

CONSTITUTION AND BY-LAWS



NORTH CAROLINA CHAPTER

DELTA UPSILON FRATERNITY

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THE CONSTITUTION

ARTICLE I. THE CHAPTER

Section 1: The Name

This society, founded at the University of North Carolina at Chapel Hill, in 1953 and re-founded in 2005, shall be an Undergraduate Chapter of Delta Upsilon Fraternity. This society shall be called the North Carolina Chapter of Delta Upsilon Fraternity (hereafter referred to as the "Chapter").

Section 2: The Purpose

The purpose of the Chapter shall be to promote and enhance the development and education of its Undergraduate Members.

Section 3: The General Powers

The Chapter shall have full power and authority to do all acts that are in furtherance of its purpose. Specifically, but not by way of limitation, the Chapter shall have full power and authority to collect, receive, hold and disburse funds and property from gifts, devises, bequests and otherwise **for the general purposes of the Chapter** and to collect, receive, hold and disburse funds and property from gifts, devises, bequests and otherwise **for the benefit of its members.**

Section 4: The Laws

The Laws of the Chapter shall consist of the Chapter's Constitution and By-Laws, and all amendments thereto, adopted into law by the Undergraduate Members and the Chapter's Policies adopted and published by the Executive Council of the Chapter. To the extent that any provisions of the **Chapter's Policies are inconsistent with any provisions of the Chapter's By-Laws, the provisions of the By-Laws shall control.** To the extent that the **Chapter's By-Laws are inconsistent with any provisions of the Chapter's Constitution, the provisions of the Chapter's Constitution shall control.** To the extent that any provisions of the Chapter's Constitution, By-Laws or Policies are inconsistent with any provisions of the Fraternity's Constitution, By-laws, or Policies, the provisions of the Fraternity shall control.

Section 5: The Undergraduate Chapters' Authority

As provided by Fraternity's Constitution, Article III, Section 5, the Authority of any Undergraduate Chapter, and, as such, the Chapter, shall be prescribed as follows:

(a) **Except as otherwise provided in the Fraternity's Laws,** each Undergraduate Chapter (i) shall have full power and authority to do all acts that are in furtherance of its purposes; (ii) may adopt such by-laws and such **organizational requirements and may undertake such operations as it deems appropriate,** subject to certain minimum organizational requirements provided in the Fraternity's By-Laws; and (iii) shall have exclusive control over its separate assets and funds and the uses and disposition of such assets and funds, **subject to the supervision and direction of the related Alumni Chapter,** except that the Chapter's membership and financial records shall be the property of the Fraternity.

(b) Notwithstanding subsection (a), no alcoholic beverages may be purchased **through the Undergraduate Chapter's treasury or with Undergraduate Chapter funds,** nor may the purchase of alcoholic beverages for Undergraduate Members, Associate Members, or guests **be undertaken or coordinated by an Undergraduate Chapter,** or any Undergraduate Member or Associate Member in the name or on behalf of the Undergraduate Chapter.

(c) Notwithstanding subsection (a), the Board of Directors may establish insurance and loss prevention programs and policies, **require Undergraduate Chapters to fully comply,** and levy assessments to fund such programs and policies as provided by the Fraternity's By-Laws.

(d) Notwithstanding subsection (a), the Board of Directors may establish minimum standards for Undergraduate Chapters and may specify, **in the Fraternity's Policies,** further causes for which the **Board may institute a reorganization of a Chapter, or seek to suspend or revoke a Chapter's charter and operations.**

ARTICLE II. THE MEMBERS

Section 1: Membership by Initiation

The Chapter shall consist of all Members duly initiated by taking the Oath of Initiation in accordance with the Fraternity's Ritual. All Members so initiated shall share equally the rights and responsibilities of Membership in the Fraternity. All Members so initiated shall also share rights and responsibilities of Membership in the Chapter, as further defined in the Laws of the Chapter.

Section 2: The Undergraduate Members

(a) Any male undergraduate enrolled at the University of North Carolina at Chapel Hill (hereafter referred to as the "University"), who is in good standing with the University and who has been elected to Membership in the Fraternity by the Members of the Chapter, may be initiated by taking the Oath of Initiation in accordance with the Fraternity's Ritual. Such Member shall be an Undergraduate Member of the Fraternity and of the Chapter.

(b) Any Member who is enrolled in a graduate or professional program at the University, **who has been elected to affiliate with the Chapter, by its Undergraduate Members, shall remain an Undergraduate Member** of the Fraternity **until he graduates or withdraws** from the graduate or professional program.

Section 3: The Alumni Members

(a) Any Member who graduates or withdraws from the University, or who has been declared to be an Alumni Member by a reorganization committee in connection with a reorganization of the Chapter, shall be an Alumni Member of the Fraternity and of the Chapter.

(b) Any male person who has distinguished himself as a civic, cultural, educational, religious, business or professional leader, who has provided or may provide valuable contributions to the Chapter, and **who has been elected to Membership in the Fraternity** by the Members of the Chapter, may be initiated by taking the Oath of Initiation in accordance with the Fraternity's Ritual. **Such Member shall be an Alumni Member** of the Fraternity and of the Chapter.

Section 4: The Associate Members

Any male undergraduate enrolled at the University, who is in good standing with the University, may be invited by the Members of the Chapter, to pledge to Membership in the Fraternity and the Chapter. Anyone so pledged shall be an Associate Member, but shall not be a Member of the Fraternity **nor have the rights of Membership** in the Fraternity or Chapter until he is initiated by taking the Oath of Initiation in accordance with the Fraternity's Ritual.

Section 5: Not a member of Any Other Society or Fraternity

No Member of the Fraternity or Chapter shall also belong to any society, membership in which shall be **inconsistent with the principles of the Fraternity**, nor shall any Member also belong to any other fraternity, **except honorary or professional fraternities**.

Section 6: Suspension From Membership

For cause, the Chapter, **by a vote of a majority** of the Undergraduate Members of the Chapter present **at a meeting of the Chapter**, in accordance with the procedures provided in the Fraternity's By-Laws, **may temporarily suspend an Undergraduate Member from Membership in the Fraternity and Chapter for a period not to exceed one year**. A Member suspended from Membership in the Fraternity by the Chapter **may appeal such suspension to the next Assembly of Trustees, of the Fraternity, whose decision shall be final**.

Section 7: Expulsion From Membership

For cause, the Chapter, **by a vote of a three-fourths (3/4)** of the Undergraduate Members of the Chapter present **at a meeting of the Chapter**, in accordance with the procedures provided in the Fraternity's By-Laws, **may expel an Undergraduate Member from Membership in the Fraternity and Chapter**. A Member expelled from Membership in the Fraternity by the Chapter **may appeal such expulsion to the next Assembly of Trustees, of the Fraternity, whose decision shall be final**.

Section 8: Resignation From Membership

A Member of the Fraternity may resign his Membership in the Fraternity by **sending a notice of his resignation to the Secretary of the Fraternity** and the Chapter.

ARTICLE III. LEGISLATIVE POWERS OF THE CHAPTER

Section 1: The Legislative Authority

The legislative authority of the Chapter shall be vested solely in the Undergraduate Members of the Chapter. They shall have full power to adopt, amend or repeal the Chapter's Laws and to do all things necessary and proper to carry out the operations and to affect the purpose of the Chapter. Except as otherwise provided by the Fraternity's or Chapter's Laws, no action shall be law until approved by the Chapter.

Section 2: Chapter Meetings

There shall be weekly meetings of the Undergraduate Members of the Chapter held during the regular academic terms of the University. These meetings shall be open to all Members, Associate Members, Alumni Members and any person of the general public who wishes to attend. Quorum for these meetings shall be two-thirds (2/3) of the current Undergraduate Membership of the Chapter. All general business of the Chapter shall be conducted in these meetings, unless otherwise provide for in the Fraternity's or Chapter's Laws.

Section 3: Closed Chapter Meetings

The President of the Chapter or presiding officer may call for a closed meeting, limiting attendance of the meeting to the Undergraduate Members of the Chapter, if he deems it necessary to protect the privacy and rights of individual members.

ARTICLE IV. THE EXECUTIVE COUNCIL

Section 1: The Executive Council

The executive and administrative authority of the Chapter shall be vested in the Executive Council of elected Officers of the Chapter. The Executive Council shall manage the affairs of the Chapter. All power and authority exercised by the Executive Council or any Officer shall be in accordance with the Fraternity's and the Chapter's Constitution and By-Laws.

Section 2: The Officers

The elected Officers of the Chapter, as stipulated by the Fraternity, shall be as follows, in order of succession: President, Vice President of Member Education, Vice President of Loss Prevention, Vice President of Public Relations, Vice President of Recruitment, Vice President of Scholarship, Treasurer, Secretary, and Social Chair. The elected Officers listed above shall be Undergraduate Members of the Chapter and will, together, make up the Executive Council of the Chapter. All Officers shall be elected to serve for a term of two (2) academic semesters, unless otherwise provided for in the Laws of the Chapter.

Section 3: The President

The President shall serve as the general head of the Undergraduate Members, preside at all meetings of the Chapter, represent the Chapter at all functions and to all authorities. He shall uphold the Laws of the Chapter and of the Fraternity. He shall perform tasks as prescribed by the Chapter and the Fraternity. The President shall be a non-voting member of the Executive Council, except for being a tie-breaking vote, should the need arise.

Section 4: The Vice President of Member Education

The Vice President of Member Education shall be responsible for the education and growth of the members in all aspects of their lives. He shall coordinate the Chapter's Associate Member Education and Member Education programs and other such activities that educate members about and promote the Fraternity's Founding Principles. He shall perform tasks as prescribed by the Chapter and the Fraternity.

Section 5: Vice President of Loss Prevention

The Vice President of Loss Prevention shall ensure that the Chapter and all members comply with all Fraternity, Chapter, University, state, and municipal policies and guidelines. He shall educate Chapter members about such policies and guidelines. He shall perform tasks as prescribed by the Fraternity, Chapter, and Fraternity Constitution and Bylaws.

Section 6: Vice President of Public Relations

The Vice President of Public Relations shall develop and coordinate the Chapter's public relations program, including, but not limited to, relations with the University, community, Fraternity alumni, other Greek organizations, other DU Chapters and Colonies, and Members' families. He shall develop and coordinate the Chapter's philanthropy and community service projects. He shall perform tasks as prescribed by the Fraternity, Chapter, and Fraternity Constitution and Bylaws.

Section 7: Vice President of Recruitment

The Vice President of Recruitment shall develop and coordinate the Chapter's new member recruitment efforts. He shall perform tasks as prescribed by the Fraternity, Chapter, and Fraternity Constitution and Bylaws.

Section 8: Vice President of Scholarship

The Vice President of Scholarship shall develop and coordinate the Chapter's scholarship program. He shall be responsible for ensuring the academic success of members and the Chapter by providing personalized academic assistance. He shall perform tasks as prescribed by the Fraternity, Chapter, and Fraternity Constitution and Bylaws.

Section 9: The Treasurer

The Treasurer shall manage and maintain the Chapter's financial affairs, subject to the supervision and under the direction of the Alumni Chapter. He shall perform tasks as prescribed by the Fraternity, Chapter, and Fraternity Constitution and Bylaws. He shall prepare monthly financial statements for the Fraternity, Chapter, and Alumni Chapter.

Section 10: The Secretary

The Secretary shall develop and maintain all Chapter records, meeting agendas, and meeting minutes. He shall be responsible for completing and submitting all administrative data required by the Fraternity, Alumni, and University in a timely and accurate manner. He shall perform tasks as prescribed by the Fraternity, Chapter, and Fraternity Constitution and Bylaws.

Section 11: The Social Chair

The Social Chairman shall develop a social calendar for the fraternity including, but not limited to, cocktails, Founder's Day, philanthropy events, and closed parties. The Social Chair shall follow all local, state, and federal laws when determining such events, and will work with the Social Committee when setting up such a social calendar, barring approval from the Fraternity.

Section 12: Impeachment of Executive Council Officers

A motion for the impeachment of any Executive Council Officer may be made by any Undergraduate Member of the Chapter at a Chapter Meeting where quorum is present. The motion for impeachment must pass by a simple majority of the quorum present. If impeached, the Officer in question shall have an opportunity to defend himself at the next Chapter Meeting, where a Vote for Removal from Office shall take place.

Section 13: Removal of Executive Council Officers

Following a successful motion to impeach an Executive Council Officer a Vote for Removal from Office shall take place at the next Chapter Meeting, occurring no sooner than seven (7) days after the impeachment of the Officer. At this time, the impeached Officer shall have an opportunity to defend himself. At the conclusion of his defense, there shall be a Vote for Removal from Office, which requires a three-quarter (3/4) majority to successfully remove the impeached Officer.

Section 14: Procedure for Filling Vacancies on Executive Council

Unforeseen vacancies in any Elected Office shall be filled at a special election to be called by the President or the interim President. The special election shall be performed in the same manner as a general election, as provided for by the Laws of the Chapter.

ARTICLE V. AMENDMENTS

Section 1: Authority and Notice of Amendments

This Constitution may be amended by resolutions adopted by a three quarters (3/4) affirmation of all current Undergraduate Members. A written copy of such a resolution shall be provided to the Undergraduate Members at least two weeks prior to the vote on said amendment. A proposed amendment can only be voted on as pass or fail. Any changes to the amendment must be resubmitted. Members who cannot attend a vote on a Constitutional Amendment may submit an absentee ballot or proxy vote to the President or Secretary prior to the Chapter Meeting at which the amendment is scheduled to be voted upon.

THE BY-LAWS

ARTICLE I. ELECTIONS

Section 1: Date of Elections and Nominations

The elections of the Executive Council officers shall be at the second Chapter meeting in November. The Presidential election will be hosted at least 48 hours prior to the elections for the rest of the Executive Council, but no earlier than 72 hours before. In the case of a run-off vote for President, the run-off will be held at least 24 hours prior to the remaining elections. Nominations for officers shall be entertained at the Chapter meeting one week prior to elections. After nominations are received and accepted, each candidate may present to the Executive Council a written platform at the Executive Council meeting prior to the election. The Chapter Secretary must compile the written platforms and distribute them to the Chapter at least 48 hours prior to the election.

Section 2: Nomination Procedure

The floor shall be opened for nominations for all offices at once. Once the floor is open for nominations, members may nominate any eligible member for any executive office in any order. Members may be nominated and accept any and all office nominations as they come up for nomination, in order to see what they are nominated for. Each nominee may only have accepted two nominations by the close of the Chapter in which nominations occur. This makes members choose the positions they deem most important and capable of fulfilling.

Section 3: Requirements for President

The office of President requires individuals to have been a member of the chapter for at least one semester following their initiation. Fall initiates are barred from running for presidential office in the same semester they are initiated.

Section 4: Ballots

Elections shall take place via a single secret ballot, with all offices up for election on the ballot. Members not present at the election may participate via a proxy vote, submitted to the President or Secretary of the Chapter, prior to the Chapter meeting where the vote will take place.

Section 5: Majority Requirement

To become elected, a Chapter member must obtain a majority vote of the Chapter members present at a Chapter meeting provided a quorum exists and the candidate must meet all the requirements of the position as outlined in the Constitution and Bylaws of the Chapter and the Fraternity.

Section 6: Run-off Provision

If no candidate receives a majority vote in the election, then a run-off election shall determine the winner. The run-off election shall take place at the next Chapter meeting with the exception of President. Candidates in the run-off election shall consist of the top two vote getters and ties. The highest vote getter, in the run-off elections, provided a quorum exists, shall be declared the winner.

Section 7: Provision for Ties in a Run-off

In the case where a run-off election ends in a tie, the decision shall be forwarded to the Executive Council, where a majority vote of the Executive Council shall determine a winner. If either of the candidates are members of the Executive Council, they may not vote.

Section 8: Counting of the Votes

The votes shall be counted by the Secretary of the Chapter and verified by the President of the Chapter. In the event that one or both the Secretary and the President are involved in the election, the Vice President of Member Education shall select (an) alternative Executive Council member(s) to count and verify the votes.

Section 9: Grievances

Any election grievances shall be filed in writing and considered by the Judicial Board.

Section 10: Date of Transition

The newly elected officers shall assume the responsibilities of their respective offices at the first chapter meeting of December, at which time the Officer Installation Ceremony will take place. Prior to this installation for the remaining time of November the outgoing and incoming Executive council will work jointly together to smooth out the transition with the Outgoing Executive Council maintaining their offices and full authority until the first Chapter in December.

ARTICLE II. COMMITTEES

Section 1: Committees and Chairs

Each Executive Council member shall have the full authority to establish Committees, Chair positions and sub-committees within his Executive Office, in order to help the Chapter obtain its objectives as outlined in the Chapter Constitution and Bylaws. In the establishment and appointment of each of the offices and committees covered above and hereafter the Executive Council Member must delegate the positions to someone other than himself and may not hold positions that are considered by this article to be under his own jurisdiction. This is so as to promote experience in subsequent younger members to ensure experienced and capable future Executive Councils. These Committees, Chair positions and sub-committees may be, but shall not be limited to those described below.

Section 2: Executive

The Executive Committee shall include but not be limited to: President, Parliamentarian, Sergeant at Arms, Inter-Fraternity Council Representative.

Section 3: Member Education

The Member Education Committee shall include, although are not limited to be, as follows: Vice President of Member Education, Associate Member Educator, Brotherhood Development Chairman, Intramural Chairman, Big Brother Chairman, Chaplain.

Section 3: Loss Prevention

The Loss Prevention Committee shall include, although are not limited to be, as follows: Vice President of Loss Prevention, Social Chairman, House Manager, Kitchen Manager, Dishwasher, Parking Administrator, General Outdoor Administration Sub-Committee.

Section 4: Public Relations

The Public Relations Committee shall be, although are not limited to be, as follows: Vice President of Public Relations, Community Service/ Philanthropy Chairman, Community Relations Chairman, Greek Relations Chairman, Alumni Relations Chairman, Parent Relations Chairman, Campus/Faculty Relations Chairman, Special Events Chairman, Webmaster.

Section 5: Recruitment

The Recruitment Committee shall be, although are not limited to be, as follows: Vice President of Recruitment, Assistant Vice President of Membership Recruitment, Semester Rush Chairman, Summer Recruitment Chairman.

Section 6: Scholarship

The Scholarship Committee shall be, although are not limited to be, as follows: Vice President of Scholarship, Pledge Test Proctor, Test Bank Chair and Study Hours Enforcer.

Section 7: Finance

The Finance Committee shall be, although are not limited to be, as follows: Treasurer, Assistant Treasurer, Fundraising Chairman.

Section 8: Secretarial

The Secretarial Committee shall be, although are not limited to be, as follows: Secretary, Librarian, Historian.

Section 9: Social

The Social Committee shall be, although are not limited to be, as follows: Social Chairman, Vice President of Loss Prevention, Vice President of Public Relations.

Section 10: Appointments and Removal

At the beginning of an Executives term of service, each Executive Council Member shall appoint members of the Chapter to fill positions in his respective Committees to obtain the Chapter's objectives as outlined by the Chapter Constitution and Bylaws.

The term of an appointed office shall be consistent in duration with the respective duration of the Executive to which that office reports unless said Executive chooses to change the holder of the appointed office. However, the elected officer may terminate the term of any appointed officer in his committee at his own discretion. Appointment, re-appointment, resignation or termination of an appointed officer's term shall be made official to the Chapter by announcement in officer reports during Chapter Meeting.

ARTICLE III. BOARDS

Section 1: Scholarship Board

A Scholarship Board shall be established which shall be responsible for ensuring the overall academic success of the Chapter as well as individual members.

- (a) The Scholarship Board shall consist of five (5) Undergraduate Members, including the Vice President of Scholarship, who shall serve as the Chairman. The Chairman shall appoint the other members of the Board.
- (b) In the event the Chairman or any other member of the Board is involved as a participant of a complaint, the Executive Council shall appoint an interim chairman for the board, or the Chairman should appoint a new Board.
- (c) The Scholarship Board shall hear all cases which may arise as pertaining to ARTICLE V of these By-Laws, the SCHOLARSHIP GUIDELINES AND RESPONSIBILITIES
- (d) The Scholarship Board shall have the power to establish and enforce sanctions upon Members, at the Board's discretion. These powers shall include, but not be limited to: fines, social probation, sports probation, removal of voting rights, removal of housing privileges, and recommendation for suspension or expulsion from the Chapter. The establishment and enforcement of these sanctions shall require approval of 4 out of 5 Board members.
- (e) Decisions of the Scholarship Board may be appealed as a grievance filed to the Judicial Review Board. All appeals to the Judicial Review Board shall be made within forty-eight (48) hours of a decision or recommendation made by the Scholarship Board.
- (f) In matters involving suspension or expulsion of a member, if an appeal has been made to the Judicial Review Board, then no action shall be taken by the Scholarship Board or the Chapter with regards to suspension or expulsion hearings. If no appeal has been made, then the recommendation shall be heard by the Chapter, per the guidelines set forth in Article IV of these By-Laws

Section 2: Financial Board

A Financial Board shall be established which shall be responsible for taking any action necessary to ensure the financial stability of the Chapter and to help develop and recommend financial policy and procedures for the Chapter.

- (a) The Financial Board shall consist of five (5) Undergraduate Members, including the Treasurer, who shall serve as the Chairman. The Chairman shall appoint the other members of the Board.
- (b) The members of the Financial Board shall be in good financial standing with the Chapter. In the event the Chairman or any other member of the Board is not in good financial standing, the Executive Council shall appoint an interim chairman for the board, or the Chairman should appoint a new Board.
- (c) The Financial Board shall hear all cases which may arise as pertaining to ARTICLE VI of these By-Laws, the FINANCIAL GUIDELINES AND RESPONSIBILITIES
- (d) The Financial Board shall have the power to establish and enforce sanctions upon Members, at the Board's discretion. These powers shall include, but not be limited to: fines, social probation, sports probation, removal of voting rights, removal of housing privileges, and recommendation for suspension or expulsion from the Chapter. The establishment and enforcement of these sanctions shall require approval of 4 out of 5 Board members.
 - a. (e) Decisions of the Financial Board may be appealed as a grievance filed to the Judicial Review Board. All appeals to the Judicial Review Board shall be made within forty-eight (48) hours of a decision or recommendation made by the Financial Board.
 - (f) In matters involving suspension or expulsion of a member, if an appeal has been made to the Judicial Review Board, then no action shall be taken by the Financial Board or the Chapter with

regards to suspension or expulsion hearings. If no appeal has been made, then the recommendation shall be heard by the Chapter, per the guidelines set forth in Article IV of these By-Laws

Section 3: Judicial Review Board

A Judicial Board shall be established to provide an avenue for redress of grievances with members who have violated the Constitution and Bylaws of the Chapter or Fraternity, have violated another member's personal rights, or have acted in a manner unbecoming a member of Delta Upsilon. Additionally, the Judicial Review Board shall act as an appellate Board for decisions made by the Scholarship or Financial Boards.

1. The Judicial Board shall consist of five (5) Undergraduate Members selected by the President of the Fraternity whom serves as Chairman of the Judicial Board and is not counted among the five.
2. The President of the Chapter shall serve as Chairman of the Board. The Chairman is to act as an impartial judge ensuring that all members present at the hearing act in accordance with the Constitution and By-laws. The Chairman is to ensure that the rights of all members present are respected and that the hearing is conducted as quickly and fairly as possible.
3. In the event the Chairman or any other member of the Board is involved as a participant of a complaint, the Executive Council shall appoint an interim Chairman for the board, or the Chairman should appoint a new Board.
4. Any Undergraduate Member may file a grievance with the Board. All grievances filed to the Board shall be in writing or by email. There shall be no more than seven days and no less than three days between the time the grievance is filed and the Judicial Board is convened to hear the grievance.
5. All members involved with the grievance shall be notified in writing or by email, no less than two days prior to the hearing.
6. The member whom the grievance was filed against shall be notified of the nature of the charges against him and the date and time of the hearing.
7. The Hearing
 - a. The filer of the grievance and the person who had a grievance filed against shall be allowed to be present to present their case. Each may bring forth witnesses to aid in the presentation of the case.
 - b. All members not a part of the Judicial Board will remove themselves from the room during deliberation: The verdict as issued by the Board will be either: responsible or not responsible. The Chairman will preside over the deliberations and the sanctioning stages as an impartial mediator. The Chairman will not have a vote.
 - c. Burden of Proof
 - i. The Judicial Board in seeking whether or not an individual is responsible or not responsible, endeavor to view this in light of standard known as preponderance of evidence.
 - ii. Preponderance of Evidence is a legal standard that requires a person to be believed to be responsible by at least more than half of the Voting Judicial Board (3/5).
 - d. Once a verdict has been reached the member who had the grievance filed against them shall be notified of the verdict. The member will then have a chance to appeal to the Board. During this time previous infractions and relevant material for sentencing will be brought forth. The Board may then choose to negotiate sentencing or excuse the member to determine a just sentence.

- e. The member will then be notified of the sentencing and will be fully expected to adhere to the sentence. Failure to comply will mean a reappearance in front of the Judicial Board.

- 8. The Judicial Board shall have the power to establish and enforce sanctions upon Members, at the Board's discretion. These powers shall include, but not be limited to: fines, social probation, sports probation, removal of voting rights, removal of housing privileges, and recommendation for suspension or expulsion from the Chapter. The establishment and enforcement of these sanctions shall require approval of 3 out of 5 Board members.

- 9. In matters involving suspension or expulsion of a member, then the matter shall be heard by the Chapter, per the guidelines set forth in Article IV of these By-Laws.

ARTICLE IV: THE MEMBER'S GENERAL RIGHTS AND RESPONSIBILITIES

Section 1: Member's Responsibilities

Each Undergraduate, Alumni and Associate Member of the Fraternity shall:

- (a) Uphold and abide by the Oath of Initiation and Founding Principles of the Fraternity, to preserve and promote by all honorable means the interests and good name of the Fraternity, its Members and its Chapters;
- (b) Uphold and abide by the Fraternity's Laws and the rules and regulations of his Chapter and discharge his obligations to the Fraternity, other Members and his Chapter faithfully and share in the duties of the Fraternity and his Chapter, including all financial obligations to the Fraternity or his Chapter; and
- (c) Abide by applicable federal, state, provincial and local laws, ordinances, rules and regulations. To the extent not inconsistent with the Fraternity's Laws, the Board of Directors may specify, in the Fraternity's Policies, further Member's responsibilities and the causes for which a Member may be suspended or expelled from Membership in the Fraternity.

Section 2: Procedures for Suspension or Expulsion From Membership

- (a) No Member may be suspended or expelled from Membership in the Fraternity except upon written notice of the cause and an opportunity for a hearing.
- (b) The Chairman of the Judicial Review Board shall provide the Member written notice setting forth a statement of the alleged cause, the possibility that he may be suspended or expelled, the date, time and place at which the Chapter shall meet for a hearing on the matter and a statement of the rights and procedures to which the Member is entitled at such hearing. The Chairman of the Judicial Review Board shall cause the written notice to be delivered to the Member at least 14 days prior to the scheduled hearing.
- (c) The Judicial Review Board shall present the alleged cause at the hearing. The Member shall be entitled to the aid and assistance of any other Member to respond to the alleged cause. The Member shall be entitled to present such witnesses or other evidence as he feels appropriate and necessary to respond to the alleged cause. Should the Member fail to appear at the hearing as set forth in the written notice, the alleged cause shall be deemed admitted and conclusively established. During the course of the hearing and at all times, the Chapter shall extend to the Member every assistance to establish the truth or to present any mitigating circumstances.
- (d) At the conclusion of the hearing the Chapter shall vote first upon the alleged cause and, if found to be established, then upon whether to suspend or expel the Member from Membership in the Chapter and the Fraternity. If a Member is suspended or expelled, Judicial Review Board Chairman shall provide to the Secretary of the Fraternity record in its minutes a statement setting forth the cause found to be established, the vote and whether the Member was suspended or expelled. Upon the decision of the Chapter, the Member shall be suspended or expelled from Membership in the Chapter effective immediately.

ARTICLE V. SCHOLARSHIP GUIDELINES AND RESPONSIBILITIES

Section 1: Goals

The Chapter's Scholarship Goal shall be to have a GPA to be consistently above the all-men's average for the University at all times and to be in the top five of the Inter-Fraternity Council.

Section 2: Provisional Academic Probation

If a member's semester GPA is below a 2.75 but at or above a 2.5, he will be placed on Provisional Academic Probation. A member on Provisional Academic Probation shall meet with the Vice President of Scholarship at least three times during the semester so that the Vice President of Scholarship can offer any guidance or help to the member to ensure future academic success.

Section 3: Academic Probation

If a Member's previous academic semester GPA was below a 2.5, he may be placed on academic probation by the Vice President of Scholarship. A member on academic probation shall be required to participate in sanctions prescribed by the Vice President of Scholarship, until the end of the current semester. These sanctions shall be designed to assist the member in improving his academic performance.

Section 4: Minimum GPA Requirement

The Chapter shall have minimum GPA requirement of 2.0. If a member's regular semester GPA falls below a 2.0, the member must appear before the Scholarship Board.

Section 5: Academic Restrictions

Any member on Academic Probation or failing to meet the Minimum GPA requirement:

- (a) Shall not hold any Executive Council position
- (b) Shall not hold any appointed or committee or Board position, without prior clearance from the Scholarship Board.
- (c) Shall be placed on social and/or sports probation, at the discretion of the Scholarship Board.

Section 6: Appeal and Referral to the Scholarship Board

If a member on Academic Probation does not return to a semester GPA of 2.5 or greater after one semester, wishes to appeal the sanctions imposed upon him by the Vice President of Scholarship, or fails to fulfill the sanctions imposed upon him by the Vice President of Scholarship, he shall appear before the Scholarship Board.

Section 7: Summer School and GPA

A member's performance in summer session or any other non-regular academic year courses shall not count towards or against a member's Chapter academic standing except for that regarding his cumulative GPA.

ARTICLE VI. THE FINANCES

Section 1: Financial Account Authority

The Treasurer along with the President shall retain dual control over the Chapter's bank account with either signature required to access the Chapter's funds.

Section 2: Transition of Financial Account Authority

If the Treasurer or the President leaves or is removed from office, he shall sign over his control of the Chapter bank

account to his successor or another Chapter member designated by the Executive Council.

Section 3: Establishment of Dues and Fees

Dues and fees shall be recommended by the Financial Board, reviewed at the Executive Council budget meeting and presented to the Chapter by the Treasurer. All dues and fees established by the Chapter must be approved a majority of the Undergraduate Membership, provided a quorum exists, at the second Chapter meeting prior to the University's scheduled finals week.

Section 4: Housing Related Fees, Deposits and Fines

Chapter residence fees, rents, security deposits, and property damage-related fines are subject to the discretion of the Executive Council, Alumni House Advisor, and the Alumni Housing Corporation.

Section 5: Delinquency of Payment of Dues and Fees.

Any Member who is delinquent in his payment of his Dues and Fees by a period of more than 30 days shall be deemed to be in Poor Financial Standing, special payment plans, as established by the Treasurer, notwithstanding.

Section 6: Poor Financial Standing

Any Member in Poor Financial Standing shall be required to appear before the Financial Board. The Financial Board shall have the power to take actions upon the Member, as outlined in Article III of these By-Laws.

Section 7: Establishment and Enforcement of Fines

For cause, reasonable fines may be established and enforced upon Undergraduate and Associate Members of the Chapter by a majority vote of the Executive Council or as otherwise outlined in Article III of these By-Laws. Correspondingly, the time table on which the fine shall be paid may be established and enforced by the body which is imposing the fine.

Section 8: Recommendation to Fine

Any Undergraduate Member may bring a recommendation for a fine to a meeting of the Executive Council.

Section 9: Delinquency in Payment of Fines

Any Member who is delinquent in making payment on fines imposed upon him, as provided for in these By-Laws, shall be required to appear before the Judicial Review Board.

Section 10: Special Powers of the Financial Board

The Financial Review Board shall also be in charge of making considerations for members who are Financially Incapable of meeting the Financial Requirements of Membership in the Chapter. If the Financial Review Board deems a member Financially Incapable, the Financial Board may take action to aid the affected Member. Any such considerations must be absolutely confidential and should be made only as an option of last resort.

ARTICLE VII: RECRUITMENT AND INTAKE GUIDELINES

Section 1: Invite-Only Lists

The Recruitment Committee is responsible for drafting a list of Potential New Members (PNMs) to be extended an invitation to invite-only rush events during Rush periods each semester. The list of PNMs to be invited to the invite-only events must be submitted to the Chapter following the conclusion of the previous rush event. To be extended a bid, a PNM's name must appear on the final invite-only list, created for the final invite-only event.

Section 2: Bid List and Approval

The Recruitment Committee is responsible for drafting a list of PNMs who should be extended bids. The Recruitment Committee is given the power to extend a bid to a PNM only if the PNM has gained the approval of the Undergraduate Members at a Bid Meeting, following the procedures outlined in Section 3 of this Article.

Section 3: Bid Meeting

Following the final rush event, the Undergraduate Members shall have a Bid Meeting. To hold the Bid Meeting a quorum of the Chapter must be present. The guidelines for this meeting are as follows:

- (a) The Recruitment Committee shall present to the Undergraduate Members the final invite-only list, from which Bid Recipients may be chosen.
- (b) The merits of each PNM on the final invite-only list should be discussed by the Undergraduate Members.
- (c) After discuss of the merits of the PNMs, a vote shall take place, determining which PNMs will receive a Bid.
- (d) The vote shall take place via a single secret ballot. Votes should be counted and verified by the Secretary and the Vice President of Recruitment.
- (e) In order for a PNM to receive a Bid he must garner the support of eighty-five (85) percent of the quorum of the Undergraduate Members present at the Bid Meeting.

Section 4: Bid Acceptance

A candidate for associate membership shall accept a bid by signing a bid card and returning it to the Vice President of Membership Recruitment, President, or Secretary within 48 hours, after such time the bid is still valid, but may be denied by the Chapter, by a majority vote.

Section 5: Regulation

Activities involving potential members shall be consistent with the recruitment guidelines adopted by the Fraternity and the University of North Carolina Inter-Fraternity Council.

ARTICLE VIII. ASSOCIATE MEMBER EDUCATION GUIDELINES

Section 1: Becoming an Associate Member

A person who has been extended a bid by the Chapter, as outlined in Article VII, shall not be an Associate Member of the Chapter until he has:

- (a) Accepted his Bid
- (b) Undergone The Pledging Ceremony, as prescribed by the Ritual Book of the Fraternity
- (c) Paid his New Member (Pledge) fee, as prescribed by the Fraternity

Section 2: Associate Member Education Requirement

All Associate Members must participate in the Chapter's Associate Member Education Program as prescribed by the Vice President of Member Education or his appointee.

Section 3: Establishment of Associate Member Reviews and Confidence Votes

There shall be eight Associate Member Reviews and four Confidence Votes which take place during the Associate Member Education period. These Reviews and Confidence Votes shall be designed to determine if the Associate Member meets the qualifications to become a member as prescribed by the Chapter, the Fraternity, and the University.

Section 4: Associate Member Reviews

The New Member Reviews shall be opportunities for updates from the Associate Member Committee on the status of the New Member Training. Following the update, Initiated Members will be given an opportunity to make any grievances against Associate Members public.

During Associate Member Reviews, the Vice President of Scholarship shall conduct a grade review of all Associate Members. The Vice President of Scholarship shall report his findings at each New Member Review. He shall make special note if he has reason to believe any Associate Member cannot maintain his academic responsibilities to the Chapter.

- (a) The first Associate Member Review shall occur at the first Chapter Meeting after the acceptance of a bid. Each subsequent Review shall occur weekly until the Associate Members Education period is complete.
- (b) At each New Member Review, all Associate Member names will be read aloud. When a certain Associate Member's name is called, any Initiated Member has lost confidence in the Associate Member, the Initiated is permitted to make his objection known to all Initiated Members.
- (c) If during any New Member Review any Initiated Member voices a grievance against an Associate Member, the Associate Member's Big Brother is responsible for personally notifying that Associate Member with the grievance.

- (c) All Associate Members must be excused from the Chapter Meeting prior to, and may not present for, any Associate Member Review.

Section 5: Confidence Votes

Confidence Votes shall be where all Associate Members must have the required percentage vote of the Initiated Members, provided a quorum exists, in order to be allowed to continue in the New Member Education program. If an Associate Member fails to garner the appropriate number of votes in any Confidence Vote, the Associate Member will lose his membership with the Chapter.

- (a) The first Confidence Vote shall take place after the second Chapter Meeting after the acceptance of a bid. Each subsequent Confidence Vote shall occur every other week for the first two votes, and then weekly after the second vote until the Associate Members Education period is complete.

(b) Each Confidence Vote shall take place immediately following the respective New Member Review.

(c) The name of the first associate member based on alphabetical order shall be called at which point each initiated member will vote by the raising of hands if they do not express confidence in an associate member, when called to do so.

(e) The percentage of brotherhood confidence an associate members needs for a decision of confidence shall be as follows:

- (a) First and Second Confidence Votes: 70%
- (b) Third Confidence Vote: 75%
- (c) Fourth Confidence Vote: 80%
- (d) Fifth Confidence Vote: 85%
- (e) All Confidence Votes following 5 (If needed): 85%

(f) In the event a Brother believes that the assembled brothers are losing an objective stance on an associate member's pledgship and that the brothers assembled are acting in a way that indicates that their emotions are beginning to carry them away and that would cause them to act in a manner in which they would not normally, that Brother may motion to delay a Confidence Vote for no less than 48 hours.

(g) After the decision of the chapter has been made, the particular associate member will be brought before the chapter and notified of the decision. The initiated member announcing the decision shall be decided upon by the chapter. The procedure shall continue for following associate members based on alphabetical order.

(h) All Associate Members may not present for any Confidence Vote.

Section 6: University New Member Conferences

All Associate Members must attend the New Member Conference sponsored by the office of Greek Affairs unless the member has been excused by the Vice President of Member Education. If an Associate Member is absent from the New Member Conference without being excused by the Vice President of Member Education, he shall be responsible for any fine or sanction imposed on the Chapter due to his absence.

Section 7: IFC Limited Date of Initiation

In accordance with the rules and policies as set by the Inter-Fraternity Council, all Associate Members, who have maintained association with the Chapter, must be initiated on or before the date designated by the IFC.

Section 8: Initiation Ceremony Attendance

Every Chapter member shall be required to attend the Initiation Ceremony for new members. Failure to attend without prior release from the President or Vice President of Membership Education will result in an automatic fine of \$50.

Section 9: Reinstatement of an Associate Member

In the event that an Associate Member resigns from the pledging process, this section outlines the process in which to reinstate that Associate Member. Reasons for an Associate Member to resign vary and as such the decision in which to reinstate an Associate Member is left solely up to the Undergraduate Brothers of the Chapter, who will be charged to objectively view the situation and make up a decision. There will be a Reinstatement Review which will look at reasons in which to reinstate the Former Associate Member. This will be followed up by a vote, much like a Confidence Vote except for it will be a Vote of Reinstatement Status. The percentage required for reinstatement will be 80% for the first half of pledging and 85% for the second half (whereas the percentage is based on the number of brothers present, so long as quorum is met-proxies allowed).

In order for reinstatement to be considered by the Chapter, the Associate Member must appear before the Judicial Review Board of the Chapter, who will make a recommendation for reinstatement. Once the recommendation has

been made, it will be accompanied by the calling of a Special Chapter to be convened in which the Reinstatement Review and Vote of Reinstatement will take place.

ARTICLE IX. HOUSING AND LOSS PREVENTION GUIDELINES

Section 1: General Responsibility

All Members are subject to the Loss Prevention Policies of Delta Upsilon, as outlined by the headquarters, and shall be held responsible for the policies mentioned within.

Section 2: The House Manager

The House Manager of the Chapter shall be appointed by the incoming Vice President of Loss Prevention following the February election. The House Manager shall serve for no less than two (2) consecutive terms. The House Manager shall be responsible for the upkeep of the house, during the academic school year, the summer recess and any other period during his tenure as House Manager.

Section 3: House Cleanliness and Upkeep

All Members of the Chapter are required to participate in the upkeep of the Chapter property as assigned by the House Manager.

Section 4: Residence in the Chapter House

Only members currently enrolled as undergraduate students at the University may reside in the Chapter house. Members residing in the Chapter house must cease occupancy of the Chapter residence immediately upon graduation from the University.

Section 5: Required Residents

The President, Vice President of Loss Prevention and House Manager of the undergraduate Chapter are required to live in the Chapter house during the duration of their term. A member who does not wish to comply with the requirements of this article may appeal to the Executive Council. A two-thirds (2/3) vote of the Executive Council is required to grant the member an exception to the live-in requirement.

Section 6: The Housing Selection Committee

In the spring of each year a special Housing Selection Committee shall be created. The Housing Selection Committee shall consist of the Vice President of Loss Prevention, who will serve as Chairman, the House Manager and three other Undergraduate Brothers appointed by the Vice President of Loss Prevention. The Housing Selection Committee is given the power to receive and review Applications for Occupancy in the Chapter House. From these Applications, the Housing Selection Committee shall determine which brothers will live in the Chapter House for the summer and for the following academic year.

Section 7: Rooms Assignment and Occupancy

After the Housing Selection Committee has determined who will live in the Chapter House, the Vice President of Loss Prevention shall be responsible for deciding the room assignments. All rooms shall be double-occupancy with the exception of the Jobe Bedroom and Annex, which shall be triple occupancy, and the Heacock President's Suite, which shall be double or triple occupancy, unless the President chooses to reside in the Suite alone. The occupancy of any room may be increased at the direction of the Vice President of Loss Prevention, with the consent of the affected residents.

Section 8: Application for Housing

Undergraduate Members may apply for spaces in the Chapter house for the summer and the upcoming academic year, by submitting their name to the Housing Committee. Members who have pledged during the current academic year are obligated to apply for residence for the next year. If selected to live in the house, individuals are financially responsible to pay for housing for the entire academic year in full or find a replacement, unless an agreement is struck between the tenant and the Housing Committee.

Section 9: Housing Lease

All persons residing in the Chapter House will be required to sign a Lease with the North Carolina Delta Upsilon Foundation and will be required to obey the terms and conditions of that lease. If any terms of the Lease are in conflict with any of these Bylaws, the Lease shall take precedence.

Section 10: Housing Priority

Determination of housing assignments will be conducted in accordance with the following guidelines:

- (1) First priority will be given to required in-resident officers according to Article IX, Section 5.

(2) Second, those residing in the house the previous academic year (not including summer semester) will be given priority to (a) claim their own room and (b) move within the house, in that order.

(3) Finally, for those who currently live outside the house, priority will be given based on the youth of the pledge class. Within pledge classes, priority will be determined by GPA (highest first).

(4) The Housing Committee has the final power to decide how special circumstances are dealt with in regards to housing priority.

Section 11: Underclassmen Housing Responsibility

The most recent Pledge Classes will be held responsible for filling any and all occupancies in the House.

Section 12: Limit of Years in Residence

No brother may live in the house for more than two years, unless they are required to live in house according to Article IX, Section 5. In situations deemed necessary by the housing committee, this stipulation need not apply.

Section 13: Special Housing Fine

Any Member who has applied and been approved to live in the Chapter House and then chooses not to live in the Chapter House, after the Decision Deadline, shall incur a fine of one thousand dollars (\$1000).

ARTICLE X. CHAPTER AND EXECUTIVE COUNCIL MEETINGS

Section 1: Chapter Meetings

There shall be a Chapter Meeting held weekly during the regular academic terms of the University. This meeting shall be open to all members, new members, and any person of the general public who wishes to attend. The President of the Chapter or presiding officer may call for a closed meeting if it is deemed necessary to protect the privacy and rights of individual members. Quorum for these meetings shall be two-thirds (2/3) of the current Chapter membership.

Section 2: Presiding Officer

The President of the Chapter shall be the presiding officer at Chapter Meetings. The next highest ranking officer shall preside in the event of the President's absence.

Section 3: Rules of Order

Procedure for all Chapter meetings not specifically outlined in the Chapter's Constitution or Bylaws shall be governed by the current edition of the *Revised Roberts Rules of Order*. These rules shall be enforced by the President or an appointed Parliamentarian.

Section 4: Length

The length of the Chapter Meeting shall not exceed ninety (90) minutes in length. A majority vote of the membership present shall be required to extend the meeting beyond ninety minutes.

Section 5: Special Chapter Meetings

Special Chapter Meetings may be called by the President, presiding officer in place of the President, or by written petition from two-thirds (2/3) of the current Chapter membership.

Section 6: Closed Chapter Meetings

The President of the Chapter or presiding officer may call for a closed meeting, limiting attendance of the meeting to the Undergraduate Members of the Chapter, if he deems it necessary to protect the privacy and rights of individual members.

Section 7: Executive Council Meetings

There shall be a weekly Executive Council Meeting during the regular academic school year. This meeting shall convene at least three days prior to the regularly scheduled Chapter Meeting. Quorum shall consist of one half plus one of the Executive Council members.

Section 8: Agenda Setting

Chapter Meeting agendas will be set at the Executive Council meeting prior to the Chapter Meeting. All agenda items and proposals must be submitted at Executive Council Meetings.

Section 9: Agenda Distribution

The agenda for Chapter Meetings must be made available to all Chapter Meetings no later than 48 hours after the Executive Council meeting, and at least 24 hours prior to the Chapter Meeting.

Section 10: Minutes

The Secretary shall provide, in written document or via email, to each of the Undergraduate Members, the minutes of the including all resolutions adopted by the Chapter, within 48 hours of the next Chapter meeting.

ARTICLE X. FOUNDERS' DAY

Section 1: Fraternity Founders' Day

The date November 4 will be commemorated as the National Founder's Day.

Section 2: Chapter Founders' Day

The date April 25 will be commemorated as the Chapter's Founder's Day.

ARTICLE VII. AMENDMENTS AND SUSPENSION OF BY-LAWS

Section 1: Approval of Amendments

Amendments to these Bylaws may be adopted or repealed in whole or in part by a two-thirds (2/3) vote of the Undergraduate Members. Proxy votes may be allowed and count towards quorum for all amendment voting.

Section 2: Procedure for Introducing Amendments

(a) Any Amendments to these Bylaws must be submitted to the Executive Council at the Executive Council meeting preceding the Chapter meeting that the amendments are to be presented.

(b) Any proposed amendments must be allocated time on the following Chapter meeting's agenda. The Executive Council has no authority to amend or prevent the presentation of the amendment to the Chapter.

(c) Voting on the proposed amendments must take place at the next Chapter meeting following the Chapter meeting that the proposal is presented.

(d) Any proposed amendments must be posted in the Chapter house three days prior to the meeting that said proposal shall be voted on.

(e) If a quorum does not exist to discuss and vote on a proposed amendment, the discussion and vote shall be tabled until the next Chapter meeting.

Section 3: Standing By-Laws Committee

In the course of the year, the President shall appoint a Bylaws Committee which shall continuously examine the Bylaws and propose Amendments to the Chapter, as needed.

Section 4: Suspension of By-Laws

Suspension of the by-laws in whole or in part can be made according to the following procedure:

(a) Checking with the By-laws Chairman to insure that a suspension is needed and is the only way to deal with the matter at hand.

(b) Discussion of whether or not it would be beneficial to suspend the by-laws to accomplish the objective.

(c) Vote requiring three-fourths of the Brothers mentioned to suspend the by-laws.

(d) If the vote passes, discussion of possible by-law amendments that would correct the problem going into the future.