Committees shall have the authority to expel collegiate members by a three-fourths vote of all members of the committee.
- (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 Chief Executive Officer the powers enumerated in paragraph (5) of this Section 4(a) to suspend collegiate 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 Chief Executive Officer may at any time remove a chapter from any probation imposed pursuant to paragraph (1) or (2) of this subsection.
- (b) **Limited Orders.** The Chief Executive Officer may issue a Limited Order, for violation of an applicable law, these Bylaws, or the terms of any probation previously placed upon the active chapter. The Limited Order 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 International President shall have the power, upon the written request of the Chief Executive Officer, to temporarily suspend the charter of any active chapter for a stated period not to exceed 60 days, for violation of an applicable law, these Bylaws, or the terms of any probation previously placed upon the active chapter. 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 Pledge, 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 International 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 International Convention are entitled to cast. Any chapter that shall become a subject of such an appeal shall be considered an inactive chapter, shall not be considered an active chapter for any purpose, and shall not function in any way as an entity of the Fraternity unless and until the appeal is sustained by the International Convention.
- (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 International Convention or of the Grand Chapter, or with any written directive of the Chief Executive Officer 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 collegiate 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, vice president of health and safety, secretary, treasurer, marshal, chaplain, scholarship chairman, recruitment chairman, historian, first guard, and second guard, and shall rank in the order named. 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 collegiate members of that active chapter.

### Section 3. Election of Active Chapter Officers

- (a) Effective January 1, 2013, Officers of each active chapter shall be elected annually in November of each school year for one-year terms, except when a chapter is granted permission by the Chief Executive Officer to hold elections on an alternative schedule for good cause shown. The term of office of any officer shall expire at the installation of his successor, which shall occur during the month of December, unless otherwise approved by the Chief Executive Officer. 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 Chief Executive Officer 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 certified 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 Chief Executive Officer.
- (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 Chief Executive Officer 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. Expectations and Powers of Active Chapter Officers

- (a) **President.** The president shall preside at all meetings of an active chapter, perform all expectations 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. The president shall educate all members and Pledges in regards to all policies, practices, and rules of Theta Chi Fraternity including the Safety Standards Manual of Theta Chi Fraternity; he shall put practices in place to support health and safety and enforce accountability for violations of policy and the governing documents as defined in Article I, Section 4.
- (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 serve as Chairman of the Chapter Standards Board, oversee the internal operations of the chapter, supervise all committees and committee chairmen, and assist the president.
- (c) **Vice President of Health and Safety.** The vice president of health and safety shall implement programming and practices within the chapter designed to promote the health and safety of members, Pledges, and visitors.
- (d) **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 Chief Executive Officer, including all forms and records required by subsections 4(c), 4(e) and 4(h) of Article VI in connection with the registration of Pledges, requests for initiation, and the recording of new initiates. Except as otherwise provided, he shall process and respond to all correspondence from the Chief Executive Officer, any member of the International Headquarters staff, the Grand Chapter, any alumnus member and any other active chapter.
- (e) **Treasurer.** The treasurer shall collect all fees, dues, assessments and fines. He shall collect all Pledge registration and initiation fees for the secretary. He shall be responsible for establishing and following a budget for each school year.
- (f) **Marshal.** The marshal shall be responsible for the education of Pledges of the chapter. His responsibilities shall include development of the educational program and conduct of the entire educational process, and shall continue until the Pledges 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 Pledges and the initiation of members. He shall at all times serve as an example for Pledges and members to follow, shall instill processes and a culture that does not tolerate hazing, and shall enforce anti-hazing policies. He shall make certain that every Pledge is assigned a collegiate member as a big brother or other mentor to assist him in learning about the Fraternity.
- (g) **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. The Chaplain shall serve as a member of the Chapter Standards Board.
- (h) **Scholarship Chairman.** The scholarship chairman shall design and implement programs to promote,

encourage and recognize high academic achievement by members and Pledges, and shall monitor and report on the chapter's scholarship standing from time to time. He shall be responsible for assisting any member or Pledge in obtaining appropriate tutoring or other study assistance.

- (i) **Recruitment Chairman.** The recruitment chairman shall conduct the recruitment and bid process, document all relevant actions and activities.
- (j) **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 collegiate 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.
- (k) **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.
- (l) **Second Guard.** The second guard shall assist the first guard.
- (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 collegiate 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 collegiate members eligible to vote. Notice of all special meetings shall be given to every collegiate member by the secretary. In case fewer than two thirds of the collegiate members are notified, the meeting shall be postponed. A special meeting held in spite of the fact that fewer than two thirds of the collegiate 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 collegiate 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 International Convention or of the Grand Chapter, or the Bylaws of the chapter, shall be decided by a vote of the collegiate 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) 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.

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

All collegiate 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 collegiate 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 all physical hazing, paddling, uncalled-for humiliation, and public display in connection with Pledge education and pre-initiatory activities. The Fraternity condemns all forms of hazing in connection with Pledge education and pre-initiatory activities. The active chapters shall carry out the Fraternity's policy and conform to this policy, not only to avoid the danger of bringing discredit to the Fraternity and injuring members, Pledges, and the entire fraternity cause, but also to build higher respect for the chapters and the Fraternity in the minds of Pledges and to instill loyalty. 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. Safety and Insurance**

All active chapters and colonies shall comply with all requirements of the Safety Standards Program as set forth in the Safety Standards Manual of Theta Chi Fraternity. Each active chapter and colony shall participate in the International 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 state, federal, and local laws pertaining to same, and with the Safety Standards 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 Pledge Period**

Every chapter shall initiate each Pledge within eight (8) calendar weeks following the formal Pledge Ceremony of said individual or the formal commencement of his Pledge 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 Pledge (i) is no longer enrolled as an undergraduate at said institution, (ii) has had his status as a Pledge terminated in accordance with Section 4(f) of Article VI of these Bylaws, (iii) has resigned or withdrawn from his status as a Pledge, 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 collegiate members and Pledges 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 men's fraternities whose chief staff officers are members of the Fraternity Executives Association. 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 men's fraternities whose chief staff officers are members of the Fraternity Executives Association.

## 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.

## Section 21. Chapter Operations

Theta Chi Fraternity is not involved in the day-to-day activities of a chapter. Theta Chi Fraternity does not and cannot control or supervise the day-to-day operations or activities of a chapter. Each collegiate chapter and affiliate group of Theta Chi Fraternity is a self-governing, financially self-sufficient association comprised of students and/or alumni of the institution at which they are enrolled or affiliated. Under these Constitution and Bylaws, each active chapter of Theta Chi Fraternity selects and initiates its own members, elects its own officers, establishes its own rules, operates and determines its methods of operation, and governs its own affairs, subject only to those rules and operations being in harmony with the governing documents of Theta Chi Fraternity as defined in Article I, Section 4. The autonomy of an active chapter in organizing and determining and conducting its own operations through a democracy is part of an educational process which association with the chapter adds to collegiate life and to the development and refining of life skills. If a collegiate chapter's operations are not in harmony with the policies and governing documents of Theta Chi Fraternity as defined in Article I, Section 4, Theta Chi Fraternity has the right after the fact to determine whether that chapter will continue to be recognized by Theta Chi Fraternity as a chapter associated with it. In some situations, after an action by an active chapter has occurred that is not in harmony with the policies and/or governing documents of Theta Chi Fraternity, as defined in Article I, Section 4, a probation status may be implemented for the chapter by Theta Chi Fraternity. In probation situations, the active chapter continues to be a self-governing, financially self-sufficient association of collegiate students. If the charter of an active chapter is revoked by Theta Chi Fraternity, but that group of collegiate students nonetheless continues its operations, they do so without any affiliation with Theta Chi Fraternity. Theta Chi Fraternity does not have the right to suspend or affect the membership status of a collegiate student associated with a chapter other than in those situations and in accordance with the procedures specifically set forth in the governing documents of Theta Chi Fraternity as defined in Article I, Section 4.

## Section 22. Chapter Standards Boards

- (a) The Chapter Standards Board shall be the conduct body of an active chapter and may hear all violations committed by the collegiate members of the chapter pertaining to *The Constitution and Bylaws of Theta Chi Fraternity, Inc.*, *The Ritual of Theta Chi Fraternity*, the local chapter bylaws, policies of the active chapter, adopted codes of conduct, local laws, state/provincial laws, federal laws, and college/university rules and regulations.
- (b) **Composition.** The Chapter Standards Board shall be composed of:
  - (1) The Vice President as Chairman.
  - (2) The Chaplain.
  - (3) Three additional collegiate members at-large not presently serving as an elected chapter officer.
- (c) **Term of Office.** The term of office for members of the Chapter Standards Board shall be as follows:
  - (1) Vice President (Chairman) – During his term of elected office as Vice President and until the installation of his successor.

- (2) Chaplain – During his term of elected office as Chaplain and until the installation of his successor.
- (3) Three at-large collegiate members – For terms of approximately one-year commencing with their confirmation by the active chapter and terminating upon the confirmation of their successors.
- (d) **At-large members.** Upon the election of a Vice President to a full term pursuant to Article V, Section 3(a), the newly elected Vice President shall nominate three collegiate members not presently serving as an elected chapter officer to serve on the Chapter Standards Board as at-large members. A majority vote of the active chapter shall be sufficient to confirm the at-large members.
- (e) **Removal of at-large members.** At-large members of the Chapter Standards Board may be removed by a two-thirds vote of the active chapter.
- (f) All members of the Chapter Standards Board shall be collegiate members of the chapter in good standing.
- (g) **Vacancies.** Should a vacancy occur in any of the at-large positions on the Chapter Standards Board, the Vice President shall nominate a successor to fulfill the unexpired portion of the term. A majority vote of the active chapter shall be sufficient to confirm the successor. Vacancies in the Vice President and Chaplain roles shall be filled pursuant to Article V, Section 3(c).
- (h) **Chairman.** The Vice President shall serve as Chairman of the Chapter Standards Board.
- (i) **Voting.** The Chaplain and three at-large members shall have the right to vote in all Chapter Standards Board proceedings. The Vice President may only vote in the case of a tie.
- (j) **Hearings and Conduct Action.**
  - (1) Any member of the chapter in good standing may submit to the Vice President a written allegation of any violation of *The Constitution and Bylaws of Theta Chi Fraternity, Inc., The Ritual of Theta Chi Fraternity*, the local chapter bylaws, policies of the active chapter, adopted codes of conduct, local law, state/provincial law, federal law, and/or college/university rules and regulations. If the allegation involves an accusation against the Vice President, the written allegation shall be submitted to the Chaplain.
  - (2) Once the allegation has been received, the Vice President as Chairman will decide whether a hearing will take place.
  - (3) If a hearing is to be held, the member(s) accused shall be served with a written notice or email stating the charges and the time, date, and location of the hearing.
  - (4) Hearings shall be held as soon as practicable following the completion of an investigation while also allowing ample time for the accused member to prepare his defense.
  - (5) If, after sufficient notice of time and place, the accused member(s) fail(s) to attend the hearing, the Chapter Standards Board may proceed to conduct the hearing in his absence.
  - (6) In the event of intentionally false accusations, the accuser(s) shall automatically be referred to and participate in a Chapter Standards Board hearing.
  - (7) A Chapter Standards Board hearing is closed to all members except:
    - i. The accused and accuser(s) may be present except when the Chapter Standards Board discusses and makes a decision.
    - ii. Witness(es) shall be present when giving testimony.
    - iii. A Chapter Adviser may be present as a non-voting member.
  - (8) All members are to remain silent unless called upon by the Vice President. Failure to adhere to this will result in removal from the hearing.
  - (9) Following the completion of all testimony and evidence, the Chapter Standards Board shall deliberate and vote whether the accused member is responsible or not responsible for the alleged violation.
    - i. If the accused is found responsible, the Chapter Standards Board shall determine appropriate sanctions.
    - ii. Except for interim suspensions as defined in Article VI, Section 13(a)(4), Chapter Standards Boards do not have the authority to suspend or expel a member. Chapter Standards Boards may, however, recommend to the active chapter that a member be suspended or expelled pursuant to Article VI, Section 13.

- iii. Notification of the outcome and/or sanctions shall be provided to the accused immediately following a decision. The Vice President shall provide written documentation of any decision/sanctions to the accused and the Executive Board members promptly following a decision.
  - iv. Failure to comply with any sanction(s) will result in a referral to the chapter for suspension or expulsion.
  - v. In the event that a member of the chapter brings charges against a member of the Chapter Standards Board, the accused shall recuse himself and the Vice President shall appoint a temporary substitute for the duration of the hearing and sanctioning who shall be a collegiate member of the chapter in good standing.
  - vi. In the event that a member of the chapter brings charges against the Vice President, the Vice President shall recuse himself and for the duration of the hearing and sanctioning, the Chaplain shall assume the duties of Vice President/Chapter Standards Board Chairman with respect to the Vice President's duties in this Article V, Section 22 only. For the duration of the hearing and sanctioning, the Chaplain shall appoint a temporary substitute to serve as a fifth member of the Chapter Standards Board who shall be a collegiate member of the chapter in good standing.
- (10) The Chapter Standards Board shall have the authority to enact such sanctions short of suspension or expulsion of a member that may include, but is not limited to: fines, requiring restitution for damages to property, place members on probationary status, restrict social, athletic/intramural, or other participation privileges, recommend suspension/expulsion to the active chapter, or assign any appropriate sanctions consistent with all applicable governing documents.
- (11) Decisions of the Chapter Standards Board may be appealed one time to the active chapter and may only be overturned by a three-fourths vote of all chapter members eligible to vote. Appeals must be submitted, in writing or via email, to the Vice President within seven days after receiving the decision from the Chapter Standards Board.

## **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) collegiate, 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 either (a) has not completed an undergraduate degree or (b) has completed an undergraduate degree, was initiated into Theta Chi Fraternity as a collegiate member, is enrolled in graduate school, has agreed to function as an active chapter member while in Graduate School, and has been accepted as an active chapter member by majority vote of the active chapter; and (2) alumnus, being all other members. A graduate student who was initiated at another active chapter must also follow the transfer of membership procedure outlined in Section 7 of this Article to become a collegiate member of an active chapter at an institution where he attends graduate school. Notice that a graduate student has been admitted to collegiate membership shall be given promptly by the active chapter to the International Headquarters using such form as shall be specified by the International Headquarters. There shall be no other classifications of membership other than collegiate and alumnus, 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 collegiate 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 Chief Executive Officer. 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 Chief Executive Officer.

### **Section 3. Qualifications for Collegiate 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 a collegiate 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 Collegiate Members**

- (a) Any eligible person not already a member or Pledge of the Fraternity may be proposed as a candidate for collegiate membership in an active chapter, by a motion that the person be invited to become a Pledge. The term "Pledge" is used throughout these Bylaws to refer to an individual who has been invited to become a candidate for collegiate 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 collegiate 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 Pledge.
- (c) The individual, upon accepting the invitation to become a Pledge, shall complete or have completed for him a Pledge Registration Form, which shall be forwarded, along with the Pledge Fee provided for in Section 9(a) of this Article VI, to the International Headquarters within ten (10) days following the Pledge Ceremony.
- (d) When any Pledge is proposed for collegiate membership in an active chapter, a secret ballot shall be taken as to each Pledge so proposed. If three fourths of all collegiate 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 Pledge shall be invited to become a collegiate 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 collegiate 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 collegiate membership pursuant to subsection (d), the active chapter shall submit to the International Headquarters a Pledge 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 Pledge, 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 collegiate 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 collegiate 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 Chief Executive Officer.

### **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 a collegiate 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 or inactive chapters;
  - (5) He shall be an alumnus of, or enrolled in a graduate school of, an institution at which an active chapter exists;
  - (6) He shall be the grandfather, father, step-father, uncle, cousin, brother, or guardian of a Pledge or member;
  - (7) He shall be authorized to graduate from a military institution or an institution with an inactive chapter that has an associated commission pursuant to subsection (d) of this Section 5.
- (b) Any active chapter or commission 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 Chief Executive Officer, after conducting such further inquiry as he deems appropriate, shall approve or deny the application. The proposing chapter or commission 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.
- (d) The Grand Chapter may create for a definite or indefinite period one or more commissions which may be authorized to nominate individuals for alumnus membership in an inactive chapter and/or as members at-large, as stated in the resolution creating the commission. The Grand Chapter may establish additional requirements beyond those enumerated in subsection (a) of this Section 5 for candidates nominated by a commission for alumnus membership. A commission shall be composed of no less than three alumnus members who shall be appointed by the Grand Chapter. A commission may conduct an initiation of alumnus members upon the approval of the Chief Executive Officer pursuant to subsection (c) of this Section 5. The Grand Chapter may terminate or modify the charge of a commission at any time for any reason. Members initiated by commissions associated with inactive chapters shall be entered into the roll of members from said inactive chapter.

### **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 or international fraternity, may, with the approval of the Grand Chapter, be invited to become a member of the Fraternity, either collegiate 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 or international 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 or international fraternity being installed as an active chapter of the Fraternity shall be invited to become collegiate 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 or international 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 a collegiate 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 collegiate 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 Chief Executive Officer 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. Pledge and Initiation Fees**

- (a) Any individual who accepts an offer from an active chapter to become a Pledge shall pay a Pledge Fee in an amount to be established from time to time by the Grand Chapter. Upon payment of the Pledge Fee, each Pledge shall receive a personal copy of The Manual of Theta Chi Fraternity and such other materials as shall be determined by the Chief Executive Officer.
- (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 a collegiate 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 a collegiate 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 Chief Executive Officer 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 International 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 collegiate members from one or more chapters, members of the Grand Chapter, the Chief Executive Officer or members of the International Headquarters staff, or other alumnus members. The International 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 International 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 Chief Executive Officer. 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 Pledge 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 Chief Executive Officer 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 Pledges 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 collegiate 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. Suspension should be imposed in cases where the misconduct is such that a temporary action that provides a path back to good standing is appropriate. Expulsion should be imposed where the misconduct is such that, due either to the severity or repetition of misconduct or other appropriate grounds, action permanently extinguishing the member's association with the Fraternity is appropriate.
- (b) **Active Chapter Action.** Any collegiate or alumnus member of a chapter may accuse any other collegiate 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 handed to the accused member or sent via email to the last known email address of the accused member at least seven days prior to the time the meeting is scheduled to begin. The notice shall contain the date, time, and place of the meeting. 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 it is not feasible to hand deliver the accusations or send via email to the accused, the president shall notify the accused member in writing, by regular mail or similar method, mailed at least fourteen (14) days prior to the meeting to the last known address of the accused member.
  - (3) The president shall notify all collegiate 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) Should the nature and credibility of the accusation necessitate immediate interim action prior to a suspension/expulsion hearing, the Chapter Standards Board may suspend the accused member on an interim basis by a simple majority vote. A Chapter Standards Board may impose an interim suspension for a maximum of thirty (30) days or until the next regularly scheduled chapter meeting, whichever period is longer. Any member placed on interim suspension by a Chapter Standards Board may appeal his interim suspension to the active chapter prior to its expiration. A simple majority of all collegiate 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 sufficient to lift an interim suspension issued by a Chapter Standards Board. In the event any member who is placed on interim suspension by a Chapter Standards Board fails to be suspended or expelled in a ballot conducted pursuant to Article VI Section 13(b)(8), any interim suspension imposed on him by a Chapter Standards Board shall be immediately and automatically lifted. While his interim suspension remains in place, the member shall continue to be considered a member of the Fraternity but shall not participate in any activities of the Fraternity except to attend meetings directly pertaining to his preparation for and participation in suspension/expulsion proceedings.
  - (5) 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.
- (6) 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.
  - (7) The accused member shall have the right to speak on his own behalf. Members may ask questions of the accused member.
  - (8) After all witnesses have been heard, the accused member shall withdraw from the meeting. The remaining members shall then ballot upon the motion to suspend and/or expel the accused member. The affirmative vote of a simple majority of all collegiate 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 a motion to suspend. A three-fourths vote of all collegiate 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 a motion to expel, except for cases in which the accused member is confirmed to have led or participated in hazing, in which case a motion to expel may be sustained by a simple majority of all collegiate members of the active chapter eligible to vote under applicable chapter bylaws and rules (or who would be eligible to vote if present.).
  - (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/or expel is sustained.
  - (12) In the event that the motion to expel 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. Also, if a motion to suspend is sustained, the active chapter shall promptly report the suspension to International Headquarters.
  - (13) If, at any time when an individual who has been suspended pursuant to this Section 13(b) or Article VI, Section 13(j) 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 collegiate 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), (2), (3), (5), (6), (7), and the first sentence of paragraph (8), 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 collegiate 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 Chief Executive Officer shall have the authority to summarily suspend any collegiate member for a period of up to 90 days pending an investigation and hearing of suspected violations of obligations to the Fraternity or these bylaws; such suspension may be appealed in writing and lifted by a majority vote of the Grand Chapter, within 14 days of receiving written notice.
  - (2) The Grand Chapter shall also 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 of the allegations against him and an opportunity for a hearing as set forth in this subsection (c).

- (3) The Grand Chapter shall have jurisdiction to entertain any recommendation that any member be expelled, whether presented by any member of the Grand Chapter acting on personal knowledge or on information provided by the Chief Executive Officer, any alumnus member, or any other appropriate source.
- (4) 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 Chief Executive Officer to provide not less than thirty days' notice, by certified mail, or similar method resulting in delivery of a receipt to the Chief Executive Officer, to the last known address of the accused member, of the date, time and place of the meeting.
- (5) 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.

- (6) If the International 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.
  - (7) 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 a collegiate member, by a simple majority vote of all members then in office, when (1) the active chapter of which the collegiate 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 a collegiate 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 Chief Executive Officer 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 a collegiate member.
- (g) **Expelled members.** In the event that an Active Chapter or the Grand Chapter shall approve an expulsion, the Chief Executive Officer may send notice to any Chapters and/or Colonies he 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. 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.
- (h) **Appeals of expulsions.** Any expelled individual may appeal his expulsion within 30 days of receiving notice of his expulsion by submitting a written appeal to the Chief Executive Officer. Upon receipt, the Chief Executive Officer shall submit the appeal to the International President. The International President shall first determine whether to assign the review of the appeal to the Grand Chapter or to another committee which shall submit a recommendation to the Grand Chapter upon completion of the its review. A three-fourths vote of all Grand Chapter members in office shall be required to reinstate an expelled individual. In its ruling upon the motion to reinstate, the Grand Chapter shall indicate whether the reinstated members shall be returned to good standing or if he shall continue as a suspended member.
- (i) **Reinstatement of Expelled Members.** The Grand Chapter, in its sole discretion, may reinstate an expelled individual outside of the appeals procedures outlined in in subsection (h) of this Section 13 by a unanimous vote of all Grand Chapter members in office.
- (j) **Automatic Suspension.** An Active Chapter may include provisions in its bylaws for the automatic suspension of members for failing to maintain academic standards, failing to adhere to Article V, Section 10 (Residence Requirement), and/or financial delinquencies. Any such provision in Active Chapter bylaws for automatic suspension pursuant to this subsection (j) must state objective standards by which a member shall incur automatic suspension, may provide for automatic reinstatement once noncompliance with the standard is cured, and require prompt notification of the International Headquarters whenever a member is automatically suspended and again whenever such an automatic suspension is lifted. Active Chapters may only establish a form of automatic suspension that conforms to the requirements of this subsection (j); no other form of automatic suspension is permitted.

#### Section 14. Good Standing

A member is considered to be in good standing unless he is suspended pursuant to this Constitution and Bylaws.

#### Section 15. Privileges of Membership

- (a) All collegiate members in good standing shall enjoy all of the privileges of membership granted by this Constitution and Bylaws or as may be granted by the International Convention or the Grand Chapter; they may attend, address, and vote at meetings of their chapter, hold chapter office provided they meet the qualifications to do so, and use the name, letters, and insignia of the Fraternity for personal use.
- (b) All alumnus members in good standing shall enjoy all of the privileges of membership granted by this Constitution and Bylaws or as may be granted by the International Convention or the Grand Chapter;

they may attend and address meetings of their chapter and use the name, letters, and insignia of the Fraternity for personal use unless specifically prohibited from doing so by the Grand Chapter.

- (c) The Grand Chapter may impose restrictions on privileges of membership as outlined in subsection (b) of this Section 15 for one or more alumnus members who were collegiate members of a Chapter at the time its charter was revoked pursuant to Article IV, Section 4 (d). The Grand Chapter shall have the authority to lift any restrictions imposed pursuant to this subsection (c) for any reason.
- (d) All members in good standing shall receive such membership materials and publications as specified by 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 Chief Executive Officer, 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 Chief Executive Officer, except in relation to such matters as to which he shall have acted in bad faith or committed willful misconduct in his capacity with Theta Chi Fraternity, 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 Chief Executive Officer, 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 Chief Executive Officer, and members of the International Headquarters 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 Safety Standards 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 Pledge 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 Pledge 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 Pledge 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" appliqué 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" appliqué 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) (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 Chief Executive Officer.  
(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) Chief Executive Officer'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 an International Convention are entitled to cast, followed by a ratification by the active chapters of the action of the International 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 an International Convention pursuant to subsection (a)(1) of this Section 2 shall be submitted to the active chapters eligible to vote by the Chief Executive Officer 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 Chief Executive Officer that the required ratifying vote has been received, or at such later date as may be specified in the adopting resolution of the International 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.

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END