

THE NATIONAL CONSTITUTION AND BY-LAWS
OF
THETA XI FRATERNITY

As adopted by the Founders of our beloved Fraternity at the meeting held on April 29, 1864 in Troy, New York with Ralph C. Packard presiding as Chairman, Henry Farnum as Secretary, and with the following members on the Committee on Constitution:

Christopher C. Waite
Samuel Buel
George Brainerd
Ralph G. Packard

and

adopted as the corporate By-Laws of Theta Xi Fraternity, a Missouri Not-For-Profit corporation, by the Grand Lodge of Theta Xi Fraternity, as the initial Board of Directors of the corporation at St. Louis, Missouri on August 26-27, 1960;

and

recodified by the 133rd Anniversary Convention, July 31 - August 3, 1997 at Scottsdale, Arizona;

and

revised by subsequent National Conventions up to and including the 150th Anniversary Convention, August 7-9, 2014 in Troy, New York.

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August 2014

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**CONSTITUTION
OF
THETA XI FRATERNITY**

PREAMBLE

We, the members of Theta Xi Fraternity, believing that the ties of friendship existing between us may be strengthened, and the kindly sentiment of each may be augmented and increased in fervor, by entering into a bond of sacred brotherly union, do adopt as the fundamental principles of our organization perfect equality and good fellowship. Believing that by our efforts we may promote the intellectual and spiritual welfare of our members, increase the educational standards of our chapters and colonies promote our educational institutions and the American College Fraternity System, and firmly establish these ideals for our chapters and for the youth of the college world, we do ordain and adopt through our National Convention the following Constitution for the government of our members and organizations.

ARTICLE 1 - ORGANIZATION

1.1 - NAME AND PURPOSE.

1.1.1 FRATERNITY NAME. This brotherly union shall be known as Theta Xi Fraternity. The term Fraternity, as used herein, shall refer to Theta Xi Fraternity, unless otherwise specified.

1.1.2 PURPOSES. The purpose of Theta Xi is to provide a college home environment for its undergraduate members in which fellowship and alumni guidance lead to wholesome mental, moral, physical and spiritual growth. To that end Theta Xi actively supports and augments college and community efforts to make individual members more mature and chapter groups more useful units of society. Through its alumni and undergraduate member leadership Theta Xi endeavors to assist each member to develop:

- intellectual curiosity that assures the highest scholarship rating consistent with his ability;
- habits that lead to better mental and physical health;
- sincerity in his association with others, and confidence in himself;
- responsibility to chapter, college, community and country;
- leadership that comes from practicing the principles of democratic self-government;
- interests and activities outside regular scholastic studies that employ spare time to advantage;
- spiritual understanding that provides a reservoir of strength to draw upon when faced with conditions beyond comprehension.

1.2 - COMPOSITION. The Fraternity shall consist of chapters, colonies, alumni clubs, and alumni associations established in accordance with this Constitution, and of members initiated in accordance with the Ritual. The Fraternity is organized as "Theta Xi Fraternity, Inc.", a not-for-profit corporation under the laws of the State of Missouri, and shall have the right to exercise all powers conferred upon a not-for-profit corporation.

1.3 - GOVERNANCE. The supreme authority of the Fraternity shall be vested in the National Convention. During the interim between National Conventions, the authority to act for the Fraternity shall be vested in the Board of Directors known as the "Grand Lodge", whose authority shall be as provided for herein. This Constitution shall be the corporate By-Laws of Theta Xi Fraternity, Inc. The term "Constitution" as used herein shall include both provisions titled as articles of the "Constitution" and sections of the "By-Laws", unless otherwise indicated. The By-Laws of the organizations within the Fraternity, as provided for herein, shall not conflict with provisions of this Constitution, or with resolutions or statements of position duly adopted by a National Convention.

ARTICLE 2 - NATIONAL CONVENTION

2.1 - COMPOSITION. The National Convention shall be composed of those members who have voting rights under this Constitution. Unless otherwise provided, a delegate may cast the votes granted by more than one sub-section of Article 2.2.

2.2 - VOTING RIGHTS AND DELEGATES.

2.2.1 CHAPTER DELEGATE VOTING RIGHTS AND QUALIFICATIONS. Each chapter in good standing with 39 undergraduate members or less shall be entitled to one delegate with three votes at the National Convention. Each chapter in good standing with 40 undergraduate members or more shall be entitled to one delegate with four votes at the National Convention. Each chapter in good standing with 60 undergraduate members or more shall be entitled to one delegate with five votes at the National Convention. The number of undergraduate members in a chapter shall be determined by the latest membership report provided by the chapter at least 30 days prior to the National Convention. If no membership report has been submitted by a chapter within one year prior to the Convention, that chapter shall be entitled to three votes. The chapter delegate shall be the most recently elected chapter president, unless he cannot attend the National Convention, in which case the most recently elected chapter vice president shall be the delegate, unless he cannot attend, in which case the chapter officers shall designate, as chapter delegate, a member who will be enrolled in that chapter's school during the fall semester following the National Convention. Any delegate casting the votes of a chapter may not also cast the votes granted by any other section of Article 2.2.

2.2.2 COLONY DELEGATE VOTING RIGHTS AND QUALIFICATIONS. Each colony in good standing shall be entitled to one delegate with one vote at the National Convention, which delegate shall be the most recently elected colony president, unless he cannot attend the National Convention, in which case the most recently elected colony vice president shall be the delegate, unless he cannot attend, in which case the colony officers shall designate, as the colony delegate, a member who will be enrolled in that colony's school during the fall semester following the National Convention. Any delegate casting the vote of a colony may not also cast the votes granted by any other section of Article 2.2.

2.2.3 ALUMNI ASSOCIATIONS. Each chartered alumni association in good standing shall be entitled to one delegate with two votes at the National Convention, which delegate shall be the most recently elected alumni association president, unless he cannot attend, in which case the alumni association officers shall designate an alumnus member of the association as delegate. No delegate may represent more than one alumni association. Any delegate casting the votes of an alumni association may not also cast the votes of a Delegate to the Grand Lodge.

2.2.4 ALUMNI CLUBS. Each chartered alumni club in good standing shall be entitled to one delegate with one vote at the National Convention, which delegate shall be the most recently elected alumni club president, unless he cannot attend, in which case the alumni club officers shall designate an alumnus member of the club as delegate. A delegate entitled to any other vote shall not be entitled to an alumni club vote. No delegate may represent more than one alumni club.

2.2.5 DELEGATE TO THE GRAND LODGE. Each Delegate to the Grand Lodge in good standing shall be entitled to two votes. Any delegate casting the votes of a Delegate to the Grand Lodge may not also cast the votes of any alumni association.

2.2.6 MEMBERS OF ORDER OF THE UNICORN. Each member of the Order of the Unicorn in good standing shall be entitled to one vote.

2.2.7 EX-OFFICIO DELEGATES. Each member in good standing and belonging to one or more of the following classifications shall have one vote at a National Convention: Grand Lodge Members, Past National Presidents, Regional Directors and Committee Chairmen of all National Committees appointed at least 120 days prior to the National Convention.

2.2.8 NOTABLE ALUMNI. A National Convention, by majority vote, may grant one vote each to no more than ten alumni members in attendance at the National Convention. The Grand Lodge shall recommend alumni receive such vote in recognition of their past contributions to Theta Xi and such alumni are not otherwise entitled to votes at the National Convention.

2.2.9 DEFINITION OF GOOD STANDING. The term "good standing," as used in this Article 2 governing the National Convention, means those members who have no debts to the Fraternity or their chapter, and are not under any suspension proceedings; those chapters that have no debts to the Fraternity and are not dormant or under suspension and those chartered alumni clubs and alumni associations that have no debts to the Fraternity. A chapter, alumni club or alumni association which is in debt to the Fraternity, but otherwise in good standing, shall be considered in good standing for the purpose of voting at a National Convention if the chapter, alumni club or alumni association submits a payment plan which is determined to be reasonable by the Vice President for Administration, in his sole discretion.

2.3 - CONVENTION OFFICERS. The National President shall preside over the National Convention. The National President may designate one of the National Vice Presidents to preside in his absence. A National Convention parliamentarian may be appointed by the National President.

2.4 - TIME, PLACE AND NOTICE. The National Convention shall meet at least biannually, unless the Grand Lodge, by vote of at least three-fourths of its members, postpones or suspends the Convention. A Special National Convention may be called by a National Convention, by 2/3 majority vote of the Grand Lodge or by a majority vote of the chapters, chartered alumni clubs and chartered alumni associations. A special National Convention shall have power to consider and act upon only the specific business for which it is duly called and concerning which members and delegates shall have been duly notified. The time and place of all Conventions shall be set by the Grand Lodge. Notice of the time and place of the meeting shall be given in any manner reasonably calculated to give notice to all members, including but not limited to publication in the official magazine of the Fraternity, and shall be given at least thirty (30) days in advance.

2.5 - VOTING AT NATIONAL CONVENTION. Votes equal to two times the total number of chapters entitled to vote (whether represented at such Convention or not) shall constitute a quorum. A majority of the valid votes cast shall be sufficient for the settlement of all questions and matters coming before the National Convention, except as otherwise provided for herein. Proxies shall not be accepted at the National Convention.

2.6 - RULES OF DEBATE AT NATIONAL CONVENTION

2.6.1 PROPONENT HAS FLOOR INITIALLY. Proponent (maker) of a motion shall have the floor first, for a period not to exceed ninety (90) seconds.

2.6.2 SPEAKERS AND TIME LIMIT. Up to ten (10) speakers, for a period not to exceed ninety (90) seconds each, shall have the floor to address each motion. Speakers shall alternate, first speaking in favor of the motion, then opposed, so long as possible. The presiding officer will determine if a speaker is making a point of order or asking a question, either of which shall not be counted as speaking either in favor or opposed to the motion.

2.6.3 PROPOPONENT OPTION TO CLOSE DEBATE. The proponent (maker) of the motion, if he chooses, may have no more than sixty (60) seconds to close debate after other speakers have spoken, at the conclusion of which the question shall be considered called and the vote shall be taken.

2.6.4 AMEND OR WAIVE RULES. These rules of debate may be waived or amended for a specific motion and is passed by two-thirds (2/3) of the votes cast. Such motion to amend or waive is not debatable.

2.7 - RITUAL MEETING. The National President shall convene and conduct a meeting of all the chapter delegates during each National Convention to confer on the Ritual and traditions of the Fraternity, to perpetuate their original form.

2.8 - ORDER OF BUSINESS. The order of business at the National Convention shall be as presented in the Ritual.

ARTICLE 3 - THE GRAND LODGE AND NATIONAL OFFICERS

3.1 - NATIONAL OFFICERS.

3.1.1 REQUIRED OFFICERS AND QUALIFICATIONS. The National officers of the Fraternity shall be a President, a Vice President for Administration, a Vice President for Chapter Operations, a Vice President for Alumni Affairs, a Secretary, and such other officers as may be designated by the Grand Lodge. No member shall be eligible to serve as President unless he has previously served at least two years as a member of the Grand Lodge. All officers shall meet the qualifications for members of the Grand Lodge as set forth in Article 3.2.1.

3.1.2 ELECTION, TERMS, REMOVAL AND REPLACEMENT OF ELECTED OFFICERS. The President shall be elected at each Anniversary Convention held in even numbered years. The Vice President for Administration shall be elected at the National Convention held in 2011 and at the National Convention held in 2016, Thereafter, beginning in 2020, he shall be elected at the National Convention held in every other even numbered year. The Vice President for Chapter Operations and the Vice President for Alumni Affairs shall be elected at the National Convention held in 2014. Thereafter, beginning in 2018, they shall be elected at the National Convention held in every other even numbered year. The President and the three Vice Presidents shall hold office until their successors have been elected. The National Convention may, by three-fourths of the votes cast, remove any elected officer of the Fraternity. The Grand Lodge may, by affirmative vote of at least seven members, remove any elected officer for conduct detrimental to the Fraternity or failure to fulfill the duties of his office. The Grand Lodge may fill, by interim appointment, any vacancy in an elected officer position, which appointment shall be effective until the next National Convention.

3.1.3 APPOINTMENT OF NON-ELECTED OFFICERS. Officers and salaried officials not elected by the National Convention may be appointed and discharged by the Grand Lodge.

3.1.4 LIMIT ON CONSECUTIVE TERMS OF PRESIDENT. A President who has served two full terms is ineligible to serve as President again until one full term of the Presidency has passed.

3.2 - GRAND LODGE.

3.2.1 COMPOSITION AND QUALIFICATIONS OF GRAND LODGE MEMBERS. The Board of Directors of the Fraternity shall be known as the Grand Lodge and shall be composed of the National President, National Vice-President for Administration, National Vice President for Chapter Operations, National Vice President for Alumni Affairs and six Directors, two of whom shall be undergraduate members at the time of their election. The elected National Officers of the Fraternity shall also be the officers of the Grand Lodge. All members of the Grand Lodge shall be members of Theta Xi Fraternity. No member employed by the Fraternity or the Theta Xi Foundation, or providing goods or services to the Fraternity for compensation, may serve as a member of the Grand Lodge.

3.2.2 ELECTION, TERMS, REMOVAL AND REPLACEMENT OF DIRECTORS. Directors shall be elected at National Conventions held in even numbered years and shall hold office until their successors have been elected. If one of the four Directors that need not be undergraduate members at the time of their election serves two terms consecutively, he is ineligible to serve as a Director again until one full term for Directors has passed. The National Convention may by three-fourths of the valid votes cast, remove any Director of the Grand Lodge. The Grand Lodge may, by affirmative vote of at least seven members, remove any Director for conduct detrimental to the Fraternity or failure to fulfill the duties of his office. If there is a vacancy in any of the four Director positions held by members that need not be undergraduates at the time of their election, the Grand Lodge may fill such vacancy by interim appointment, which appointment shall be effective until the next National Convention. Any vacancy in the position a Director who must be an undergraduate member at the time of his election shall be filled by the candidate for such position in the previous election who received the next highest number of votes.

3.2.3 UNDERGRADUATE DIRECTORS. The two Directors who must be undergraduate members at the time of their election shall be elected to a two-year term. Directors who must be undergraduate members at the time of their election shall be elected at National Conventions held in even numbered years and shall hold office until their successors have been elected.

3.2.4 MEETINGS AND VOTING. The Grand Lodge shall meet annually and at such other times and places designated by the National President or a majority of its members. A majority of the members of the Grand Lodge shall constitute a quorum, provided that reasonable notice of the time and place of the meeting has been given to all members of the Grand Lodge. A majority of the votes cast by the members of the Grand Lodge shall be sufficient for the settlement of all questions, unless otherwise provided for. The Grand Lodge may decide any question by letter, facsimile, electronic or other ballot, in accordance with rules it may adopt.

3.3 - POWERS OF THE GRAND LODGE. The Grand Lodge shall have the power to manage all of the business affairs and property of the Fraternity, and generally may exercise all powers of the Fraternity, except those reserved to the National Convention by this Constitution, or as limited by statute. Additionally, the Grand Lodge shall have the power to impose sanctions in the form of a monetary fine or other reasonable penalty that it deems necessary and advisable against any member or organization within the Fraternity that violates a provision of this Constitution, except that suspension of members or organizations within the Fraternity and withdrawal of chapter charters must be in compliance with Article 4 and 5 of this Constitution.

ARTICLE 4 - MEMBERSHIP IN THETA XI

4.1 - MEMBERSHIP DEFINED. Membership in this Fraternity shall be limited to "undergraduate members" and "alumni members" who shall be males who have been initiated in accordance with the Ritual. An "undergraduate member" is a student in attendance at a school where a colony or chapter is located, who has been initiated into or becomes affiliated with the colony or chapter, who is not an alumnus member, and who has not been suspended under Article 4.5. All other members, who have not been suspended under Article 4.5, are "alumni members."

4.2 - INITIATION OF MEMBERS. Men may be initiated into either chapter or alumni membership but all initiates must be affiliated with a chapter or colony. Upon initiation, each member shall receive a number consisting of the name of the chapter and the number following that assigned to the previous initiate. Initiations may be conducted only by members, acting with consent of the chapter President, or in the case of a colony, acting with consent of the National President. The initiation of all members must be approved by a unanimous vote of the chapter members present at a duly convened meeting of the chapter, or by unanimous vote of the initiated members of a colony present at a duly convened meeting of the colony, or in the case of a colony without initiated members, unanimous vote of the colonizing committee appointed by the National President. Chapters and colonies may approve a candidate for membership by less than unanimous vote if the chapter or colony by-laws so provide and the Grand Lodge has approved that provision in the by-laws of the chapter or colony. All elections of candidates for initiation shall be by secret ballot, each member expressing his unbiased opinion of the candidate by the vote that he casts. No man may be initiated in violation of any scholarship requirements contained in these Constitution and By-Laws or that may be established for initiation into National Fraternities by the host institution of the chapter or colony, if the chapter or colony is recognized by the host institution. Required fees for membership may be provided for in the By-Laws Section of this Constitution.

4.3 - AFFILIATION OF TRANSFERS OR ALUMNI. Any member who is in attendance as a student at a college or university where there is a chapter or colony of Theta Xi, or any alumni member, may, with approval of the Grand Lodge and such approval of the chapter or colony as their By-Laws may provide, affiliate with that chapter or colony and shall receive the same initiation number assigned to the last member initiated into that chapter or colony, to which shall be affixed the Greek letters of the chapter or colony in which the transferring or alumni member initiated.

4.4 - CONVERTING TO ALUMNI MEMBERSHIP. An undergraduate member shall be transferred to alumnus status upon ceasing attendance at his chapter or colony's school. In the case of unusual circumstances or hardship, an undergraduate member remaining in attendance at his chapter or colony's school may petition to convert to alumni membership, foregoing the rights and responsibilities of undergraduate membership. An undergraduate member desiring to convert to alumni membership prior to the time when he ceases attendance at his chapter or colony's shall submit a written petition explaining the circumstances that cause him to be unable to fulfill his obligations as an undergraduate member of his chapter or colony. The chapter or colony may approve the petition by majority vote or as may be provided for in its by-laws. If approved, the petition shall be submitted to the Grand Lodge, at which time the member shall be considered an alumni member. Until transferred to alumni membership, a member remains an undergraduate member, subject to suspension or other penalties for failure to meet the obligations and requirements of undergraduate membership. The Grand Lodge may convert any member to or from alumni membership by majority vote.

4.5 - SUSPENSION OF MEMBERS.

4.5.1 GENERALLY. A member's relationship with Theta Xi may be severed only by suspension, which shall occur only if the member has committed acts inimical to the interests, ideals or traditions of the Fraternity.

4.5.2 SUSPENSION OF MEMBER BY CHAPTER. Except as provided herein for financial delinquency, a chapter may suspend an undergraduate member of that chapter only upon an affirmative vote of at least three-fourths of all undergraduate members of the chapter qualified to vote and only after the chapter has voted by majority vote of the undergraduate members of the chapter qualified to vote to initiate suspension proceedings, given notice to the member of the alleged grounds for the suspension, and provided a reasonable opportunity of not more than thirty (30) calendar days for the member to present to the membership all evidence and arguments he may reasonably choose to offer as to why he should not be suspended. A chapter may not suspend an alumni member, except for financial delinquency. A chapter shall promptly notify the Grand Lodge in writing of all members who are suspended.

4.5.3 SUSPENSION FOR FINANCIAL DELINQUENCY. A chapter may suspend an undergraduate or alumni member by majority vote of the undergraduate membership if the member's financial obligations to the chapter remain unpaid sixty (60) days after notice to the member of the amount due. A chapter shall promptly notify the Grand Lodge in writing of all members who are suspended for financial delinquency.

4.5.4 SUSPENSION FOR POOR ACADEMIC PERFORMANCE. A chapter may suspend an undergraduate member of that chapter who fails to maintain the academic standards for members established by such chapter. The academic standards for members established by a chapter in accordance with Section 23.3.5.3 may provide that a member who fails to meet the standards shall be automatically placed on academic suspension, and his involvement with and connection to his chapter shall cease. Each chapter shall promptly notify the Grand Lodge in writing of all members who are suspended for failure to meet academic standards.

4.5.5 SUSPENSION OF A MEMBER BY THE GRAND LODGE. The Grand Lodge may, on its own initiative, suspend any member upon three-fourths majority vote, but only if the Grand Lodge has first provided reasonable notice to the member that it intends to consider his suspension and provided a reasonable opportunity for the member to present, in writing or in person, all evidence and argument which the member may reasonably wish to present as to why he should not be suspended. The member and his chapter shall be notified in writing of the decision of the Grand Lodge.

4.5.6 REINSTATEMENT OF SUSPENDED MEMBER. A member suspended by a chapter may be reinstated upon three-fourths majority vote of the chapter membership, unless the member was suspended for financial delinquency. A member suspended for financial delinquency shall be reinstated upon written certification by the chapter treasurer to the chapter president and the Grand Lodge that all amounts due the chapter have been paid. A chapter may provide for the manner by which any member of such chapter who has been suspended for failure to meet academic standards shall be reinstated upon his achievement of the academic standards established by the chapter, whether or not by a three-fourths majority vote of the chapter membership, provided that any such member shall not be reinstated until written certification by the chapter president to the Grand Lodge that the member meets the academic standards established by the chapter is delivered to the Grand Lodge. The Grand Lodge may reinstate any suspended member by a three-fourths majority vote.

4.6 - MEMBERSHIP IN OTHER FRATERNITIES. No person shall be initiated as a member of Theta Xi Fraternity if such person is or has previously been a member of another similar college fraternity. No member of Theta Xi Fraternity may become a regular member of any other similar college fraternity. The Grand Lodge shall decide any question of whether an organization is a "similar college fraternity" as

used herein.

4.7 - ANNUAL MEETINGS OF MEMBERS. The annual meeting of members shall be held at the same time and place as that of the annual meeting of the Grand Lodge. Only members of the Grand Lodge shall be voting members at the meeting unless the meeting is held at the same time and place as the National Convention, in which case, voting members shall be as defined in Article II, governing the National Convention. Notice of the time and place of each annual meeting shall be given in any manner reasonably calculated to give notice to all members, including but not limited to publication in the official magazine of the Fraternity and shall be given at least thirty (30) days in advance. Attendance at such meeting by a member shall constitute acknowledgment of adequate notice to the member of the meeting unless the member objects to the adequacy of notice at the meeting.

ARTICLE 5 - ORGANIZATIONS WITHIN THE FRATERNITY

5.1 - COLONIES.

5.1.1 DEFINED. The term "colony" as used herein refers to a recognized organization of undergraduate students in attendance at a college or university where there is no chapter of this Fraternity, uninitiated members of which shall be associate members of this Fraternity.

5.1.2 FORMATION AND TERMINATION. A colony may be established by majority vote of the Grand Lodge at any college or university that is an accredited two year or four year degree granting institution. The National President shall appoint a colonizing committee that shall be responsible for organizing the colony and submitting such written reports as the Grand Lodge may require. Either the National Convention or the Grand Lodge may, at any time, suspend or terminate a colony and discharge the colonizing committee thereof. The Grand Lodge shall assign an appropriate name to each colony, preferably a shortened form of the name of the college or university at which the colony is located or the Greek letter name of a former chapter if the colony is located on a campus at which a chapter previously existed

5.1.3 RIGHTS AND DUTIES. A colony shall have all of the rights, privileges, duties and obligations of a chapter, except as otherwise provided in this Constitution, subject to such regulations as the Grand Lodge may provide. A colony with initiated members may have possession of its own Ritual Book and Ritual equipment, but may only conduct Ritual ceremonies when a duly authorized representative of the Grand Lodge, appointed by the National President, is present.

5.2 - CHAPTERS.

5.2.1 DEFINED. As used in this Constitution, the term "chapter" means a chartered and installed organization of initiated undergraduate members.

5.2.2 FORMATION. A chapter may be established from a local fraternity at an approved college or university, a Theta Xi colony or through a merger with another Fraternity. A Theta Xi colony or a local fraternity may submit a petition for charter if they have twenty or more members. Upon receipt of such a petition the National President shall appoint an Inspection Committee that shall conduct a complete investigation of the petitioning group and of the standards, resources and activities of the college or university, and submit a written report of its findings and recommendation to the Grand Lodge. If the petition is received more than ninety (90) days prior to a National Convention, the Grand Lodge shall vote on the petition. If the petition is received within ninety (90) days of a National Convention, the petition shall be submitted to the Convention for vote. A three-fourths majority vote of the Grand Lodge or the Convention shall be required for approval.

5.2.3 NAMING OF CHAPTERS. Chapters shall be named in the order in which they are chartered, from the letters of the Greek alphabet in regular order. When all letters of the alphabet have been used, the succeeding chapters shall be designated by the letters of the Greek alphabet, in regular order, with the prefix Alpha. When all of the letters of the alphabet have been used with the prefix Alpha, the prefix Beta shall be used in like manner. If necessary, the prefixes shall continue throughout the Greek alphabet in regular order. Chapters which had formerly been chapters of the Kappa Sigma Kappa Order will be listed chronologically by date of original chartering by Kappa Sigma Kappa Fraternity, which date will be retained and considered as the effective date of chartering of the chapter. Each former chapter of Kappa Sigma Kappa Fraternity will be assigned a letter of the Greek alphabet, in regular order, with the prefix Kappa.

5.2.4 INSTALLATION OF CHAPTERS. After a petitioning body has been granted a charter, those members who are not members of the Fraternity shall be initiated, and the chapter installed, in accordance with the Ritual, by a chapter or other group of members designated by the National President. A charter signed by the National President, a copy of the Constitution and the Ritual, and such equipment as the Grand Lodge may deem necessary, shall be furnished to a new chapter, which material shall remain the property of the Fraternity and shall be returned to the Grand Lodge if the chapter's charter is withdrawn.

5.2.5 SUSPENSION AND WITHDRAWAL OF CHAPTER CHARTERS. The Grand Lodge may for good cause and upon 2/3 majority vote, suspend any chapter, for a period not to extend beyond the next National Convention, at which time the suspension shall be submitted to the National Convention for consideration. The charter of any chapter may be withdrawn only for good cause, and upon 3/4 majority vote by the National Convention or the Grand Lodge.

5.2.6 DORMANT CHAPTERS. A chapter may be placed in dormant status upon 2/3 majority vote of the National Convention or Grand Lodge and only if continued good standing, suspension or charter removal is impractical or undesirable. A dormant chapter may be removed from dormant status in the same manner as provided for in Article 5.2.2 and 5.2.4, except that only a 2/3 majority vote of the National Convention or Grand Lodge shall be required for approval.

5.3 - ALUMNI ASSOCIATIONS.

5.3.1 FORMATION. Any group of twenty or more alumni members who wish to form an alumni association for the purpose of fulfilling the duties of such an association as defined herein may submit a petition for charter to the Grand Lodge. Upon receipt of said petition and a satisfactory set of by-laws of the association, the Grand Lodge may grant a charter to the group, which shall be known as the alumni association of the chapter at which it is located. The charter of the alumni association may be withdrawn by the Grand Lodge for cause.

5.3.2 DUTIES. Each alumni association shall hold title to all financially significant real and personal property of the chapter for which it is formed; shall hold at least one regular meeting each year for the transaction of business, which shall be reported to the Grand Lodge; shall file a copy of its constitution, charter and by-laws with the Grand Lodge; shall submit a financial statement to the Grand Lodge at least once a year; shall conform to such regulations concerning methods of accounting, auditing, bonding, and safeguarding of property as the Grand Lodge may prescribe; shall maintain a building or endowment fund; and shall send one of its members as a delegate to each National Convention.

5.3.3 APPOINTMENT OF COMMITTEE IN ABSENCE OF ALUMNI ASSOCIATION. Where a colony or chapter has no recognized alumni association, the colonizing committee of the colony, or a committee of alumni appointed by the National President with the approval of the Grand Lodge, shall function instead of such an association, and shall be subject to such regulations as the Grand Lodge may provide.

5.4 - ALUMNI CLUBS.

5.4.1 FORMATION. Ten or more alumni members residing in any city, town or village, or within fifty miles thereof, may submit a petition for an alumni club charter to the Grand Lodge. Upon receipt of said petition and a satisfactory set of by-laws of the club, the Grand Lodge may grant a charter to the group, which shall be known as the Theta Xi Club of the city or region in which it is located. The charter of any alumni club may be withdrawn by the Grand Lodge for cause.

5.4.2 DUTIES. It shall be the duty of each alumni club to hold at least one regular meeting each year for the transaction of business, which shall be reported to the Grand Lodge; to elect such officers as provided in the by-laws; to submit a complete list of its members and their addresses to the Grand Lodge when requested to do so; to submit regular reports of its activities to the Grand Lodge; and to elect and send one of its members as a delegate to each National Convention.

ARTICLE 6 – RITUAL

6.1 - DEFINED. The Ritual is comprised of those ceremonies that are known only to initiated members of Theta Xi Fraternity, and includes the oath of membership. In the event that any provision of this Constitution conflicts with anything in the Ritual, the terms of the Constitution shall govern.

6.2 - AMENDMENT. The Ritual may be amended only by three-fourths majority vote of the National Convention.

6.3 - WRITTEN COPIES OF RITUAL. Copies of the Ritual may be made only with permission of the Executive Director. The Executive Director shall keep a record of all outstanding copies of the Ritual.

**ARTICLE 7 - AMENDMENT OF CONSTITUTION,
DISSOLUTION, MERGER AND EXTRAORDINARY ACTS**

7.1 - AMENDMENT OF THE CONSTITUTION. The Constitution may be amended only by 3/4 majority vote of the National Convention, except that provisions titled as sections of the By-Laws may be amended by simple majority vote of the National Convention. In the interval between conventions, a proposal to amend the Constitution may be put to vote by letter ballot to those members and organizations then qualified to vote at a National Convention. Votes shall be counted sixty (60) days after mailing or ten days after a majority of ballots are returned, whichever is later.

7.2 - DISSOLUTION. The Fraternity may only be dissolved by a 3/4 majority vote of the National Convention ratified by a majority vote in a referendum of all members, or by an order of court of competent jurisdiction. Upon dissolution of the Fraternity, all of the Fraternity's debts and financial obligations shall be settled, and any remaining assets shall thereafter be conveyed to such organization or organizations as may then exist which are dedicated to purposes similar to those of Theta Xi Fraternity, including, but not limited to, the Theta Xi Foundation, or to colleges or universities at which the Fraternity has had chapters, provided that any such organization shall be exempt under section 501(c), 2, 3, 7, or 9 of the Internal Revenue Code or such successor provisions of the Code as may be in effect at the time of dissolution.

7.3 - MERGER AND EXTRAORDINARY ACTS. Any merger of Theta Xi Fraternity Inc. with any other corporation shall be governed by the applicable laws of the State of Missouri and any other applicable state or federal laws and shall require a 3/4 majority vote of a National Convention for approval. All voting members of the National Convention shall be provided with written notice of a plan of merger at least one hundred eighty (180) days prior to such a vote. Any proposal for any other extraordinary act of the corporation, including transfer of substantially all assets of the Fraternity, shall require a 3/4 majority vote of a National Convention.

BY-LAWS

BY-LAW 20 - NATIONAL OFFICERS AND DIRECTORS

20.1 - GENERAL RESPONSIBILITIES OF OFFICERS AND DIRECTORS. Each officer shall submit a written report of the fulfillment of his duties to the National Convention. All officers shall turn over to their qualified successors any property of the Fraternity that may be in their possession. The Directors of the Grand Lodge shall perform such duties as are delegated to them by the President or the Grand Lodge. The undergraduate Directors of the Grand Lodge shall have the same responsibilities as all other Directors and in addition shall have the responsibility to attend such regional or other gatherings of undergraduate members as may be directed by the National President and shall be generally responsible for providing the Grand Lodge with the views and opinions of the undergraduate membership of the Fraternity.

20.2 - NATIONAL PRESIDENT. The National President shall have final supervision over all affairs of the Fraternity and shall preside at all National Conventions and all meetings of the Grand Lodge. In the absence of the National President, the National Vice President initiated first shall preside. The National President shall, at least once a year, cause to be audited or examined, all of the financial records, securities and investments of funds of the Fraternity.

20.3 - NATIONAL VICE PRESIDENT FOR ADMINISTRATION. The Vice President for Administration shall be the Chief Financial Officer of the Fraternity and shall be responsible for the collection and disbursement of all monies of the Fraternity. The Vice President for Administration shall submit a report of the financial status of the Fraternity to the Grand Lodge at each annual meeting and shall submit such a report to each National Convention.

20.4 - NATIONAL VICE PRESIDENT FOR ALUMNI AFFAIRS. The Vice President Alumni Affairs shall be responsible for all alumni related activities of the Grand Lodge, with primary focus on chapter advisors and alumni associations. He shall encourage alumni participation, supervise an alumni awards program, assist the Executive Director with communications with alumni and shall act as a liaison to the Theta Xi Foundation.

20.5 - NATIONAL VICE PRESIDENT FOR CHAPTER OPERATIONS. The Vice President for Chapter Operations shall be responsible for supervision of the chapter awards program, the chapter scholarship program, the membership education program and membership retention and recruitment programs. He shall also be responsible for supervision of the ritual, including any revisions thereto and responding to all questions regarding the ritual. The Vice President for Chapter Operations shall also be responsible for expansion of the Fraternity and shall identify potential expansion opportunities, develop programs to encourage and assist interest groups to become Colonies and develop and maintain programs to assist Colonies to become chartered Chapters. He shall advise the Grand Lodge on the suitability of any group petitioning for a charter as a Chapter of the Fraternity.

20.6 - EXECUTIVE DIRECTOR. The Executive Director, subject to the authority of the President and Grand Lodge, shall have the following responsibilities:

20.6.1 ADMINISTERS FRATERNITY BUSINESS. The Executive Director shall supervise the administration of the general business of the Fraternity.

20.6.2 KEEPS MINUTES. Unless otherwise provided for, the Executive Director shall keep correct records of all proceedings of National Convention and meetings of the Grand Lodge.

20.6.3 ADMINISTERS HEADQUARTERS. The Executive Director shall administer the National Headquarters of the Fraternity and employ the necessary personnel and purchase the necessary

equipment for its operation and implementation of the Fraternity's programs.

20.6.4 CONDUCTS CORRESPONDENCE. The Executive Director shall conduct the official correspondence of the Fraternity.

20.6.5 PRESERVES IMPORTANT DOCUMENTS. The Executive Director shall have custody of the official copy of the Ritual, the seal of the Fraternity, and all other official documents of the Fraternity, except as otherwise provided.

20.6.6 MAINTAINS RECORDS. The Executive Director shall preserve all reports, records, correspondence, historical souvenirs and similar property of the Fraternity.

20.6.7 PUBLISHES OFFICIAL MAGAZINE. The Executive Director shall publish or cause to be published an official magazine of the Fraternity which shall be known as "THE UNICORN".

20.6.8 ISSUES GRAND LODGE NOTICES AND BALLOTS. The Executive Director shall notify the members of the Grand Lodge of its meetings and submit to them, by letter, facsimile, electronic or other ballot in accordance with rules the Grand Lodge may adopt, any questions to be settled by the Grand Lodge between meetings.

20.6.9 SIGNS MEMBERSHIP RECORDS. The Executive Director shall sign all membership certificates and membership cards.

20.6.10 SUBMITS BUDGET. The Executive Director shall submit to the Grand Lodge for its approval a budget of the anticipated income and proposed expenditures of the Fraternity for the ensuing year.

20.6.11 SUPERVISES CHAPTERS AND CLUBS. The Executive Director shall supervise all chapters, alumni clubs and alumni associations.

20.6.12 ACTS AS CORPORATE SECRETARY. The Executive Director shall be the secretary of the corporation.

20.7 - NOMINATION OF OFFICERS AND DIRECTORS.

20.7.1 NOMINATION OF ELECTED OFFICERS AND DIRECTORS NOT REQUIRED TO BE UNDERGRADUATE MEMBERS. Candidates for national officer positions and directors not required to be undergraduate members at the time of their election may be nominated by the Committee on Nominations or by nomination from the floor of the National Convention. In order to be nominated for election to a national officer position or a Director of the Grand Lodge other than a Director required to be an undergraduate at the time of his election, a member must meet the qualifications of office as set forth in Article 3 of the Constitution and must give notice to the Committee on Nominations no less than ninety (90) days prior to the National Convention at which the election will be held. All candidates shall participate in a consultation with the Committee on Nominations or its designee in order to discuss the responsibilities and commitment required of the position sought. This section shall apply to nominations made by the Committee on Nominations or nominations by a member on the floor of the Convention. A candidate who fails to comply with the requirements of this section shall be ineligible for election at that Convention.

20.7.2 UNDERGRADUATE DIRECTOR NOMINATION. Any undergraduate member in good standing who holds a cumulative grade point average of at least a 2.5 on a 4.0 scale is eligible to become a candidate for an Undergraduate Director position on the Grand Lodge. Such member must be an undergraduate at the time of election. A member interested in becoming a candidate must complete and submit to the Committee on Nominations a nominating petition in a form established by the Committee on Nominations no later than thirty (30) days prior to the National Convention for which the election is being held. All candidates shall participate in a consultation

with the Committee on Nominations or its designee in order to discuss the responsibilities and commitment of the Undergraduate Director position. To be nominated, a candidate shall complete this process and be in attendance at the National Convention for that election. All candidates who complete this process shall be nominated by the Committee on Nominations. There are no floor nominations for the Undergraduate Director positions.

BY-LAW 21 - FINANCES AND FEES

21.1 - **FISCAL DISCRETION.** In supervising and regulating the funds of the Fraternity, including the Life Membership Fund, the discretion of the officers and directors of the Fraternity, exercised in good faith and with reasonable care, shall be binding upon the Fraternity, and they shall not be personally liable for the consequences of actions or inactions taken in good faith.

21.2 - **PROHIBITION AGAINST SELF-DEALING.** No member of the Grand Lodge shall sell, purchase, exchange, or otherwise deal or trade in the assets of or on behalf of the Life Membership Fund, where such action results in a commission or other financial remuneration for such member.

21.3 - **POWER TO IMPOSE ASSESSMENTS.** Unless otherwise provided herein, only the National Convention may assess National fees to chapters, alumni clubs, alumni associations and members of the Fraternity.

21.4 - **MEMBERSHIP FEES.**

21.4.1 **INITIATION FEE.** All candidates for initiation into undergraduate membership shall pay to the Fraternity, prior to initiation, an initiation fee in an amount and manner set by the National Convention. The Grand Lodge shall have the authority to adjust this fee once per year, but increases shall be limited to adjustment for inflation.

21.4.2 **CHAPTERS TO COLLECT FEES FOR FRATERNITY.** Prior to initiating a candidate for undergraduate membership, chapters shall collect the initiation fee. The chapter shall promptly remit these fees to National Headquarters.

21.4.3 **ALUMNI MEMBERSHIP INITIATION FEE.** A chapter shall pay to the Fraternity an initiation fee for each person initiated into alumni membership of the chapter. The fee shall be in an amount set by the Grand Lodge and shall be paid prior to initiation of the Alumni Member.

21.4.4 **FINE FOR INITIATING PRIOR TO PAYMENT OF INITIATION FEE.** A chapter shall be assessed a fine of Fifty Dollars (\$50.00) per initiate each time it initiates one or more undergraduate members prior to receipt of the name of the initiate and the initiation fee by the National Headquarters of the Fraternity. The Grand Lodge may waive the fine for good cause shown.

21.5 - **CHAPTER SERVICES FEE.** All chapters and colonies shall pay to the Fraternity a chapter services fee in an amount and manner set by the National Convention. The Grand Lodge shall have the authority to adjust this fee once per year, but increases shall be limited to adjustment for inflation. For all chapters and colonies, the Grand Lodge has the authority to reduce the Chapter Services Fee when the Grand Lodge deems it in the best interests of the Fraternity to do so.

21.6 - **INSURANCE PREMIUM ASSESSMENTS.** The Grand Lodge may purchase such general liability insurance covering any or all members and organizations within the Fraternity as it deems necessary and advisable and may assess the cost of such insurance to the members or organizations within the Fraternity in any reasonable, practical and equitable manner.

21.7 - **LIFE MEMBERSHIP FUND.**

21.7.1 **CONTRIBUTIONS, INCOME AND EXPENSES.** The Fraternity shall contribute twenty-

five dollars (\$25.00) to the Life Membership Fund for each Initiation and Life Membership Fee received by the Fraternity. The general fund of the Fraternity shall pay all reasonable administration expenses of and shall receive income from the Life Membership Fund.

21.7.2 **MANAGEMENT OF ASSETS AND REPORTING.** The Grand Lodge shall hold and manage the property and assets of the Life Membership Fund as a separate and distinct trust fund, and is authorized and empowered to invest and reinvest the same in such bonds, stocks, both common and preferred, debentures, real estate, real estate deeds of trust and other securities, whether corporate or governmental, as it may deem proper and suitable for the investment of trust funds, without being restricted or limited to a class of investments which members are, or hereafter may be, permitted by law to make. The Grand Lodge shall have full power and authority to employ the services of a reputable trust company as its agent in connection with the management, investment, and administration of the Life Membership Fund. The Grand Lodge shall submit a full report to each National Convention of the state and condition of the Life Membership Fund, with a full description of each investment and such other information as may be required.

21.7.3 **LOANS FROM THE LIFE MEMBERSHIP FUND.** The principal of the Life Membership Fund, including any appreciation in the value of its assets, shall not be invaded for any reason, except that the Grand Lodge may authorize the general fund to borrow from the principal of the Life Membership Fund if, by 3/4 majority vote, the Grand Lodge: i) determines that such borrowing is necessary to meet financial obligations of the Fraternity, and ii) approves terms for such loan, which shall include a rate of interest not less than the prime rate then prevailing at the time of the making of the loan.

BY-LAW 22 - NATIONAL COMMITTEES

22.1 - **GENERAL COMMITTEE PROVISIONS.** The National President shall appoint, and may remove, all National Committee members, subject to the approval of the Grand Lodge. Each National Committee shall submit a written report of its activities to the National President, at such times as the National President may request. The National President shall make such written reports available to the National Convention.

22.2 - **COMMITTEE ON CONSTITUTION.**

22.2.1 **COMPOSITION.** The Committee on Constitution shall be composed of one or more members.

22.2.2 **RESPONSIBILITIES.** The Committee on Constitution shall have charge of all revisions of the Constitution, shall suggest such amendments and changes thereof as it sees fit and shall advise the National Convention and the Grand Lodge as to the Constitutionality of any matter. At the request of the Grand Lodge, the Committee on Constitution shall draft proposed amendments to the Constitution to give effect to policies on which the Grand Lodge seeks a declaration by the National Convention, which amendments shall be submitted for vote by the Committee on Constitution, together with the Committee's recommendations; provided, however, that the Committee may propose such alternate amendments as it deems fit.

22.2.3 **LEGISLATION AFFECTING CONSTITUTION TO GO TO COMMITTEE.** All proposed legislation amending or affecting this Constitution shall be referred to the Committee on Constitution for drafting and recommendation. The Committee on Constitution may not be required to complete drafts of proposed amendments in less than ninety (90) days after receipt of a request.

22.3 - **COMMITTEE ON NOMINATIONS.**

22.3.1 **COMPOSITION.** The Committee on Nominations shall be composed of five members: the immediate past President, who shall be the chairman, the immediate past chairman of the

Committee on Nominations, one Undergraduate Director on the Grand Lodge appointed by the National President and approved by the Grand Lodge and two members appointed by the National President and approved by the Grand Lodge to serve four year terms. The term of the Undergraduate Director shall expire when his term as Undergraduate Director expires. In the event a National President is elected to a second consecutive term, the two members of the committee who are the immediate past National President and the immediate past chairman of the committee shall continue to serve on the committee for another term. In the event of a vacancy of the past National President's position or the past chairman's position, the vacancy shall be filled by the most recent past National President, not then serving on the committee, who is willing to serve in the vacated position. In the event of a vacancy of one of the two appointed positions, other than the undergraduate director position, the vacancy shall be filled by the most recent past member of the Committee of Nominations willing to serve.

22.3.2 RESPONSIBILITIES. In the interim between National Conventions at which elections of officers are held, the Committee on Nominations shall receive recommendations for nominations for national officers, Directors on the Grand Lodge and recipients of the Order of the Unicorn. The Committee on Nominations shall nominate one member in good standing for each national officer position and Director on the Grand Lodge who is not required to be an undergraduate at the time of his election. The committee shall issue a report identifying the committee nominee for all officer and director positions, except the undergraduate director positions, prior to December 15 of each year, which precedes a year in which elections will be held at a National Convention. The committee shall issue a report at the National Convention identifying candidates for the undergraduate director positions in accordance with the procedure established in By-law Section 20.7.2.

22.3.3 COMMITTEE MEMBER INELIGIBLE FOR OFFICE. A member of the Committee on Nominations may not be a nominee for national office unless he withdraws from the Committee on Nominations prior to the official opening of the National Convention for which such nominations are being made.

22.4 - SPECIAL COMMITTEES. The National President may appoint special committees composed of one or more members for any reason he may deem appropriate, consistent with the purposes of Theta Xi as stated in this Constitution, including committees to investigate possible violations of any provision of the Constitution or Statements of Position adopted by the Fraternity. Appointment of any special committee shall require the approval of the Grand Lodge. Such a committee shall be dissolved when the National President deems the work of the Committee to be complete or by majority vote of the Grand Lodge.

BY-LAW 23 - CHAPTER OPERATIONS

23.1 - CHAPTER OFFICERS.

23.1.1 DESIGNATION AND DUTIES. The officers of the chapter and their duties shall be as prescribed in the Ritual.

23.1.2 ELECTION DATE. Chapter officers shall be elected at a regular meeting of the chapter at least four weeks prior to the final meeting of the school semester or other academic term used by the host institution unless otherwise specified by the chapter by-laws. The chapter president shall announce the election of chapter officers at the regular chapter meeting immediately prior to the meeting at which the election is to be held.

23.1.3 ELIGIBILITY FOR OFFICE. A candidate for chapter office must be a properly initiated undergraduate member.

23.1.4 ELECTION PROCEDURE. The chapter officers shall be elected in the following manner unless the chapter by-laws provide otherwise:

- a) Nominations may be made from the floor in chapter meetings;
- b) A secret ballot shall be taken at the conclusion of nominations for each office;
- c) If there are more than two nominees and no candidate receives a majority of valid votes on the first ballot, then the two members with the highest number of votes on the first ballot shall be submitted for election on a second ballot;
- d) If a tie prevents the selection of the two members with the highest number of votes on the first ballot, then there shall be a special ballot consisting of the tied members to eliminate the tie;
- e) If one of the two members with the highest number of votes is unwilling or unable to serve if elected, he may withdraw his name and a special ballot shall be conducted to select another nominee to take his place; and
- f) Balloting shall continue between the two nominees with the highest number of vote until one shall receive a majority of the valid votes cast.

23.1.5 INSTRUCTION OF NEW OFFICERS. It shall be the duty of each retiring officer to instruct his successor in all of the duties of his office.

23.1.6 FILLING OFFICE VACANCIES. A vacancy in any chapter officer position shall be filled by special election governed by the same rules that govern regular elections and officers so elected shall hold office until the time of the next regular election.

23.1.7 REMOVAL OF OFFICERS. Any officer failing to perform his duty may be removed from office by an affirmative vote of at least three-fourths of all undergraduate members of the chapter qualified to vote.

23.1.8 BONDING OF OFFICERS. Such chapter officers as the Grand Lodge may determine, who regularly handle chapter funds, shall be under bond, the amount thereof to be set by the Grand Lodge and the cost thereof to be borne by the chapters.

23.2 - VOTING.

23.2.1 QUORUM. Two-thirds of all the undergraduate members of the chapter qualified to vote shall constitute a quorum sufficient for the transaction of all business except as otherwise provided for.

23.2.2 VOTE REQUIRED. A majority of the valid votes cast at any legally constituted meeting shall be sufficient for the settlement of all questions coming before the chapter except as otherwise provided for.

23.2.3 PROXIES. Proxies may be used at the discretion of the chapter.

23.2.4 SECRETS RECITATION REQUIRED BEFORE VOTING OR HOLDING OFFICE. An undergraduate member shall not be permitted to vote or to be elected to any chapter office, or to be installed in any chapter office, until such time as he shall recite the Secrets of the Fraternity in open Lodge at a regular chapter meeting, to the satisfaction of the presiding officer, except as hereinafter provided for.

23.2.5 SECRETS EXAMINATION COMMITTEE. The chapter advisor or, if there is no chapter advisor, the chapter president, may appoint a committee, composed of the president of the chapter and four chapter members, to examine initiates desiring to recite the Secrets of the Fraternity, with the chapter advisor an ex-officio member of the committee, and any candidate reciting the Secrets in the presence of at least four members of the committee may, by unanimous vote of the members of the committee present at such recitation, be admitted to all privileges of chapter membership.

23.3 - DUTIES OF CHAPTERS.

23.3.1 MAINTAIN LODGE ROOM. Each chapter shall maintain a suitable lodge room wherein chapter meetings may be held in accordance with the Ritual.

23.3.2 PROVIDE SAFE FOR KEEPING SECRET DOCUMENTS. Each chapter shall provide a safe place in which a copy of this Constitution, the Ritual, chapter by-laws and other valuable papers and records shall be kept.

23.3.3 CONDUCT PROPER INITIATIONS. Each chapter shall elect and initiate its members in the manner prescribed in this Constitution and the Ritual.

23.3.4 CONDUCT PROPER OFFICER ELECTIONS AND INSTALLATIONS. Each chapter shall elect and install chapter officers as provided in the By-Laws and the Ritual.

23.3.5 ACHIEVE SCHOLARSHIP STANDARD.

23.3.5.1 MINIMUM CHAPTER ACADEMIC PERFORMANCE STANDARD. Each chapter shall maintain a chapter grade point average of at least 2.7, based upon a 4.0 scale or that is at or above the all men's GPA for the host institution when an undergraduate chapter exists, if the all men's GPA for host institution is below a 2.7. If the chapter's host institution does not use a 4.0 scale, then the Vice President for Chapter Operations shall determine a standard of satisfactory academic performance of the chapter.

23.3.5.2 FAILURE TO COMPLY. Any chapter that fails to meet the foregoing minimum academic performance standard for two or more consecutive terms will be required to develop with the assistance of the staff of the National Headquarters and the Vice President for Chapter Operations, a detailed plan to achieve compliance within a reasonable period of time. The chapter president and scholarship chairman shall jointly consult with the Vice President for Chapter Operations or his designee not less than monthly until such time as compliance is achieved.

23.3.5.3 ACADEMIC STANDARDS FOR MEMBERS. Each chapter shall establish academic standards for its members, which shall include a minimum cumulative grade point average for each member of at least 2.5 based upon a 4.0 scale and procedures to assist members who fail to meet its academic standards. Any member who fails to meet his chapter's academic standards will be required to develop, with the assistance of his chapter's scholarship chairman, a detailed plan to achieve compliance within a reasonable period of time. A chapter may provide that a member who fails to meet its academic standards for members shall be suspended for academic performance. Each chapter shall submit its academic standards for its members to the Grand Lodge.

23.3.6 SUBMIT REPORTS. Each chapter shall submit such reports as may be required by the Grand Lodge or Chapter Advisor.

23.3.7 BE REPRESENTED AT NATIONAL CONVENTION. Each chapter shall send a chapter delegate to each National Convention.

23.3.8 COOPERATE WITH ADVISOR AND ALUMNI. Each chapter shall cooperate with the chapter advisor and the alumni association.

23.3.9 AFFILIATE WITH IFC. Where permitted, each chapter shall become affiliated with the inter-fraternity council or similar Greek governing body at the college or university where the chapter is located.

23.3.10 COMPLY WITH SCHOOL REGULATIONS. Each chapter shall observe all rules and regulations of its host institution insofar as they may pertain to fraternity chapters.

23.3.11 MAINTAIN BY-LAWS. Each chapter shall prepare chapter by-laws and submit copies to the chapter advisor and National Headquarters.

23.3.12 PAY FEES. Each chapter shall pay such fees as are provided for in this Constitution.

23.4 - CHAPTER MEETINGS.

23.4.1 FREQUENCY OF CHAPTER MEETINGS. Each chapter shall hold chapter meetings at least once each week during the university or college term.

23.4.2 ORDER OF BUSINESS. The Order of Exercises for a regular meeting of a chapter shall be as prescribed in the Ritual. The presiding officer shall attend to the enforcement of said items in their proper sequence.

23.4.3 RULES OF DEBATE.

23.4.3.1 OBTAINING THE FLOOR. Any member desiring to speak before the chapter shall rise and in a respectful manner address the presiding officer in the name of his office, and if his claim for audience be prior to any other, the officer shall pronounce his name, after which he may unfold his subject to any length, subject to interruption only from the presiding officer while standing.

23.4.3.2 DEFERRING TO OTHER SPEAKER. Any member respectfully requesting of the occupant of the floor permission to interrupt him, may, upon receiving such permission, speak upon the question during the length of time not to exceed five minutes.

23.4.3.3 PRESIDING OFFICER SPEAKING ON ISSUE. Should the presiding officer desire to speak in a lengthy manner upon any question, he shall resign the chair and appoint a chairman pro tem in his stead, and in so speaking, he shall be governed by the regular rules of order.

23.4.3.4 HANDLING BREACH OF DECORUM. The presiding officer, or any other member, may call to order any member who is guilty of any impropriety or breach of decorum during the chapter meeting, and if the offense is repeated, the presiding officer may again call the delinquent to order and fine him for his delinquency.

BY-LAW 24 - DUTIES OF MEMBERS

- 24.1 - FRATERNAL CONDUCT. Members shall conduct themselves at all times in such manner as shall best foster brotherly love.
- 24.2 - TOLERANCE AND SELF-IMPROVEMENT. Members shall be charitable in their judgment of others' faults and consistent in their endeavor to correct their own.
- 24.3 - RESPECT RIGHTS AND FEELINGS OF OTHERS. Members shall respect the feelings and privileges of others, always remembering that perfect harmony can exist only among those who have complete equality of rights and proper respect for each other.
- 24.4 - EXEMPLARY CONDUCT. Members shall conduct themselves at all meetings in such manner as shall best advance the interest of the Fraternity, and show by precept and example their willingness to conform to such interest.
- 24.5 - REFRAIN FROM DISPUTES. Members shall refrain from disputes with members of other societies or with neutrals. Members shall refrain from disputes with each other, thus showing to the world the harmony existing among them and the advantage derived from the bond of good fellowship and their confidence in, and respect for, each other.
- 24.6 - SELFLESS CONDUCT. Members shall conduct themselves in reference to collegiate, class and other non-fraternity activities in such manner as to promote the interest of such activities and not with the view of gaining a temporary advantage for the Fraternity or for themselves.
- 24.7 - RESPONSIBLY VOTE. Members shall be fully satisfied before voting for a candidate for membership that his introduction into their midst will be productive of harmony rather than discord.
- 24.8 - INSTRUCT NEW MEMBERSHIP. Members shall instruct new members as to the objects of the Fraternity, of the notice of the oath they have taken, and of their duties toward other members.
- 24.9 - FINANCIAL RESPONSIBILITY. Members shall pay promptly all bills and fees of their chapter and the Fraternity.
- 24.10 - ATTEND CHAPTER MEETINGS. Each chapter member shall attend, with punctuality, all meetings of the chapter at the time appointed and shall consider chapter meetings prior to and more urgent than any other engagement.
- 24.11 - RECRUIT NEW MEMBERS. Each member shall have the duty to recruit new members of the Fraternity.

BY-LAW 25 - ASSOCIATE MEMBERS

- 25.1 - DEFINITION. An associate member of Theta Xi is a prospective member who has received the Associate Member Ceremony.

25.2 - EDUCATION AND ACTIVITIES. Each associate member shall receive instruction in the public areas of history, ideals, principles, government, policies and responsibilities of membership in an education program approved by the Fraternity. No other education program shall be conducted with associate members unless prior authorization is obtained from the Grand Lodge. The associate member education program described in this section may be provided after the associate member is initiated if the chapter so chooses. Other than the education program described herein, no activities shall be conducted with or for associate members unless initiated members and associate members participate equally in the activity or prior authorization is obtained from the Grand Lodge. Nothing in this section shall be construed as permitting activities that are prohibited by Section 25.4.

25.3 - TERM OF ASSOCIATION. Any chapter may disassociate an associate member at any time prior to initiation by a majority vote of the chapter. No person may continue as an associate member for more than sixty-three (63) days unless the host institution's rules or regulations for eligibility require a longer time period to complete. If the host institution requirements take a longer time period to complete (for example the host institution requires that candidates meet certain academic requirements necessitating that grades must be available) the chapter shall conduct the vote required by Article 4 of the Constitution and shall notify the associate member(s) of the results of that vote within the maximum sixty-three (63) day associate period. If the result is positive, the notification must indicate that the associate member will be initiated as soon as practical after he meets the host institution's requirements. For purposes of calculating the sixty-three (63) day period described herein, holidays, vacation days and periods during which the associate is not attending classes, as defined by the chapter's host institution, shall not be counted. The maximum period may be extended in individual cases if prior authorization is obtained from the Grand Lodge. There is no minimum associate period established by the Fraternity. No person who has been disassociated may be re-associated without the approval of the National President. A chapter or colony seeking to re-associate a person who was previously disassociated must request permission to do so from the National President by a written request which states the date of original association, the date of disassociation, the reason(s) for disassociation and that the chapter has voted, by majority vote, to re-associate the person. The National President shall promptly notify the chapter in writing of his decision and state the date when the person returns to Associate Member status.

25.4 - PROHIBITION ON HAZING AND DUTY TO REPORT. No member of the Fraternity shall haze any person prior to, during, or following that person's initiation. Hazing is defined as, "Any action taken or situation created, intentionally, whether on or off fraternity premises, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include but are not limited to the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside of the confines of the chapter house; wearing of public apparel which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; and any other activities which are not consistent with fraternal law, ritual or policy or the regulations and policies of the educational institution." It shall be the duty of each member to report any incident that he may reasonably believe constituted hazing immediately to the chapter advisor or a national officer. No member or associate member shall be subject to any form of discipline, harassment, or retaliation by any person for reporting hazing.

25.5 - MINIMUM ACADEMIC PERFORMANCE STANDARD. Each associate member shall possess a minimum cumulative grade point average of at least 2.5, based upon a 4.0 scale, or such greater minimum cumulative grade point average as may be established by such associate member's chapter, at the time of his initiation. Each associate member affiliated in the first term of his freshman year, for whom collegiate grades are not available at time of his initiation, shall possess a minimum high school grade point average of at least 2.5 or such greater minimum high school grade point average as may be established by such associate member's chapter. No associate member may be initiated who fails to meet this standard.

BY-LAW 26 - DELEGATE OF THE GRAND LODGE FOR EACH CHAPTER

26.1 - APPOINTMENT AND REMOVAL. An alumnus member of the Fraternity shall be appointed by the National President to serve as the Delegate of the Grand Lodge to each chapter and colony. The alumnus member holding this position may be referred to as the Chapter Advisor where use of such title is more appropriate. This appointment shall expire thirty (30) days after the National Convention following the appointment, unless reappointed by the National President. A Delegate of the Grand Lodge to any chapter or colony may be removed by the National President only with the approval of the Grand Lodge.

26.2 - FUNCTIONS.

26.2.1 ON CHAPTER COMMITTEES. The Delegate of the Grand Lodge shall be an ex-officio member of all chapter committees.

26.2.2 MAY PARTICIPATE IN CHAPTER FUNCTIONS. The Delegate of the Grand Lodge may take part in any activities.

26.2.3 ON ALUMNI IFC. The Delegate of the Grand Lodge shall, whenever possible, be the principal chapter representative upon the recognized alumni inter-fraternity council or similar alumni group at the college or university where the chapter is located.

26.2.4 ATTEND CHAPTER MEETINGS. The Delegate of the Grand Lodge shall attend regular chapter meetings or designate a responsible alumnus member to act in his place, but shall not have a vote at the chapter meetings.

26.2.5 ADVISE CHAPTER ON RESPONSIBILITIES TO SCHOOL. The Delegate of the Grand Lodge shall consult with and advise the chapter officers concerning their obligations and on matters pertaining to fraternity administration within the chapter and its relationship to the college or university where the chapter is located.

26.2.6 ADVISE CHAPTER ON FRATERNITY RULES. The Delegate of the Grand Lodge shall advise the chapter with respect to conformity by the chapter to this Constitution, the Ritual, the chapter by-laws and the traditions, usages and obligations of the Fraternity.

26.2.7 ADVISE MEMBERS. The Delegate of the Grand Lodge shall advise individual members concerning personal decorum and matters of personal concern.

26.2.8 REPRESENT GRAND LODGE. The Delegate of the Grand Lodge shall represent the Grand Lodge in all matters pertaining to the chapter.

26.2.9 SUBMIT REPORTS. The Delegate of the Grand Lodge shall submit reports to the Grand Lodge on any condition that may require special attention or such other reports as required by the Grand Lodge.

26.2.10 COOPERATE WITH ALUMNI ASSOCIATION. The Delegate of the Grand Lodge shall cooperate with the chapter alumni association officers.

26.2.11 APPOINT SECRETS EXAMINATION COMMITTEE. The Delegate of the Grand Lodge may appoint a Secrets Examination Committee as provided for in By-Law Section 23.2.5.

26.3 - MEETING WITH GRAND LODGE. At each National Convention, the Grand Lodge shall meet with the Delegates of the Grand Lodge to discuss issues of mutual concern. Any Delegate of the Grand Lodge who wishes to meet with the Grand Lodge other than during the National Convention to

discuss an issue of concern shall be granted the opportunity to do so at a time and manner set by the National President.

26.4 - DEPUTY DELEGATE OF THE GRAND LODGE. A deputy Delegate of the Grand Lodge may be appointed on the same basis as the Delegate, to act as his assistant where the conditions may be such that the service of any additional Delegate is required.

26.5 - FACULTY ADVISORS. At those chapters where one or more faculty advisors are appointed by the administration of the college or university, such faculty advisor need not be a member of this Fraternity, and has such powers and duties as are determined by the school administration, provided, however, that unless the faculty advisor is an alumnus member of this Fraternity, and is also appointed as a Delegate of the Grand Lodge by the National President, he does not have the powers and duties of a Delegate of the Grand Lodge, as defined by this Constitution.

BY-LAW 27 - ORDER OF THE UNICORN

27.1 - PURPOSE. As a means of honoring certain members who through the years have rendered distinguished service to the National Fraternity, there shall be an honorary organization within the Fraternity known as "The Order of the Unicorn".

27.2 - ELECTION TO ORDER. Proposals for membership in the "The Order of the Unicorn" must be submitted to the Committee on Nominations at least three months in advance of a National Convention, and must be approved by the Committee on Nominations and the Grand Lodge before they may be brought to the floor of such National Convention for election. The Committee on Nominations shall submit to the Grand Lodge a report on its actions on such proposals at least thirty (30) days before the National Convention. Election to "The Order of the Unicorn" may be made by a three-fourths vote of a National Convention.

27.3 - HONORARY GRAND LODGE MEMBERS. Members elected to "The Order of the Unicorn" shall become honorary Life Members of the Grand Lodge.

27.4 - MEMBERSHIP SCROLL. A suitable scroll shall be presented to the members of "The Order of the Unicorn" by the National President or by some member officially delegated by him.

BY-LAW 28 - REGIONAL ORGANIZATION AND DIRECTORS

28.1 - ESTABLISHMENT OF REGIONS. The Grand Lodge may divide the chapters into districts, divide the districts into regions and shall have the power to regulate the activities of each district and region.

28.2 - REGIONAL DIRECTORS.

28.2.1 APPOINTMENT AND REMOVAL. The President may appoint district directors, regional directors and such assistant regional directors, as he shall deem necessary for each district and region, respectfully, subject to approval of the Grand Lodge. Each district director's, regional director's and assistant regional director's appointment shall expire thirty (30) days after the National Convention following his appointment unless reappointed by the National President with the approval of the Grand Lodge. A district director, regional director or assistant regional director may be removed by the National President only with approval of the Grand Lodge.

28.2.2 DUTIES AND POWERS. District directors, regional directors and assistant regional directors shall have all powers delegated to them by the National President and shall act in designated matters as the Grand Lodge's personal representatives. A district director should conduct a visitation of a chapter in his region at the request of the Grand Lodge and report upon such visitation in writing. District directors, regional directors and assistant regional directors shall act in an advisory function to the chapter advisors, alumni associations and alumni clubs in their assigned district or region and shall aid in the coordination of Fraternity resources at the district

and regional level.

BY-LAW 29 - STATEMENTS OF POSITION

29.1 - **USE OF ALCOHOL.** The possession, use, sale and/or consumption of alcoholic beverages on the premises of any chapter or at any entertainment function of any chapter shall be in compliance with all applicable laws. All rush activities associated with any chapter shall be non-alcoholic. All membership education activities shall be non-alcoholic. No chapter shall co-sponsor or co-finance a function where alcohol is purchased by one of the host chapters, groups or organizations. Moderation shall be encouraged during lawful consumption. Chapters shall develop and support programs and those groups or organizations seeking to educate chapter members on alcohol awareness. No member shall permit, tolerate, encourage or participate in "drinking games" at Fraternity-related functions.

29.2 - **RISK MANAGEMENT.** All chapters and colonies shall adopt a risk management program. The risk management program shall, at a minimum, meet all standards of the Theta Xi Risk Management Policy as adopted by the Grand Lodge and revised from time to time. An educational module on the subject of Fraternity and chapter risk management programs and policies shall be offered to all members of each chapter and colony on at least an annual basis.

29.3 - **LITTLE SISTER ORGANIZATIONS.** Auxiliary groups organized by chapters or colonies, commonly referred to as "little sister" organizations, are prohibited.

29.4 - **HUMAN DIGNITY.** Chapters and individual members shall not tolerate sexual abuse (emotional, verbal or physical) of women, shall neither condone nor participate in hazing activities and shall respect the dignity of those of different religion, ethnicity, sexual orientation, physical ability or political belief.

29.5 - **FRATERNITY EXPANSION.** All chapters shall support colonization efforts by the North-American Interfraternity Conference fraternities on their respective campuses.

BY-LAW 30 – INDEMNIFICATION OF MEMBERS OF THE GRAND LODGE

30.1 - **RIGHT TO INDEMNIFICATION.** Except as limited by Section 30.3 below, the Fraternity shall indemnify and hold harmless, to the fullest extent permitted by applicable law, any member of the Grand Lodge who is involved in any action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that he, is or was, a director or officer of the Fraternity, against all liability and loss suffered and expenses, including attorneys' fees reasonably incurred by such member of the Grand Lodge. Notwithstanding the preceding sentence, the Fraternity shall be required to indemnify a member of the Grand Lodge in connection with a proceeding commenced by such member of the Grand Lodge only if the commencement of such proceeding was authorized in the specific case by the Grand Lodge.

30.2 - **NONEXCLUSIVITY OF RIGHTS.** The rights conferred on any member of the Grand Lodge by this By-Law 30 shall not be deemed exclusive of any other rights to which such member of the Grand Lodge may be entitled under any provision of law, the Articles of Incorporation of the Fraternity, the Constitution or By-Laws of the Fraternity or any vote of the National Convention, and shall continue as to a member who has ceased to be a member of the Grand Lodge and shall inure to the benefit of his heirs, executors and administrators.

30.3 - **OTHER SOURCES.** The Fraternity's obligation, if any, to indemnify or to advance expenses to any member of the Grand Lodge shall be reduced by any amount such member of the Grand Lodge may collect as indemnification or advancement of expenses from any other source and shall not extend to expenses or liabilities which are paid or covered by any applicable policy of insurance, including but not limited to, policies purchased by the Fraternity, the Grand Lodge member, the Grand Lodge member's employer, host institution of any chapter of the Fraternity or any organization within the

Fraternity.

30.4 - AMENDMENT OR REPEAL. Any repeal or modification of the foregoing provisions of this By-Law 30 shall not adversely affect any right or protection hereunder of any member of the Grand Lodge in respect of any act or omission occurring prior to the time of such repeal or modification.

30.5 - OTHER INDEMNIFICATION AND PREPAYMENT OF EXPENSES. This By-Law 30 shall not limit the right of the Fraternity, to the extent and in the manner permitted by law, to indemnify and to advance expenses to persons other than members of the Grand Lodge when and as authorized by appropriate corporate action.

BY-LAW 31 - RULES OF ORDER

31.1 - ROBERTS RULES GOVERN. All meetings of the Fraternity, or of any group within the Fraternity, shall be governed by Robert's Rules of Order, except as otherwise stated in this Constitution or in the by-laws of the body holding such meetings.