

# **The Constitution and Bylaws of Alpha Sigma Phi Fraternity, Inc.**

**Approved on July 7, 2018  
2018 Grand Chapter | Indianapolis, IN**

## Table of Contents

Preamble	3
Constitution Article I. Our Identity	3
Constitution Article II. Membership	4
Constitution Article III. Chapters	5
Constitution Article IV. Affiliate Groups	6
Constitution Article V. Grand Council	7
Constitution Article VI. Grand Chapters and Annual Meetings	9
Constitution Article VII. Public and Private Matters	12
Constitution Article VIII. Discipline Imposed by Chapters	12
Constitution Article IX. Discipline Imposed by the Fraternity	13
Constitution Article X. Relationship with Collegiate Chapters and Affiliate Groups	16
Constitution Article XI. Amendments	18
Constitution Article XII. Saving Clause	19
Bylaws Article I. Grand Officers	20
Bylaws Article II. Grand Senior President	20
Bylaws Article III. Grand Junior President	21
Bylaws Article IV. Grand Secretary	21
Bylaws Article V. Grand Treasurer	21
Bylaws Article VI. Grand Marshal	21
Bylaws Article VII. Grand Historian	21
Bylaws Article VIII. General Counsel	21
Bylaws Article IX. Grand Chapter Advisor	22
Bylaws Article X. Executive Officers and Staff	22
Bylaws Article XI. Chapter Operations	23
Bylaws Article XII. Expansion	23
Bylaws Article XIII. Funds and Finances	24
Bylaws Article XIV. Fees, Assessments and Charges	25
Bylaws Article XV. The Tomahawk	25
Bylaws Article XVI. Insignia	26
Bylaws Article XVII. Amendments	27



## THE CONSTITUTION OF ALPHA SIGMA PHI FRATERNITY, INC.

### PREAMBLE

For the better accomplishment of the Vision and objectives of Alpha Sigma Phi, a Fraternity established by Louis Manigault, Stephen Ormsby Rhea and Horace Spangler Weiser, of honored memory, at Yale College on December 6, 1845 and organized as a corporation under the laws of the State of New York, the following Constitution is adopted:

### ARTICLE I. OUR IDENTITY

- Section 1. Name: The name of this Fraternity is Alpha Sigma Phi Fraternity, Inc.
- Section 2. Vision: To Better the World through Better Men
- Section 3. Purpose: To Better the Man through the creation and perpetuation of brotherhood founded upon the values of character: Silence, Charity, Purity, Honor and Patriotism.
- A. Silence: He has the strength to embrace silence and the will to build an interior life founded upon an honest desire to truly listen to others. Trust in silence transcends the gulf that is created when men feel the need to compete in action or rhetoric. He is introspective and self-reliant.
  - B. Charity: He is charitable in the broadest sense of the word. A man who strives for a life of charity and service is more patient, kinder and more forgiving of the flaws of others. A charitable man sacrifices of himself to help others and seeks no recognition in return. He is humble, reverent and generous.
  - C. Purity: He consistently strives for purity of mind, body and soul. The man who is pure of thought, word and deed does not shrink from adversity or lofty goals. There are no self-pity, rationalizations or apologies. He is moral and a gentleman in the finest sense of the word.
  - D. Honor: He lives a life of personal integrity, thereby accruing honor. An honorable man lives up to promises made— to others *and* to himself. A man of honor is not vain and is willing to endure scorn or ostracism rather than conform to the pressures of peers, superiors or the fashion of the day. He is ethical, honest and trustworthy.

- E. Patriotism: He loves his country, remaining consistently engaged in its affairs. He seeks to know his country and to pass that knowledge on to others. He is devoted to the principles of personal freedom, justice and civic responsibility embedded in the U.S. Constitution that have made our country. He is loyal, proud and humble.

## **ARTICLE II. MEMBERSHIP**

- Section 1. Membership: Membership shall be acquired only by male persons,
- A. Who are not members of (1) any viable, general Greek-letter fraternity of college grade and national or international in scope, or (2) any other group antagonistic to fraternities;
  - B. Who are likely to be intellectually, morally and socially of benefit to the Fraternity;
  - C. Who shall have been duly elected by secret vote of a Chapter in good standing or approved by the Chief Executive Officer or the Grand Council;
  - D. Who have been duly initiated in accordance with the Rituals of the Fraternity or acquired by merger of another fraternity;
  - E. Who fully understand the Vision and purpose of Alpha Sigma Phi as described in Article I, Sections 2 and 3, and
  - F. Who have achieved at minimum the criteria for membership established by the local fraternity governing council, the North-American Interfraternity Conference, the institution of learning in which he is enrolled or 2.50 GPA when no minimum criteria is established.
- Section 2. Classes of Membership: There shall be two classes of members: Student and Alumni.
- A. Student members are all members regularly enrolled in attendance at an institution of learning at which they were initiated, or at which the member and chapter have agreed to affiliate the member and at which the Chapter of Alpha Sigma Phi is in good standing.
  - B. Alumni members are all members who do not qualify as a student member. Any man of majority age who is not presently affiliated with another fraternity recognized by the North-American Interfraternity Conference may be initiated as an alumnus and affiliated with a chapter or be recognized as a Member-at-Large of Alpha Sigma Phi. Students enrolled in attendance at an institution of learning with a Chapter of Alpha Sigma Phi, four or more years after they were initiated or with unique circumstances as determined by the Chief Executive Officer, may be considered an alumni member, with approval of the Chapter Prudential Board.
  - C. There shall be no local, social, honorary or associate memberships, nor any membership status other than as listed in Sections 2A and 2B above, all of whom are duly authorized and recorded by the Fraternity Headquarters.
- Section 3. Affiliation: A member initiated by one Chapter who transfers to an institution of learning at which there is another active Chapter of Alpha Sigma Phi in good standing may affiliate

with the Chapter at his new institution, provided he meets all membership standards for the chapter and Fraternity.

- Section 4. **Members in Good Standing:** A member is considered of Good-Standing if he continues to meet his financial obligations to the fraternity and his chapter; maintains an appropriate grade point average; is an active participant in his chapter's activities and in activities on campus; and in every good sense conducts himself as a gentleman. A member's standing is determined by the Prudential Board of his chapter.

### **ARTICLE III. CHAPTERS**

- Section 1. **Chapter Location:** Chapters shall be established only at colleges and universities (elsewhere herein referred to collectively as institution(s) of learning) recognized by an accrediting organization; do not openly cause violations of section 7 of this article; and approved by the Grand Council.
- Section 2. **Chapter Names:** Each Chapter shall have as its official name a letter or combination of letters of the Greek alphabet. Each Chapter may, with assent of the institution of learning, adopt as its popular and unofficial name the name of the institution of learning at which it is located. Chapters established under Section 3 of this article shall be considered established on the date of their chartering by the merged or acquired Fraternity.
- Section 3. **Chapters established by Merger:** The granting of charters to one or more Chapters of any other Greek letter fraternity, either by reason of dissolution of said organization or by merger shall be on such terms as the Grand Council shall determine.
- Section 4. **Chapter Rights:** All Chapters in good standing of the Fraternity shall have equal rights.
- Section 5. **Notification for Initiation:** No Chapter shall initiate any person until Fraternity Headquarters has been notified of the pending initiation.
- Section 6. **Prohibited Discrimination:** No Chapter shall permit discrimination in membership selection, initiation, chapter operations or other activities of the Fraternity based on any individual's international origin, age, race, color, creed, religion, disability, family status or sexual orientation.
- Section 7. **Chapter Constitution:** Each Chapter and Provisional Chapter shall adopt a Constitution based on minimum guidelines established by the Chief Executive Officer which shall contain a provision recognizing that the vision and purpose of the Chapter or Provisional Chapter are reflective of the Vision of the Fraternity as described in Article I, Section 2, as well as including anti-discrimination language.
- Section 8. **Academic Performance:** Each Chapter shall maintain a grade point average of all student members in good standing above the requirement established by the IFC/NIC or the institution of learning at which the Chapter is located.
- Section 9. **Provision of Badge and Paraphernalia to Initiates:** Each Chapter of the Fraternity shall supply each member, at the time of his initiation, with an official badge of the Fraternity and such other paraphernalia as the Chief Executive Officer may determine and such badge and paraphernalia shall be held and maintained by the member for so long as he remains a member.

- Section 10. Reading Fraternity Communications: Chapter presidents shall ensure that all communications to the Chapters from the Grand Council or other Fraternity officials are read in an open meeting or disseminated to all chapter members in a timely manner.
- Section 11. Disposition of Property: Should a Chapter or its Affiliate Group become inactive, unrecognized or have its Charter suspended or revoked, the Charter, records, archives, ritual equipment and paraphernalia shall become the property of the Fraternity. The Chief Executive Officer may authorize retention of property of any Affiliate Group that seeks to continue to operate as an (un-recognized) group.

#### **ARTICLE IV. AFFILIATE GROUPS**

- Section 1. Chapter Council: A Chapter Council's primary role is to advise and mentor the student officers by providing a mature perspective.
- A. Each Chapter shall have as its official name, the Greek name of its respective Chapter (e.g. Alpha Chapter Council).
  - B. The Chapter Council is composed of a minimum of the Grand Chapter Advisor, who is the Chair of the Chapter Council. Other positions shall correspond with the student officer positions.
  - C. The Grand Chapter Advisor may appoint or remove members to the Chapter Council. The Chapter Council may also appoint or remove members, other than the Grand Chapter Advisor, to the Chapter Council by majority vote.
  - D. No member of a Chapter Council shall serve concurrently as a Grand Councilor, Alumni Association Officer or House Corporation Officer.
- Section 2. Alumni Association: The purpose of the Alumni Association is two-fold in nature: To provide support for the benefit of its respective Chapter and Chapter Council through coordination of regular events and/or fundraisers that support interaction among members of the Chapter and to keep chapter alumni informed related to the activities of the chapter.
- A. Each Chapter or Provisional Chapter shall have an Alumni Association and its official name shall be the Greek name of its respective Chapter or Provisional Chapter (e.g. Alpha Alumni Association).
  - B. The Alumni Association of a chapter with at least five living alumni in good standing shall be composed of, but not limited to, the following members: President, Vice President, Treasurer and Secretary.
- Section 3. Recognized Alumni Association: An Alumni Association is considered a recognized Alumni Association if it continues to meet its financial obligations to the Fraternity; it has completed all necessary paperwork and requirements annually; it is under no disciplinary action from the Fraternity at the discretion of the Chief Executive Officer; promotes the anti-discrimination, anti-hazing, and Health and Safety policies of the Fraternity. Recognized Alumni Associations are not issued charters or certificates stating their recognition, and oversight falls under the Chief Executive Officer.
- Section 4. House Corporation: All established and future established house corporations are deemed distinct and separate entities from the collegiate chapters they represent and the

International Organization of Alpha Sigma Phi. The House Corporations are self-governed by their local board of directors and the laws of incorporation of the state wherein they are incorporated or located. The purpose of the House Corporation is to be the owner of real property, the chapter house and/or to be the landlord of the property or property manager.

- A. Each house corporation should adopt a constitution, bylaws and other organic documents and rules for its own government, not inconsistent with the Constitution and Bylaws of the Fraternity. A copy of each house corporation's Articles of Incorporation, Constitution and Bylaws shall be kept on file with the Fraternity.
- B. The relationship between the House Corporation and the chapter members will be that of landlord and tenant. Each house corporation will have at a minimum, a written, properly executed renter's agreement between the Housing Corporation and each individual renter for each academic year. Said agreement shall be consistent with the laws of the state of incorporation of the House Corporation. A copy of the renter's agreement shall be kept on file with the Fraternity.
- C. The House Corporation will carry sufficient liability and property insurance to protect the assets of the Corporation.
- D. The House Corporation will ensure that the chapter house is compliant with the current Alpha Sigma Phi health and safety policies concerning housing.

Section 8. Recognized House Corporation: A house corporation is considered a recognized house corporation if it continues to meet its financial obligations to the Fraternity; it has completed all necessary paperwork and requirements annually; it is under no disciplinary action from the Fraternity at the discretion of the Chief Executive Officer; promotes the anti-discrimination, anti-hazing, and health and safety policies of the Fraternity. Recognized house corporations are not issued charters or certificates stating their recognition and oversight falls under the Chief Executive Officer.

Section 9. Constitution and Bylaws of Affiliate Organizations: Alumni Associations and House Corporations shall adopt a constitution, bylaws and other organic documents and rules for its own government, not inconsistent with the Constitution and Bylaws of the Fraternity. Such constitutions and bylaws shall be subject to approval of the Chief Executive Officer. Chapter Councils shall not maintain independent constitutions or bylaws.

## **ARTICLE V. GRAND COUNCIL**

Section 1. Grand Council Composition and Election: The governing body of the Fraternity shall be the Grand Council (a.k.a. Board of Directors), which shall meet at least twice per year. It shall consist of nine alumni members elected at Grand Chapter to serve four-year terms and three student members appointed for one-year terms as provided in section 12 of this article. No member shall be eligible to serve more than ten consecutive years on the Grand Council, however, four years after a member leaves the Grand Council, he is eligible to serve again on the Grand Council. No more than five alumni positions may be considered for a full four-year term on the Grand Council during one Grand Chapter. If there are more than five alumni positions up for election, the Nominations Committee will select the individual or individuals whose term will be limited to two years to restore the cycle of those leaving and coming onto the Board and to ensure continuity of the Fraternity's governance.

- Section 2. Removal from Grand Council: A member of the Grand Council may be removed from the Grand Council by a unanimous vote of the remaining Grand Council members for reasons of physical or mental incapacitation or for failure to attend two successive meetings of the Grand Council. All members of the Grand Council are subject to recall by a majority vote by any Grand Chapter on notice served by the Grand Senior President or notice concurred in by ten percent of chapters or others authorized to vote at Grand Chapter, provided the member to be recalled is afforded reasonable opportunity at the Grand Chapter to be heard.
- Section 3. Chairman of the Grand Council: The Grand Senior President shall be Chairman of the Grand Council unless absent or upon his request. On absence or upon request of the Grand Senior President, the Grand Junior President shall be Chairman of the Grand Council. In the event of absence of both the Grand Senior President and Grand Junior President, the line of succession should follow as outlined in Article V, Section 4.
- Section 4. Emergency Succession: Should an emergency arise and the Grand Senior President and the Grand Junior President both become incapacitated, and an election impractical, the line of succession should follow accordingly: Grand Marshal; Grand Treasurer; Grand Secretary.
- Section 5. Administrative Authority: The Chief Executive Officer or Grand Council shall be responsible for the administration of the Fraternity and may make and enforce rules for the conducting of business.
- Section 6. Executive and Legislative Authority: The Chief Executive Officer or Grand Council shall enforce the Constitution and Bylaws of the Fraternity and shall have power to make any rules and regulations not inconsistent therewith. The Grand Council shall further be empowered to legislate between Grand Chapters. The Chief Executive Officer or Grand Council shall further be empowered to grant, suspend, withdraw, or restore charters of Chapters, suspend or expel a member or members in accordance with procedures elsewhere provided herein or in the Bylaws.
- Section 7. Committees: The Grand Council may appoint, continue, suspend, or dissolve any ad-hoc, or special committee or committees it deems necessary or advisable for the fulfillment of the Vision and objectives of the Fraternity.
- Section 8. Transaction of Business: Unless otherwise provided by law, all rights, powers and authority conferred upon the Grand Council under the Constitution and Bylaws shall be construed not only to be rights, powers and authority to act in meetings, but such rights, powers and authority may be exercised between meetings of the Grand Council by mail, electronic means, or facsimile vote to the members of the Grand Council at the direction of the Grand Senior President. An affirmative vote of a majority of the members of the Grand Council shall be required for the adoption of all matters thus submitted (except for removal of a member of the Grand Council, as provided in Section 2 of this article). Votes shall be tabulated as provided in Section 16 of this article.
- Section 9. Chief Executive Officer: The Grand Council may employ a Chief Executive Officer and delegate to said officer administration of the operations of the fraternity, subject to appropriate oversight. The Chief Executive Officer or Grand Council shall maintain the records and archives of the Fraternity.
- Section 10. Vacancies on Council between Grand Chapters: The Grand Senior President shall have power to nominate for appointment, and the Grand Council by majority vote, to approve



the appointment of a member to fill any vacancy in the Grand Council arising between Grand Chapters. The Grand Council shall then make, by majority vote, such changes in the officers of the Fraternity as it deems advisable. Appointees shall serve until the next Grand Chapter.

- Section 11. First Meeting after Election: A newly elected Grand Council shall meet immediately after the close of the Grand Chapter at which its members were elected, provided that if a majority of the members are not then present, the first meeting shall be held within thirty (30) days of adjournment of the Grand Chapter and upon call of the Grand Senior President. The Grand Council shall hold such meetings as may be necessary for the proper conduct of its business, provided that upon written request of a majority of its members, the Grand Senior President shall call a meeting to convene within thirty (30) days.
- Section 12. Undergraduate Grand Councilors: No later than September 1, the Grand Council shall appoint undergraduate members to serve a one-year term to fill any expired terms of Undergraduate Grand Councilors. Upon acceptance of appointment, the Undergraduate Grand Councilors shall have full voting rights.
- Section 13. Quorum: A majority of the members of the Grand Council shall constitute a quorum to do business at any meeting.
- Section 14. Mail Votes: Votes of members of the Grand Council on propositions submitted by mail, electronic means, or facsimile in accordance with Section 8 of this article shall be recorded on ballots distributed by the Chief Executive Officer, the results distributed to the members of the Grand Council and the text of such propositions and votes thereon shall be recorded in special minutes of proceedings by mail. Such minutes shall be presented at the next succeeding meeting of the Grand Council for approval only.
- Section 15. Executive Sessions: Executive Sessions of the Grand Council may be held at which only members of the Grand Council shall be entitled to be present. The Grand Council may invite one or more people not members of the Grand Council to attend an executive session without precluding exclusion of others. Such executive sessions may be called either by the Chairman in his sole and absolute discretion, or upon a majority vote of the Grand Council. Minutes of executive sessions shall be kept and recorded by the Grand Secretary or by the Grand Council member designated by the Chairman.
- Section 16. Summaries of Minutes of Proceedings: Summaries of the minutes of all regular and special meetings shall be made available to the membership. Minutes of executive sessions of the Grand Council shall be made and sent to the members of the Grand Council and such others as the Grand Council may designate.
- Section 17. Removal of Grand Council Officers: Grand Council officers may be removed from office by 3/4 vote of Grand Council members.

## **ARTICLE VI. GRAND CHAPTERS AND ANNUAL MEETINGS**

- Section 1. Grand Chapter: The supreme legislative authority of the Fraternity is the Grand Chapter, the voting members of which shall consist of delegates selected by the Chapters and Alumni Associations, in good standing, members of the Grand Council, and Past Grand Senior Presidents.

- Section 2. Chapter Delegates: Each chapter shall choose from among its qualified student members one delegate and one secondary delegate to attend the summer annual meeting.
- Section 3. Alumni Association Grand Chapter Delegates: Each Alumni Association shall be entitled to appoint and send one delegate and secondary delegate to represent it at the Grand Chapter at its or its members' own expense. A member in good standing of an Alumni Association may be seated as the delegate or secondary delegate for the Alumni Association if the appointed delegate or secondary delegate fail to attend the Grand Chapter.
- Section 4. Voting:
- A. At a Grand Chapter, each chapter in good standing, each recognized Alumni Association in good standing, each Past Grand Senior President and each Grand Council Member (alumni and student) shall have one vote. At no time may any member be permitted to exercise more than one vote at a Grand Chapter.
  - B. In matters concerning student fees and dues, only the chapter Delegate and each Grand Council member (alumni and student) shall have a vote.
- Section 5. Fractionalization to Ensure Student Majority: If at any session of the Grand Chapter, the number of votes of the alumni Grand Council members, Past Grand Senior Presidents and Alumni Associations present and entitled to vote exceeds the number of votes of the chapters and Undergraduate Grand Councilors present and entitled to vote, the votes of the Grand Council members, Past Grand Senior Presidents and Alumni Associations shall be so fractionated that their total vote shall be weighed as one less than the number of chapters with delegates present and entitled to vote.
- Section 6. Qualifications: Subject to this constitution, the Credentials, Resolutions and Law Committee of the Grand Chapter will determine the standing of each chapter and alumni association from the recommendation of the Chief Executive Officer. The voting status of each delegate must be determined and communicated no later than 30 days prior to Grand Chapter.
- Section 7. Frequency, Location, Duration and Expense Allowance of Grand Chapter: Grand Chapters of the Fraternity shall be held biennially and shall constitute the annual meeting of the Fraternity in the year during which held. A Grand Chapter may be dispensed with when authorized by a proposal therefore adopted by a majority of the Grand Council and approved by a majority vote of the chapters, alumni associations and Past Grand Senior Presidents. A special Grand Chapter may be called by the Grand Council to be held at any annual meeting of the Fraternity, so long as notice thereof is given in accordance with requirements of Section 8 of this article. The selection of the date and location of a Grand Chapter and the apportioning of the expenses authorized delegates thereto shall be prescribed by the Chief Executive Officer or Grand Council.
- Section 8. Notice of Time, Place and Duration of Grand Chapter: Notices announcing the time, place and duration of a Grand Chapter shall be issued at the direction of the Grand Council not less than ninety (90) days before the date fixed to convene the Grand Chapter. Such notices shall be sent to all chapters, all recognized alumni associations, to members of the Grand Council and all Past Grand Senior Presidents.

- Section 9. Quorum: A majority of delegates present at the Grand Chapter and authorized to vote shall constitute a quorum for all business of the Grand Chapter, but a lesser number may convene to setting a time at which to reconvene or to adjourn the Grand Chapter.
- Section 10. Majority: Except as otherwise provided in the Constitution, Bylaws or Rules of Order adopted, a majority of the delegates present and authorized to vote, a quorum being present, shall constitute a prevailing vote upon all questions.
- Section 11. Secretary of the Grand Chapter: The Chief Executive Officer shall act as secretary of the Grand Chapter and shall appoint his own assistants.
- Section 12. Permanent Chairman of the Grand Chapter: If the Grand Senior President is in attendance, he shall be the Permanent Chairman of the Grand Chapter. If the Grand Senior President is absent, the Grand Junior President shall be the Permanent Chairman of the Grand Chapter. If both the Grand Senior President and Grand Junior President are absent, the succession order will be followed in naming a Permanent Chairman as outlined in Article V, Section 4.
- Section 13. Privilege of the Floor: Non-delegate members and non-members may be granted the privilege of the floor at the discretion of the presiding officer.
- Section 14. Grand Chapter Committees: Student and alumni members may be assigned to a regular or special committee of the Grand Chapter. No committee shall be comprised of less than 2/3 of student members. The regular Grand Chapter committees are as follows: Nominations and Credentials, Resolutions and Law. Special Grand Chapter committees may be established by the Grand Council.
- A. Nominations: The Nominations committee shall review nominations for election to the Grand Council, the needs of the Grand Council and recommend to the Grand Chapter candidates for election to the Grand Council.
  - B. The Credentials, Resolutions and Law Committee shall review and make recommendation to the Grand Chapter on resolving any dispute as to credentials of delegates, may review proposed legislation to ensure that proposed policy does not conflict with the Constitution, Bylaws or policy statements of the Fraternity, and to assist other committees or members compose and present resolutions on the floor of the Grand Chapter. Items defeated in Committee may be brought to the floor of Grand Chapter by a 2/3 vote of all eligible voting members.
- Section 16. Election of Grand Council: Nominations from the floor will be accepted only during the first plenary session of the Grand Chapter. The Nominations Committee shall then deliberate and propose a single slate to the Grand Chapter body encompassing nominees for both incumbent and non-incumbent positions. If the slate is not accepted, only brothers who were properly nominated prior to the committee's deliberations may then be nominated from the floor for reconsideration.
- Section 17. Election of Grand Officers: Immediately following election to fill vacancies in the Grand Council, the members of the incoming Grand Council shall retire into a special committee to determine proposed Officers of the Fraternity for the upcoming biennium. Upon return of this special committee and presentation of its report and any minority report(s), the Chairman shall call for any debate or other nominations. If none, the question of adoption of the special committee's recommendation shall be put to vote. If there are other

nominations made and seconded, the Grand Chapter shall proceed to election of Grand Officers under rules of procedure generally applicable.

- Section 18. Enforcement of Rules: The Chairman shall enforce Grand Chapter rules rigidly and may appoint a parliamentarian to advise and assist him, if desired. Delegates, officers and members otherwise entitled to vote may be deprived thereof upon failure to observe Grand Chapter rules and to be present when the Grand Chapter is in session.

## **ARTICLE VII. PUBLIC AND PRIVATE MATTERS**

- Section 1. Exoteric vs. Esoteric Material: The Constitution, Bylaws, Codes, Position Statements, Rules, Regulations, Legislation and orders of a general nature of the Fraternity shall be exoteric. The rituals, formal ceremonies of initiation and matters of a private nature concerning the Fraternity and its chapters shall be strictly esoteric. Notwithstanding the foregoing, the Rituals for Life allowing public presentation are exoteric.
- Section 2. Protection of Esoteric Materials: Members and chapters should be charged to protect content that appears only in the esoteric sections of the Fraternity's Ritual Book. Chapters and members should not allow the verbal or written use of the esoteric content beyond the scope of use expressly permitted by the Ritual book itself, the Grand Council or Grand Chapter of Alpha Sigma Phi.
- Section 3. Rituals: The rituals of the Fraternity shall be enacted by the Grand Council which shall have full charge thereof. Changes to the Initiation Ceremony must be approved by Grand Chapter. In the case of an emergency, temporary changes may be made by a mail vote but must be ratified at the next Grand Chapter.

## **ARTICLE VIII. DISCIPLINE IMPOSED BY CHAPTERS**

- Section 1. Cause for Discipline: An active member of the chapter may be disciplined by the chapter for any of the following causes:
- A. Financial delinquency;
  - B. Violation of the Fraternity's code of conduct, constitution or bylaws of the Fraternity and/or the constitution or bylaws of the chapter;
  - C. Violation of the College/University's code of conduct;
  - D. Violation of chapter, college/university or fraternity policy.
  - E. Violation of local, state or national laws;
  - F. Conduct unworthy of a member of Alpha Sigma Phi.
- Section 2. Procedure for Discipline by the Chapter: All discipline is reviewed and considered by the chapter's Standards Board or Prudential Board where a standards board does not exist.
- A. Any decision of the Standards Board may be appealed to the Prudential Board or Chapter Council when the Prudential Board is acting as the Standard's Board.

Section 3. Authority of the Chapter: Each chapter of the Fraternity in good standing shall have the power to discipline its own members, consistent with Fraternity policies and procedures.

Section 4. Authority of the Chapter Council: The Chapter Council shall have jurisdiction in the following cases:

- A. Removal of chapter officers;
- B. In the case where legal charges have been filed by a current member or officer against another member or officer of the chapter, the discipline process may be delegated by the Standards Board to the Chapter Council to investigate the conduct of such member(s);
- C. In all cases of discipline primarily reserved to the chapters in which the chapter fails, neglects or refuses, upon request of the President or a majority of the Chapter Council, to institute and pursue disciplinary action promptly.
- D. Any appeal by an active member or former member, of a decision on discipline made by the Chapter Council, shall be decided by the Chief Executive Officer or designee.

Section 5. Rights of the Accused: The accused has the following rights:

- A. The right to due notice.
- B. The right at hearing to be heard or remain silent, to present evidence, to hear the evidence against him and to be represented by an advisor or counselor who may be a member of the fraternity.
- C. The right to be present throughout the proceedings except during deliberation.
- D. The right to appeal.
- E. The accused may waive some or all his rights by stating affirmatively his intention to do so to the Chair of the Standards Board or Chapter Council

Section 6. Rights of disciplined members: During a period of a suspension, or after expulsion from the Fraternity by the Chief Executive Officer or Grand Council, the disciplined individual shall be afforded no membership rights or privileges.

#### **ARTICLE IX. DISCIPLINE IMPOSED BY THE FRATERNITY**

Section 1. Authority to Impose Discipline: Authority to impose discipline on any member, chapter or affiliate group is reposed exclusively in the Chief Executive Officer and Grand Council. The Grand Council shall provide a means for review of the disciplinary determinations of the Chief Executive Officer upon petition of a member, chapter or affiliate group impacted by and objecting to the action of the Chief Executive Officer.

Section 2. Status of Chapters: All chapters will operate under one of the following non-progressive distinctions:

- A. Good Standing is defined as but not limited to: a chapter that continues to meet its financial obligations by carrying no inordinate debt as determined by the Chief

Executive Officer; has a good health and safety record; is under no disciplinary action from the Fraternity at the discretion of the Chief Executive Officer; meets basic grade requirements; meets recruitment expectations; meets operational expectations; promotes the anti-discrimination, anti-hazing, and health and safety policies of the fraternity in its activities; is active in the community; and its members are in every good sense gentlemen.

- B. Administrative Warning is defined as but not limited to: a chapter that has violated fraternity policy, violated college, university, or interfraternity council policy and/or has fallen below basic grade, recruitment, financial or operational expectations. If the chapter does not implement immediate corrective action, the chapter's status can be elevated.
- C. Administrative Probation is defined as but not limited to, a chapter that has continued to violate fraternity policy, college, university, or interfraternity council policy, violated local, state or national laws and/or continues to fall below basic grade, recruitment, financial or operational expectations. If the chapter does not implement immediate corrective action, the chapter's status can be elevated.
- D. Administrative Suspension is defined as but not limited to, a chapter that has seriously violated fraternity policy, college/university or interfraternity council policy, violated local, state or national laws and/or has significantly fallen below basic grade, recruitment, financial or operational expectations. If the chapter does not implement immediate corrective action, the chapter's status can be elevated.
  - a. Chapter Limitations: During any period of suspension imposed by the Fraternity, the suspended chapter shall have no authority to act as an organization using the name or marks of Alpha Sigma Phi Fraternity, and shall return, upon request, all equipment, insignia, paraphernalia, records and archives of the chapter to the Fraternity Headquarters or a custodian appointed by the Chief Executive Officer or Grand Council to retain for the duration of the suspension.
- E. Reorganization: Reorganization is defined as but not limited to, a chapter that has violated fraternity policy, college/university or interfraternity council policy, has significantly fallen below basic grade, recruitment, financial or operational expectations and/or qualifies to be placed on charter review status. Each one of the chapter's current student members will either participate in a membership review and/or be moved to alumni status at the discretion of the Chief Executive Officer.
  - a. The reorganization process has commenced when the Fraternity Headquarters has both conducted a membership review and taken appropriate action based on the outcomes of the review or moved all students to alumni status.
  - b. The Chief Executive Officer shall provide written notification to all alumni with good contact information of their chapter's change in status to re-organized.
- F. Charter Review: Charter Review is defined as but not limited to, a chapter that has been financially negligent, is a detriment to its campus and/or community, violated local, state or national laws, has displayed poor health and safety history, is under disciplinary actions from the Fraternity, and/or has failed to meet basic grade,

recruitment and operational expectations. If this status is not elevated within 180 days, the chapter may be moved to a closed status.

- a. The Charter Review process has commenced when the Fraternity Headquarters has provided written notice to the Chapter President and Grand Chapter Advisor.
- b. The Chief Executive Officer shall provide written notification to all alumni with good contact information of their chapter being on Charter Review status within two weeks of the process commencing.
- c. Charter Revoked: If the charter is revoked, the chapter shall cease and desist from all operations in the name of Alpha Sigma Phi and shall have no authority to act as an organization using the name or marks of Alpha Sigma Phi Fraternity. The chapter and its members shall return all equipment, the charter, insignia, paraphernalia, records and archives of the chapter to the Fraternity Headquarters or a custodian appointed by the Chief Executive Officer or Grand Council. The student members shall be afforded none of the rights and privileges of student membership.

G. Closed: Closed is defined as inactive or having no official recognition. The chapter can be re-chartered with ample alumni support and the support of the Fraternity.

Section 3. Status of Affiliate Groups: All affiliate groups will operate under one of the following non-progressive distinctions:

- A. Recognized: Recognized is defined as but not limited to, an affiliate group that continues to meet its obligations to the Fraternity as determined by the Chief Executive Officer.
- B. Unrecognized: Unrecognized is defined as but not limited to, an affiliate group that is not compliant with fraternity policy, and/or has not met the basic expectations of an affiliate group. When the group is compliant, the group's status can be elevated.

Section 4. Discipline of Members: A member who has been financially negligent; is a detriment to the chapter/provisional chapter and/or its campus and/or community; violated local, state or national laws; has displayed poor health and safety history; is under disciplinary actions from the chapter, fraternity or college/university; and/or has failed to meet the Fraternity's code of conduct may be disciplined by the Chief Executive Officer or the Grand Council in one or more of the following ways:

- A. Warning/Probation: The Chief Executive Officer or his designee may warn or place on probation a member or officer for not adhering to fraternity policy. If the member does not implement immediate corrective action, the member's status can be reevaluated.
- B. Removal from Office: The Chief Executive Officer has the authority to remove any member from office and may either appoint an interim officer, who will serve in that position until elections are scheduled to occur or can direct a new election at the next chapter meeting.
- C. Suspension: The suspension of an individual member by the Fraternity may be imposed for a finite period, or until conditions imposed in connection with the suspension are satisfied by the subject of discipline. The Chief Executive Officer or

Grand Council shall have the power and authority to require submission of reports and other evidence of compliance with terms and conditions to have the suspension status removed. A person suspended from membership in Alpha Sigma Phi shall lose all rights, privileges and immunities of membership in Alpha Sigma Phi during the period of his suspension. He may not hold office, participate in any chapter events or activities and/or vote or attend chapter meetings. He may not reside in the chapter house without the written permission of the Chapter Council and the property manager (House Corporation or CLVEN).

- D. Expulsion: A member requesting expulsion from Alpha Sigma Phi must submit their request in writing to the Chief Executive Officer. His request will be accepted by the Chief Executive Officer or majority vote of the Grand Council. Once a person has been expelled from the Fraternity, he can never be considered for membership in Alpha Sigma Phi again. A member cannot request to be expelled from the Fraternity for financial reasons. A person expelled from membership in Alpha Sigma Phi shall forthwith surrender to the Chief Executive Officer, or designee, his badge and all Fraternity property in his possession. Expulsion from membership terminates absolutely all rights, privileges and immunities of membership in Alpha Sigma Phi.

- Section 5. Reconsideration and Appeals: The Grand Council, by two-thirds (2/3) vote of members who are present, can reconsider any decision of the Chief Executive Officer imposing discipline on an active member or former member, chapter, or affiliate group and reach the same or a different decision, provided that at least a majority of the active members who are entitled to vote are present. Any such action resulting in a different decision shall be promptly reported in writing to those who requested the appeal by the Grand Senior President.

## **ARTICLE X. RELATIONSHIP WITH COLLEGIATE CHAPTERS AND AFFILIATE/GROUPS**

- Section 1. Relationship Defined: Alpha Sigma Phi Fraternity, Inc. is a non-profit corporation. It is incorporated under the laws of the State of New York. It is headquartered in Carmel, Indiana.

Alpha Sigma Phi Fraternity, Inc. as a non-profit corporation for the purposes of fostering fraternity, and as an educational and service resource for collegiate chapters of Alpha Sigma Phi Fraternity, Inc., and for persons associated with those chapters. Alpha Sigma Phi Fraternity, Inc. has a limited staff. It has limited funding sources which necessarily limit the size of its staff.

Alpha Sigma Phi Fraternity, Inc. maintains and processes membership and other records for collegiate chapters associated with it. These chapters are located throughout the United States and Canada.

Alpha Sigma Phi Fraternity, Inc. 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 a collegiate chapter and its associated collegiate members. Alpha Sigma Phi Fraternity, Inc. provides education through conferences, written materials and periodic consultant visits to collegiate chapters. Staff visits result in advisory recommendations for chapter operations. Alpha Sigma Phi Fraternity, Inc. 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 education and consultant recommendations the success of chapters associated with it.



No chapter of and no member of any chapter or affiliate group of Alpha Sigma Phi is an agent of Alpha Sigma Phi Fraternity, Inc. No chapter and no member of any chapter have been appointed as an agent of Alpha Sigma Phi Fraternity, Inc.

Section 2. Chapter Operations: Alpha Sigma Phi Fraternity, Inc. is not involved in the day-to-day activities of a chapter. Alpha Sigma Phi Fraternity, Inc. does not and cannot control or supervise the day to day operations or activities of a chapter.

Each collegiate chapter of Alpha Sigma Phi Fraternity, Inc. is a self-governing, financially self-sufficient association comprised of students of the institution at which they are enrolled. [Each affiliate group of Alpha Sigma Phi Fraternity, Inc. is a self-governing, financially self-sufficient association comprised of alumni members residing in a specific geographic location.] Under the Constitution and Bylaws, each collegiate chapter of Alpha Sigma Phi Fraternity, Inc. 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 policies, constitution and bylaws of Alpha Sigma Phi Fraternity, Inc. The autonomy of a collegiate 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, constitution and bylaws of Alpha Sigma Phi Fraternity, Inc., Alpha Sigma Phi Fraternity, Inc. has the right after the fact to determine whether that chapter will continue to be recognized by Alpha Sigma Phi Fraternity, Inc. as a chapter associated with it. In some situations, after an action by a chapter has occurred that is not in harmony with the policies or constitution and bylaws of Alpha Sigma Phi Fraternity, Inc., a "not in good standing" status may be implemented for the chapter by Alpha Sigma Phi Fraternity, Inc. In "not in good standing" situations, the chapter continues to be a self-governing, financially self-sufficient association of collegiate students. If a chapter ceases to be recognized by Alpha Sigma Phi Fraternity as a chapter associated with it, but that group of collegiate students nonetheless continues its operations, they do so without any affiliation with Alpha Sigma Phi Fraternity.

Alpha Sigma Phi Fraternity, Inc. 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 Constitution of Alpha Sigma Phi Fraternity, Inc.

Section 3. Disposition of chapter and affiliate group assets.

- A. Should a chapter or its affiliate alumni group become inactive or have its charter suspended or revoked, the charter, records, archives, ritual equipment and paraphernalia shall become the property of the Fraternity.
- B. All outstanding debt of the chapter at the time it becomes inactive or has its charter revoked shall become the joint and civil liability of the student members of the chapter at the time the debt was incurred.
- C. Personal property.

1. Should a chapter or affiliate group become inactive or have its charter suspended or revoked, its non-real property assets of less than ten thousand dollars (\$10,000) shall become the property of Alpha Sigma Phi Fraternity Inc. and will be absorbed into its general fund.
2. Should a chapter or affiliate group become inactive or have its charter suspended or revoked, its non-real property assets of more than ten thousand dollars (\$10,000) shall be held in trust for a period of eight years by Alpha Sigma Phi Fraternity Inc. During this time, interest earned from the funds held in trust will accrue to the trust, less a reasonable management fee which will accrue to the Fraternity on a yearly basis. In the event said chapter or affiliate group remains inactive or non-chartered after the eight-year period, then the non-real property assets shall be absorbed into the Fraternity's general fund.

D. Real property.

1. Should a chapter or affiliate group become inactive or have its charter suspended or revoked, all real property owned by said chapter or affiliate group shall be transferred to the CLVEN National House Corporation to be managed in the best interest of Alpha Sigma Phi.
2. Alpha Sigma Phi Fraternity Inc. shall have ninety days from dissolution to disclaim its rights granted under this section. In the event it does not disclaim its right then said property shall be transferred as described in Article X Section 3 D1.

## ARTICLE XI. AMENDMENTS

Section 1. Amendment by Grand Chapter: This Constitution and Bylaws may be amended or repealed at any time after notice, as prescribed below, at a Grand Chapter by a vote of 3/4 of the members qualified to vote at Grand Chapter. As used in this article, "members qualified to vote" includes all credentialed chapter and alumni association delegates and all current Grand Council Members and Past Grand Senior Presidents in attendance.

Section 2. Notice of Amendment: No amendment or repeal of this Constitution or Bylaws may be considered unless the proposed amendment or repeal shall have been presented to the Chief Executive Officer at least seventy (70) days prior to the date on which the vote is due by a chapter, alumni association, Grand Council member or Past Grand Senior President, with endorsement for consideration by a 2/3 vote of the Grand Council or ten (10) percent of other chapters in good standing, recognized alumni associations in good standing, Grand Council members and/or Past Grand Senior Presidents. Presentation or endorsement by a chapter shall be by the President of the chapter or petition signed by a majority of the student members in good standing of the chapter; presentation or endorsement by an alumni association shall be by the President of the Alumni Association or petition signed by a majority of the members of the Alumni Association. Upon presentation of a properly submitted and endorsed amendment or notice of repeal, the Chief Executive Officer shall send notification of the proposal to all chapters, recognized alumni associations, current Grand Council members and Past Grand Senior Presidents not less than sixty (60) prior to the date on which the vote is due.

Section 3. Amendment by Mail or Electronic Media Vote: In addition to the method of amendment set forth above, this Constitution or Bylaws may be amended or repealed, after notice as prescribed below, by a vote of 3/4 of all chapters in good standing, recognized alumni

associations in good standing, Grand Council members and Past Grand Senior Presidents conducted by mail or electronic media.

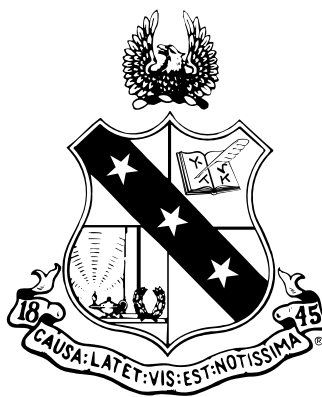
Section 4. So long as the necessary quorum is met as defined in Article V, Section 3, any vote not returned to the Chief Executive Officer (if the notice is issued by him) or Grand Secretary (if the notice is issued by him) by a member, chapter or alumni association entitled to vote shall be considered an abstention or a vote to be counted as a vote with the majority of votes timely received. Upon expiration of the time allowed for voting, the Chief Executive Officer or Grand Secretary shall record and certify the vote to the Grand Senior President who shall advise all chapters, recognized alumni Associations, Grand Council Members and Past Grand Senior Presidents whether the proposed amendment has been adopted or defeated.

Section 5. Resubmission of Failed Amendments: Any proposed amendment to this Constitution or Bylaws which shall have failed to be adopted, either by vote at Grand Chapter or by mail or electronic media vote, may not again be submitted for consideration for 120 days.

## **ARTICLE XII. SAVING CLAUSE**

Section 1. Any revision of the Constitution of Alpha Sigma Phi Fraternity shall not invalidate any act or contract of the Fraternity lawfully entered into and not prohibited by the Constitution of Alpha Sigma Phi Fraternity in effect at the time of the act or execution of contract.

Section 2. Invalidation of any article or section of this constitution shall not invalidate the remainder hereof.



## THE BYLAWS OF ALPHA SIGMA PHI FRATERNITY, INC.

These bylaws are the statutes for the government of Alpha Sigma Phi Fraternity, Inc., adopted in conjunction with the Constitution of the Fraternity to more fully define the powers, duties and functions authorized hereunder.

### ARTICLE I. GRAND OFFICERS

- Section 1. Grand Council Officers: The Officers of the Grand Council of the Fraternity shall be: The Grand Senior President, the Grand Junior President, the Grand Secretary, the Grand Treasurer and the Grand Marshal. Said officers shall be elected by the Grand Chapter from the members of the Grand Council as soon as feasible after the election of members of the Grand Council, and shall serve until the next Grand Chapter, or until their successors are duly elected and qualified.
- Section 2. Administrative Officers: The Chief Executive may nominate administrative officers of the Fraternity, including a Grand Historian and General Counsel, subject to confirmation by the Grand Council. Administrative officers shall serve until the ensuing Grand Chapter.

### ARTICLE II. GRAND SENIOR PRESIDENT

- Section 1. Chairman of Grand Council and Grand Chapter Meetings: The Grand Senior President shall preside at all annual and special meetings of the Fraternity and all meetings of the Grand Council, and at all Grand Chapters of the Fraternity during his term of office.
- Section 2. Acting CEO and/or Succession: At such times as the Grand Council may direct, and during periods of vacancy of the office of Chief Executive Officer, the Grand Senior President shall be the principal executive officer of the Fraternity and shall supervise and direct all the business and affairs of the Fraternity.
- Section 3. Signing Authority: He may sign, with the Chief Executive Officer or any other proper officer of the Fraternity authorized by the Grand Council, any deeds, mortgages, notes, bonds, contracts, resolutions or other instruments which have been duly authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Grand Council, the Constitution, or by these bylaws to some other officer or agent of the Fraternity, or shall be required by law to be otherwise signed or executed.

Section 4. General Duties: Shall perform all duties incident to the office of president, and such other duties as may be prescribed by the Grand Council.

### **ARTICLE III. GRAND JUNIOR PRESIDENT**

Section 1. In the absence of the Grand Senior President, or in the event of his inability, incapacity or refusal to act, the Grand Junior President shall perform the duties of the Grand Senior President and when so acting shall have all the powers and be subject to all the same restrictions upon action, of the Grand Senior President. The Grand Junior President shall perform such other duties as may be assigned to him by the Grand Senior President or the Grand Council.

### **ARTICLE IV. GRAND SECRETARY**

Section 1. The Grand Secretary shall certify to the Grand Council all minutes of the regular and special meetings of the Grand Council and of proceedings by mail or electronic media. He shall perform such other duties as may be assigned to him by the Grand Senior President, by the Grand Council or as provided elsewhere in the Constitution and Bylaws.

### **ARTICLE V. GRAND TREASURER**

Section 1. Duties of Office: The Grand Treasurer shall perform such duties as may be assigned him by the Grand Senior President or Grand Council. At such times as the Grand Council may direct, and during periods of vacancy of the office of Chief Executive Officer, the Grand Treasurer shall have charge and custody, and be responsible for, all funds and securities of the Fraternity, except as otherwise provided, and deposit all moneys in the name of the Fraternity in such banks, trust companies, or other depositories, as shall be selected by the Grand Council, and shall in general perform all the duties incident to the office of Treasurer.

Section 2. The Treasurer shall form an audit committee that will be responsible for reviewing reports submitted by the Chief Executive Officer, as well as the annual audit conducted by an outside firm.

### **ARTICLE VI. GRAND MARSHAL**

Section 1. The Grand Marshal shall resolve issues surrounding the Alpha Sigma Phi Ritual and such other duties as may be required by the laws of the Fraternity or assigned to him by the Grand Senior President or the Grand Council.

### **ARTICLE VII. GRAND HISTORIAN**

Section 1. The Grand Historian shall advise and counsel the Chief Executive Officer and Grand Council concerning matters of historical value to the Fraternity. The Grand Historian shall also prepare and submit such reports, articles or other papers concerning the history of the Fraternity, its chapters, officers, alumni as the Chief Executive Officer or Grand Council may authorize and direct.

### **ARTICLE VIII. GENERAL COUNSEL**

Section 1. The General Counsel shall advise and counsel the Chief Executive Officer and Grand Council concerning legal matters of value to the Fraternity. The General Counsel shall

prepare and submit reports, articles, or other papers concerning the Fraternity's legal matters as the Chief Executive Officer or Grand Council may authorize and direct.

## **ARTICLE IX. GRAND CHAPTER ADVISOR**

- Section 1. A Grand Chapter Advisor is Chair of the Chapter Council and primary advisor for the Chapter or Provisional Chapter.
- A. The Chief Executive Officer will appoint the Grand Chapter Advisor.
  - B. The term of the Grand Chapter Advisor is one year, expiring June 30. There are no term limits, provided he continues to be appointed by the Chief Executive Officer.
- Section 2. Removal from Office: A Grand Chapter Advisor may be removed from office for; failure to maintain contact with Fraternity Headquarters during an academic year; violations of the Fraternity's Constitution, Bylaws or Policies; neglect of or negligence in performance of his duties or continuing underperformance of the Chapter or Provisional Chapter.
- A. The Fraternity's Chief Executive Officer shall have the authority to remove a Grand Chapter Advisor from office for any of the reasons stated above.
  - B. The Chapter can request removal of the Grand Chapter Advisor from office by the Chief Executive Officer for any of the reasons stated above.
  - C. The Grand Chapter Advisor has the right to appeal the Chief Executive's decision for removal from office to the Grand Council. The Grand Council's decision will be final and subject to the appeal procedures in Article IX, Section 5 of the Constitution.
- Section 3. Resignation: A Grand Chapter Advisor may submit a written request to Fraternity Headquarters to be relieved of his Grand Chapter Advisor duties and responsibilities. He shall document the reasons for his request. The Chief Executive Officer may accept his resignation.

## **ARTICLE X. EXECUTIVE OFFICERS AND STAFF**

- Section 1. Chief Executive Officer (CEO): The Grand Senior President shall appoint, subject to confirmation by a vote of a majority of the Grand Council, a Chief Executive Officer. The Grand Council shall determine the salary of the Chief Executive Officer. The Grand Council shall direct the duties of the Chief Executive Officer and ensure that the Chief Executive Officer carries out the directives and policies of the Grand Council and Grand Chapter and acts within the executive limits of the Fraternity as presented in the Governance Policy Manual.
- Section 2. Professional Staff: The Chief Executive Officer or, in the event of vacancy, leave or incapacity of the Chief Executive Officer, the Grand Senior President may employ such other professional and administrative staff as is necessary, shall define their duties, supervise their performance and determine their salaries.
- Section 3. Executive and Professional Staff are precluded from concurrent service on Grand Council. Neither the Chief Executive Officer nor any full time or part-time employee on staff at the Fraternity Headquarters shall be, or continue in employment if elected to be, a member of

the Grand Council, a member of the Board of Directors of the Alpha Sigma Phi Foundation or a member of CLVEN National House Corporation.

Section 4. Operation of Fraternity Headquarters: The Chief Executive Officer under the direction of the Grand Council shall have general charge of the Fraternity Headquarters, keep the books and records of the Fraternity and attend to the correspondence with chapters, affiliate groups, volunteers, committees, officers and others and make such reports of his activities as the Grand Council may require.

Section 5. Financial Transactions by Executive: All transactions of the Chief Executive Officer on behalf of the Fraternity shall be in the name of the Fraternity. All checks and warrants drawn by the Chief Executive Officer or, as authorized, the staff, shall be countersigned by an authorized member of the Grand Council, except those checks exempted by direction of the Grand Council.

## **ARTICLE XI. CHAPTER OPERATIONS**

Section 1. Chapters and Provisional Chapters shall, at minimum, have the officers as required by the Fraternity and shall properly report such officers by the established deadline.

Section 2. Officer Requirements: Any individual who holds or seeks to hold any office at said chapter or provisional chapter of this fraternity must be in good financial, academic and disciplinary standing with the Fraternity and must be able to fulfill the full length of the term of office.

## **ARTICLE XII. EXPANSION**

Section 1. The Chief Executive Officer shall set criteria by which an interest group of students may be made a provisional chapter.

Section 2. The Chief Executive Officer may set and vary further criteria to be met by a provisional chapter prior to becoming a chartered chapter of Alpha Sigma Phi.

Section 3. The Grand Council shall review any recommendation for chartering and approve the recommendation for chartering before the installation and chartering or re-chartering of any chapter.

Section 4. Provision of Chapter and Ritualistic Equipment: Before or at the time of the installation of the chapter, the Fraternity shall provide the chapter with:

- A. An official badge and other authorized paraphernalia for each member to be initiated.
- B. The Charter of the Chapter
- C. Chapter paraphernalia for the operation of the Chapter
- D. Copies of the Ritual and such items of ritual equipment as are prescribed by the Grand Council.
- E. Such other equipment as the Chief Executive Officer may direct.

Section 3. Financial Agreement: The Chief Executive Officer or Grand Council shall have authority to grant charters upon such financial terms and conditions as it may determine, including

abatement, surcharge or deferral of the installation fee, modification of the amount or waiver of initiation fee due from alumni or other members of the petitioning group or groups, waiver or limitation of subscriptions to the Tomahawk, provided that no special terms or conditions shall be made or promised with respect to the obligations of said group after it becomes a chapter or they become chapters of Alpha Sigma Phi, or with respect to their future student or alumni members.

Section 4. Installation: The Chief Executive Officer or Grand Council shall select one or more of its members to install a newly chartered or re-chartered chapter. If it is deemed by the Chief Executive Officer or Grand Council impractical for any of its members to conduct such installation, the Chief Executive Officer or Grand Council may appoint a member or members of the Fraternity to conduct such installation.

Section 5. Provisional Chapter: The Chief Executive Officer or his designee or the Grand Council shall have the power to bestow provisional chapter status and in its discretion, to authorize initiation of students regularly enrolled and in good standing in any college or university at which the Fraternity is by terms of its constitution authorized to operate, where there is no chapter of the Fraternity, or where a chapter is to be reactivated, when it deems such initiation advantageous in connection with an expansion or reactivation program. Such students, prior to installation or reactivation of a chapter, shall be designated by such terms as the Chief Executive Officer or Grand Council may direct.

### **ARTICLE XIII. FUNDS AND FINANCES**

Section 1. Deposit of Funds: All transactions and deposits shall be in the name of the Fraternity. All general funds shall be under the control of the Chief Executive Officer or Grand Council and be dispersed as appropriate by the Chief Executive Officer or his authorized representatives. The Chief Executive Officer or Grand Council shall select the depositories for the custody of its funds. The Fraternity shall provide adequate insurance coverage for the proper protection of all general and special funds entrusted to it, or of any officer, employee or agent.

Section 2. Required Appropriations: The Chief Executive Officer or Grand Council shall appropriate from the general fund money for payment of the budgeted annual expenses of the Fraternity as shall be deemed necessary by the Chief Executive Officer.

Section 3. Collection of Accounts Receivable: The Chief Executive Officer or Grand Council shall direct the collection of all funds due the Fraternity unless otherwise provided herein. It shall determine the manner and mode of payment of such funds subject to the limitation herein, and shall have power to suspend chapters, alumni associations, or individuals who are delinquent in their obligations to the Fraternity

Section 4. Allocation and Accounting for Funds: The Chief Executive Officer or Grand Council shall direct the allocation of all funds received to the appropriate funds for which they were collected and keep a separate accounting for each said fund.

Section 5. Annual Audit of Accounts: The Chief Executive Officer or Grand Council shall annually have all the accounts of the Fraternity audited by certified public accountants.

Section 6. Endowments and Funds: Permanent, trust, endowment or other special funds may be established for such purposes, and on such terms and conditions, not inconsistent with law or the Constitution and Bylaws of the Fraternity as may be authorized by the Grand Council. The Chief Executive Officer or Grand Council may accept gifts and bequests to the



Fraternity and perform all acts necessary in connection therewith, including the right to appoint trustees, and fix their powers and duties.

Section 7. Financial Reporting: Reports of the condition of such funds shall be made to the Grand Council at such times and in such form it may direct, and such reports shall be filed at Fraternity Headquarters.

#### **ARTICLE XIV. FEES, ASSESSMENTS AND CHARGES**

Section 1. Establishment of Fees: The establishment of new fees and dues shall be established solely by the vote of undergraduate delegates and the Grand Council.

Section 2. Student Membership Fees: The Fraternity shall establish fees to be paid by each prospective student member upon (1) pledging and (2) initiation by a chapter of the Fraternity. In the event a member fails to remit his fees, the member's chapter will become jointly responsible for the amount due.

A. Membership fees pursuant to this article are not refundable or transferable and shall be remitted to the Fraternity Headquarters by the established deadline.

Section 3. Alumni Membership Fees: The Fraternity shall establish fees to be paid by each prospective alumni member upon initiation by a chapter of the Fraternity. In the event a member fails to remit his initiation fee, the member's chapter will become jointly responsible for the amount due.

Section 4. Educational Programming Fee: The Fraternity shall establish the amount and due date of an annual educational programming fee.

Section 5. Chapter Fee: The Fraternity shall establish the amount and due date of a chapter fee that shall be billed to each chapter.

Section 6. Housing Fee: The Fraternity shall establish the amount and due date of a housing fee that shall be billed to each chapter.

Section 7. Alumni Association Fee(s): The Fraternity shall establish the amount and due date of an annual alumni association fee that is billed to the Alumni Association.

Section 8. Fee Collection: The Fraternity shall establish procedures and a schedule for collection of such fees, and for charges for delinquency in remittance thereof. Chapters whose fees, fines and other charges remain unpaid thirty (30) days after the same are due shall be subject to discipline by the Fraternity as provided by the Constitution and Bylaws, including a late fee in an amount totaling no more than 25% of the outstanding balance.

Section 9. Fee Increase: The Fraternity may not increase student membership fees and dues and/or the chapter fee by more than 3% annually without approval of the undergraduate Delegates and Grand Council.

#### **ARTICLE XV. THE TOMAHAWK**

Section 1. Publication: The Tomahawk shall be the official exoteric publication of the Fraternity.

## ARTICLE XVI. INSIGNIA

- Section 1. Control of Insignia: The Chief Executive Officer or Grand Council shall have exclusive direction and control in the acquisition, handling and distribution of insignia through Fraternity Headquarters and may make necessary contracts with manufacturers and others for the proper protection thereof, and to do and perform all things necessary to carry out this purpose. It shall authorize and control the sale and distribution of such fraternity jewelry and novelties as it may approve and shall forbid the sale and distribution of all unauthorized and unproved insignia, jewelry and novelties, and similar products claiming any relationship to or with the Fraternity or any of its chapters, alumni associations, other alumni groups, or members. No chapter, alumni association, other alumni group or member shall have authority to bind the Fraternity in derogation of this section. The Chief Executive Officer or Grand Council shall protect by copyright, trademark or other available protections the emblems and insignia of the Fraternity. The Chief Executive Officer or Grand Council may institute action at law or in equity to carry out the provisions of this section.
- Section 2. Insignia of Disciplined Members: Every chapter shall take into their possession all the insignia of membership and fraternity paraphernalia of all members of the chapter suspended or expelled, to hold such property in trust during the period of any suspension, and to forward to the Fraternity Headquarters the insignias and paraphernalia of any expelled member.
- Section 3. Fraternity Marks and Symbols: Every chapter must use a licensed vendor when designing and purchasing fraternity paraphernalia with fraternity marks and symbols.
- Section 4. Use of Insignia: No person not a member of Alpha Sigma Phi Fraternity, Inc. who is in good standing shall ever be permitted to wear or otherwise use its insignia of membership.