



# Delta Sigma Phi Fraternity

## Constitution and Bylaws with commentary

Published July 2015. All previous copies are obsolete.

*(The Constitution is presented with amendments adopted at the 59th and Biennial Convention held in New Orleans, Louisiana, July, 2015.)*

**Note:** Some commentaries are included in this document as guidance and to be helpful in understanding the Constitution. Commentary is not part of the Constitution and is not voted upon by delegates at a convention. The commentary has been provided by Michael Wims, the Fraternity's Parliamentarian, and approved by the Executive Director, but is subject to amendment as directed by the Grand Council.

## Preamble

Delta Sigma Phi Fraternity in convention assembled declares and affirms the following principles:

That the belief in God is essential to our welfare.

That loyalty to the constituted authority of our nations and their subdivisions is a cardinal virtue of our Brotherhood, the pledged faith of which shall never be broken and that our Brotherhood, receiving the blessings of liberty, education, and fraternity, shall ever support, foster, and defend our universities, colleges, and school systems, founded under the dispensation of our governments and constituting the bulwarks of democracy for us, for our posterity, and for all men.

That the sanctity of the home and the sacredness of the family bond, the hearthstone of our enlightened civilization, and the chivalry of man toward woman, shall be maintained and protected by us, not only for ourselves and our posterity, but also for the good of all mankind.

That a symmetrical culture, a fraternal communion among the colleges of this country, and a brotherhood of men, whose ideals and beliefs are those of modern civilization, are essential to the welfare of our college men.

In furtherance of these aims, this Fraternity has recognized certain standards of attainment and gentlemanly conduct, expressed in the ideals symbolically represented by the three Greek letters, Delta, Sigma, and Phi; and it shall be the constant endeavor of the Brothers who may be called to preside over and govern the Fraternity, or its component chapters, to further the precepts of the Fraternity by every reasonable means within their power, and they, and each Brother of the Fraternity shall exemplify those principles, by conduct as well as enforcement in order that the Fraternity may grow and prosper with honor to itself and that the world may ever be convinced of the sincerity of our purpose.

## ARTICLE I—Name

### *Section A. Name*

The name of this Fraternity is Delta Sigma Phi Fraternity.

## ARTICLE II—Membership

### *Section A. Membership requirements*

Membership in this Fraternity shall be limited to men who have been accepted as a member by an undergraduate chapter. Each member upon initiation shall be given a certificate signed by the President of the Fraternity's Grand Council and Executive Director.

**Commentary.** A "member" includes all classifications of membership. Members who have not been initiated are referred to as "new members." (See Article II Section J.) Those who have been initiated are "initiated members."

A chapter that has not received a charter is a "new chapter." A chapter which has received a charter is a "chartered chapter." In this constitution the phrase "chapter" without a modifier, applies to new chapters, chartered chapters and alumni chapters. If necessary to distinguish between these types of chapters, the modifier is used.

Petitions for charter are addressed in Const., Art. VI, Sec. A.

Alumni chapters are formed by alumni members of the same undergraduate chapter, upon recognition by the National Headquarters in the manner provided in the bylaws. "Alumni chapters" usually support the undergraduate chapter with which they are associated. Alumni chapters usually have the same designation or name as the undergraduate chapter they support.

"Alumni associations" are formed by alumni members of various undergraduate chapters, upon recognition by the National Headquarters in the manner provided in the bylaws. Alumni associations are usually geographically established and are named according to the region in which the association exists.

**Section B. Classifications of membership**

Membership shall be classified as follows:

- §1. Undergraduate—Undergraduate members are those who are students at the college or institution at which they have been admitted to an undergraduate chapter of this Fraternity and those students who have transferred from one chapter to another in accordance with Section C of this Article. Members of an undergraduate chapter are either new members or initiated members.
- §2. Alumni—Alumni members shall be:
  - [a] those who either have graduated from or who are no longer attending the college or institution where they have been admitted to membership in an undergraduate chapter; or
  - [b] gentlemen who are initiated as alumni members. Such gentlemen must possess outstanding character and potential for service and contributions to the Fraternity, they must not be members of any other national general college fraternity.  
Gentlemen who are initiated as Alumni must be initiated into an undergraduate chapter following approval by the undergraduate chapter and, if there is an Alumni Corporation Board for that chapter, approval by that Alumni Corporation Board.
- §3. Honorary Members—Honorary members shall be those so designated by the Grand Council.

**Commentary.** Section 2 (b) provides for gentlemen to be initiated as “alumni members.” Men who are approved for initiation as alumni members *must* be accepted by, and initiated into, an undergraduate chapter. Consequently, all members, whether alumni or not, have an undergraduate chapter into which they are initiated.

Once an undergraduate member is no longer a student, the member becomes an “alumnus member” of that chapter. When an undergraduate chapter has voted to approve a gentleman to be initiated under Art. I, Section B 2(b), that gentleman is initiated “into” that undergraduate chapter as an “alumnus member” of that undergraduate chapter. Nevertheless, circumstances may make it more convenient to perform the approved initiation at another location and by other initiated members.

Those who are initiated as alumni members are full members of this fraternity and are not “honorary members.” There has only been one honorary member in the history of the fraternity, James J. Davis, who in 1923 was initiated into Omega Chapter. He was the Secretary of Labor in the Harding, Coolidge and Hoover administrations.

“Undergraduate chapters” are composed of members who are students at the university or college at which the chapter exists. “Alumni chapters” are those chapters that are solely composed of alumni members of the same undergraduate chapter providing that the alumni chapter has received a charter from the Grand Council recognizing that alumni chapter. “Alumni Associations” are composed of alumni from more than one undergraduate chapter and are regional in nature. To become an Alumni Association the association must be recognized by the Grand Council.

**Section C. Transfer or affiliation of membership**

- §1. A member of one undergraduate chapter may affiliate with or transfer to another undergraduate chapter with the consent and approval of each chapter concerned, provided the member is in good standing with the Fraternity and the chapter from which he transfers. By affiliation, an alumnus may be extended recognition as a member of a chapter other than the one into which he was initiated.
- §2. Prior to acting upon an application for transfer or affiliation, the chapter which proposes to receive a transfer or affiliation of a member shall obtain confirmation from the Executive Director that the applicant for transfer or affiliation is in good standing with the Fraternity and his original chapter. After acting favorably upon an application for transfer or affiliation, the chapter that accepts the transfer or affiliation shall file a notice of such action with the Executive Director.

**Commentary.** “Transfer” of membership results in the initiated member no longer being a member of the undergraduate chapter into which he was initiated. He is only a member of the one undergraduate chapter that accepts his transfer. However, his original chapter would still be the chapter of initiation. “Affiliation” of a member results in the member being a member of each chapter that accepts his affiliation. Hence, a member may be a member of one or more undergraduate chapters. Transfer is the process often used by a member who was initiated at one university, but shortly thereafter becomes a student at another university for the remainder of his undergraduate education. Affiliation is often used to honor an alumnus who was initiated into one chapter but has been instrumental in starting another, or serves as an alumnus volunteer at another.

**]Section D. Life membership**

Membership in this Fraternity shall be for life, and no initiated member of this Fraternity can voluntarily sever his connection therewith. However, new members may voluntarily resign at any time prior to initiation.

**]Section E. Termination of Membership of initiated members.**

Any initiated member may be expelled from this Fraternity by a vote of the Grand Council, or, in the case of an initiated member charged solely with financial delinquency, by a vote of three-fourths of the members of an Alumni Corporation Board present and voting at a duly constituted meeting, after due hearing:

- §1. Upon request of an undergraduate chapter against an initiated undergraduate member following a three-fourths vote of the undergraduate members present and voting at a duly constituted meeting;
- §2. Upon request of an Alumni Corporation Board in cases that are not solely financial, by a three-fourths vote of those Board members present and voting at a duly constituted meeting, against any member, or;
- §3. Upon request of any member of the Grand Council against any member for conduct unbecoming a member of the Fraternity.

**Commentary.** For termination of the membership of new members (those who have not been initiated) see Art. II Section J.

Financial Expulsions of initiated members requires a  $\frac{3}{4}$  vote of the ACB.

Expulsions for non-financial reasons are initiated by either an ACB or an undergraduate chapter upon a  $\frac{3}{4}$  vote, or by any member of the Grand Council. Expulsions for non-financial reasons require a majority vote of the Grand Council.

There are provisions in Bylaws, Art. XIV regarding suspension of members in chapters undergoing reorganization.

**]Section F. Right to due process**

Any initiated member against whom expulsion proceedings have been brought may request a hearing before a committee appointed by the Executive Director. Findings of this hearing shall be reported to the Grand Council.

**]Section G. Appeal of expulsion for financial delinquency**

Any initiated member expelled by an Alumni Corporation Board for financial reasons shall be entitled to appeal that expulsion to the Grand Council by forwarding that appeal to the Executive Director by certified or registered mail, return receipt, within twenty (20) days of the date of notification of the expulsion. The Grand Council shall affirm or reverse the expulsion by majority vote within the time specified by Article IX, Section B.

**]Section H. Reinstatement**

A person expelled from membership may be reinstated by the unanimous vote of the Grand Council upon good and sufficient cause being shown, provided, however, that a member expelled solely for financial delinquency may be reinstated by majority vote of the Grand Council upon proof that all financial obligations of the expelled member to this Fraternity have been fully paid.

**]Section I. Suspension**

Members may be suspended or reinstated from such suspension in this Fraternity for such causes and upon such terms as the Grand Council may, from time to time, determine by majority vote.

**Section J. Termination of membership of New Members.**

New members are probationary members who are candidates for initiation. As such, new members enjoy that status at the pleasure of and unfettered discretion of the initiated members of the undergraduate chapter at which they are new members. A new member's membership may also be terminated by the Alumni Corporation Board or Chapter Advisor of that undergraduate chapter, or by the Executive Director.

"New Members" are those who have not been initiated. New Members are probationary members who are simply candidates for initiation into the fraternity. New member status may be terminated by the undergraduate chapter that extended the new member the invitation to join this fraternity, by the Alumni Corporation Board of

that undergraduate chapter, by the Chapter Advisor of the undergraduate chapter, or by the Executive Director of the Fraternity or by the Grand Council.

## ARTICLE III—Government

### §Section A. Authority

The governing power of the Fraternity is vested in a Grand Council who shall be elected and constituted as hereinafter set forth.

### §Section B. Grand Council composition, elections, vacancies, removal and terms of office

§1. Composition and Term: The Grand Council shall be composed of nine members, six of whom shall be elected alumni members in good standing. The term of office for elected alumni members is four years, or until successors are elected and qualified as specified in the Bylaws. Two members shall be elected undergraduate members in good standing. One of the undergraduate members shall be an undergraduate member in good standing elected at the biennial convention, in the manner specified in the Bylaws. The other undergraduate member shall be elected biennially in the year following the biennial convention in the same month as the biennial convention convened in the previous year. The term of office for elected undergraduate members is two years, or until a successor is elected and qualified as specified in the Bylaws. The other member of the Grand Council shall be the immediate Past President. The terms of office for all Grand Council members except the undergraduate member not elected at the biennial convention begin and end at the adjournment of the biennial convention. The term of office of the undergraduate member not elected at the biennial convention begins and ends as specified in the Bylaws. Officers shall take an oath consistent with the principles stated in the preamble to the Constitution.

**Commentary.** The next-to-last sentence provides that “The term of office of the undergraduate member not elected at the biennial convention begins and ends as specified in the Bylaws.” That provision is in the Bylaws, Art. XII, Sec. 5.

§2. Eligibility: Eligibility for Grand Council membership, nomination procedures and appointment to vacancies occurring within the Grand Council shall be provided for within the Bylaws of the Fraternity. Only initiated members are eligible to be elected to the Grand Council. No member may be elected to the Grand Council who has not fulfilled the additional eligibility requirements as set forth in the bylaws.

**Commentary.** Eligibility requirements for membership on the Grand Council is in the Bylaws, Article IV, Sec. 1. See also Bylaws Art. V, Sec. 5.

Provisions concerning vacancies in the Grand Council are in the Bylaws, Art. IV, Sec. 2.

§3. Vacancies: A vacancy shall occur (i) when a member of the Grand Council resigns, dies, is removed or is ineligible to continue to hold office; or (ii) when a position on the Grand Council is to be submitted to the delegates at a biennial convention for election pursuant to Article III, Section B (5), and no member is elected to such position prior to the adjournment of such biennial convention. Any such vacancy shall be filled in accordance with the Bylaws.

**Commentary.** See Bylaws concerning vacancies Art. IV, Sec. 2.

§4. Removal: Provisions for removal of members from the Grand Council shall be provided in the Bylaws; provided, that no member of the Grand Council will be removed from the Grand Council by less than a three-fourths vote of the Grand Council.

**Commentary.** See also Bylaws, Art. VIII Section 2.

§5. Election: The delegates to the biennial convention shall be entitled to vote for the election of the following members of the Grand Council in accordance with the Constitution and Bylaws:

- [a] One undergraduate member;
- [b] Three alumni members, who shall fill the three four-year terms that will expire at such biennial convention;

- [c] In the event that a vacancy on the Grand Council has occurred between the immediately preceding biennial convention and the current biennial convention, and the elected term of office remaining on such vacancy extends beyond the current biennial convention, one member to fill each such remaining terms; and
- [d] In the event that a vacancy on the Grand Council has occurred between the immediately preceding biennial convention and the current biennial convention, and the elected term of office remaining on such vacancy extends beyond the current biennial convention, one member to fill each such remaining terms; and
- [e] In the event that the President of the Grand Council is, due to a term limitation, ineligible to be reelected President at the current biennial convention, and such member's elected term of office remaining on the Grand Council extends beyond the current biennial convention, one alumnus member to fill the remainder of such unexpired term.
- [f] The elected members of the Grand Council who are elected at the biennial convention shall be elected by the voting delegates to the convention of the Fraternity in the manner specified in the Bylaws. The undergraduate member of the Grand Council who is not elected by the convention shall be elected in the manner specified in Article V of this Constitution and as specified in the Bylaws.

**Commentary.** Provisions for the balloting at the national convention, for the positions on the Grand Council, are in the Bylaws, Art. XI, Sec. 3. The provisions for the election of the undergraduate member of the Grand Council who is not elected by the convention are in the Bylaws, Art. XII.

The Grand Council elects its own officers, who are also the officers of the Fraternity. See Sec. E, 3, below.

Terms of the alumni members are staggered so that at least three vacancies are filled at each convention.

Subsection 5[c] provides for appointment to fill vacancies occurring between conventions. See also, Bylaws Art. IV, Sec. 2. Pursuant to sub-section 1, the immediate Past President is automatically a member of the Grand Council.

Sub-section 5[d] sets out the procedure to fill the vacancy created if the President's term on the Grand Council does not expire after the upcoming convention, but he will become the Past-President due to a term limitation on his holding the office of President, thereby filling the Past President position on the council. Terms of the undergraduate members are staggered. One undergraduate member is elected at a convention. The other undergraduate member is elected according to the procedure in Art. V of the constitution.

Election procedures are in Bylaws, Art. XI.

### ***}Section C. Meetings***

The Grand Council shall meet concurrently with the Biennial Convention and at the call of the President, but at least twice in each calendar year.

**Commentary.** Notice requirements for the meetings and provisions regarding fees and expenses are in Bylaws, Art. IV, Sec. 3-5. Telephonic meetings and mail balloting are authorized in the Bylaws, Art. IV Sec. 8.

### ***}Section D. Quorum***

Five members of the Grand Council shall constitute a quorum for transacting business. A majority of those present and voting at any meeting at which a quorum is present shall be sufficient vote to determine any question not otherwise specified herein.

### ***}Section E. Officers***

- §1. The national officers of this Fraternity shall be the members of the Grand Council, the Executive Director and such other officers as the Grand Council may from time to time designate and appoint.

**Commentary.** See Bylaws, Art. V and VI.

- §2. The officers of the Grand Council shall be the President, Vice-President and Secretary-Treasurer.

**Commentary.** See Bylaws, Art. VI

§3. Elected officers of the Grand Council shall be elected from the members of the new Grand Council before the last session of each Biennial Convention by a combination of incoming, outgoing, and continuing members of the Grand Council. They shall be elected for a term of two years and shall serve until their successors are elected and qualified.

**Commentary.** For Removal of Officers see, Bylaws, Art. VIII.

§4. The Executive Director and other officers shall be appointed by the Grand Council.

**Commentary.** Provisions for the Executive Director are in Bylaws, Art. VI, Sec. 5.

§5. The Executive Director of the Delta Sigma Phi Fraternity shall be an initiated member of the Fraternity.

**)}Section F. *The Undergraduate Members of the Grand Council***

§1. Undergraduate Members of the Grand Council are eligible for only one term as an elected undergraduate member.

**Commentary.** See Art. V for additional provisions concerning the election of the undergraduate member of the Grand Council who is elected in non-convention years.

**)}Section G. *President limited to two terms***

The President of this Fraternity shall not be eligible for election to more than two terms of two years each.

**Commentary.** The process for balloting for the President is in the Bylaws, Art. XI, Sec. 3.

**)}Section H. *Duties of officers***

The duties of the several officers of this Fraternity shall be as set forth in the Bylaws thereof.

**Commentary.** The duties of the National Officers are in Bylaws, Art. VI.

**)}Section I. *Custody, investment and control of funds***

§1. The custody, investment, and control of all funds of this Fraternity is vested in the Grand Council.

**Commentary.** See also, Bylaws, Art. VI, Sec. 3, Sec. 5.h and I and Bylaws, Art. XI and X.

**)}Section J. *Regions***

§1. The United States and Canada shall be divided into 5 or more regions of no more than 25 chapters per region.

§2. The Grand Council shall set the geographical boundaries of the regions and specify the chapters to be included in each.

§3. The Grand Council shall appoint a Regional Commissioner for each region to assist the chapters and alumni corporation boards therein. Regional Commissioners, who shall be chosen from alumni members in good standing of the Fraternity living in or conveniently near their respective regions, shall be appointed by the Grand Council within 45 days after the close of the previous Convention for a term that expires at the close of the next Convention. Regional Commissioners may be reappointed. Regional Commissioners may also be appointed between Biennial Conventions, as needs arise, for terms expiring at the next Biennial Convention or so long as they perform faithful service.

**Commentary.** Provisions concerning Regional Commissioners are in Bylaws Art. V, Sec. 1 and 2; See also Bylaws, Art. VI, Sec. 4.

§4. The Executive Director may from time to time appoint Deputy Regional Commissioners within each region who will report to and assist the Regional Commissioner in carrying out his duties.

**Commentary.** The Grand Council appoints the Regional Commissioners. See, Bylaws, Art. V.

§5. Regional Commissioners may from time to time report to the Grand Council and Executive Director on conditions in their regions and make policy recommendations to the Grand Council.

**Commentary.** The duties of Regional Commissioners are set out in the Bylaws, Art. VI, Sec. 4.

§6. Regional workshops shall be held as needed.

§7. Regional workshops shall consider methods of improving chapter strength in the region, conduct leadership seminars on member recruitment, chapter management, and other aspects of chapter operation, and may recommend legislation to the Grand Council or the Biennial Convention.

§8. In voting on matters of official business at Regional workshops, each undergraduate chapter with a representative or representatives present shall have one vote.

§9. Expenses of the delegates to Regional workshops shall be borne by the bodies of the Fraternity they represent; Chapter Advisors and undergraduate chapter delegates by the chapter; Alumni Corporation Board presidents by Alumni Corporation Boards; alumni chapter presidents by alumni chapters; alumni association representatives by the alumni association and Regional Commissioners by the National Fraternity, if such expenditures have been authorized by it.

#### ***}Section K. Ritual***

The secret enactments of the Fraternity shall be those contained in the Ritual. These enactments shall have equal force and validity in all respects to the Constitution. The Ritual shall remain unaltered and unamended except by a three-fourths vote of the Convention after approval by the Grand Council and after submission to the chapters with due regard to secrecy, of the amendment in full at least 60 days before opening of the Convention. Only initiated members may be present at esoteric ritual events and meetings at which esoteric ritual is observed.

**Commentary.** Undergraduate chapters should welcome all members, whether or not initiated, at all chapter meetings. However, at chapter meetings at which esoteric (secret) ritual is to be observed, only initiated members are allowed to be present. Members who are not initiated, of course may attend the ritual ceremony to initiate them.

#### ***}Section L. Bylaws***

Bylaws, not inconsistent with this Constitution, and in furtherance of the purposes thereof, shall be promulgated. The Bylaws shall be approved or amended by a two-thirds vote of the Grand Council.

#### ***}Section M. Fraternity Manual***

The Grand Council shall issue, and revise as necessary, a Fraternity Manual for the chapters of this Fraternity which shall have equal force and validity in all respects to the Bylaws of this Fraternity. Other manuals relating to the government and well-being of this Fraternity shall be issued from time to time by and with the authority of the Grand Council.

## **Article IV—The Convention**

**Commentary.** The provisions in the Bylaws regarding the convention are in Art. XI.

#### ***}Section A. Frequency and notification of chapters***

The Convention shall be called by the Grand Council once every second year, and notice of the time and place shall be given to chapters and alumni associations at least six months prior to the date of the Convention; provided however, that if the Grand Council shall conclude that the holding of a Biennial Convention is inadvisable because of the state of the nation or the financial condition of the Fraternity, then the Grand Council by a two-thirds vote has the authority to postpone the Convention until such time as the condition causing the postponement shall have passed, in which case notice shall be sent by registered or certified mail, return receipt requested, to each chapter and alumni association. In the event of a postponement all officers except the elected undergraduate members of the Grand Council shall continue in office during the postponement. In the event of a postponement the undergraduate members' terms expire

when they have been in office for two years. Interim vacancies in all offices shall be filled during the postponement in the same manner as when there is no postponement.

**Commentary.** The unmodified word “chapter” applies to both undergraduate chapters and alumni chapters.

**}Section B. Voting rights**

- §1. Each chapter in good standing with more than 50 members shall be allowed two votes at the Convention, and all other chapters in good standing shall be allowed one vote, such votes to be cast by delegates in good standing duly chosen by such chapters and whose names must be certified to and be received by the Executive Director 20 days before the opening of the Convention. Such certificates shall be certified by the President and Secretary of the chapter. Any chapter or member shall be in good standing when such chapter or member has satisfied all obligations to the Fraternity.
- §2. Each member of the Grand Council, each Regional Commissioner and each Deputy Regional Commissioner shall be allowed one vote at the Convention.
- §3. Each duly qualified Chapter Advisor in attendance at the Convention shall be allowed one vote. In the absence of the Chapter Advisor, his vote may be exercised by the duly elected president of the undergraduate chapter’s Alumni Corporation Board, if present. However, in this event, the name of the Alumni Corporation Board president must be certified to and received by the Executive Director 20 days prior to the opening of the Convention. Such certification shall be certified by the Chapter Advisor, a Regional Commissioner, or the Executive Director.
- §4. Each alumni association in good standing with more than 50 alumni members shall be allowed two votes at the Convention, and all other alumni associations in good standing shall be allowed one vote, such votes to be cast by delegates in good standing duly chosen by such associations or chapters. The provisions of Section B, §1 of this Article as to certification and receipt of names of delegates apply to alumni associations.

**Commentary.** A chapter is in good standing if the chapter has satisfied all financial obligations to the national fraternity and is not on probation or suspension. This applies equally to new chapters and to chartered chapters. Chapters must be in good standing for their delegates to vote at a convention.

**}Section C. Dual votes prohibited**

The voting rights conferred upon chapters, associations and individuals in Section B of this Article notwithstanding, no individual shall cast more than one vote.

**}Section D. Housing/Travel reimbursement prohibited**

The Fraternity shall not pay any of the travel or housing expenses of delegates to Conventions.

**}Section E. Authority to set general policy**

The Convention shall prescribe and determine the general policies of this Fraternity.

**}Section F. Presiding officer and rules of order**

The Convention shall be presided over by the President, and wherein not otherwise provided in this Constitution or the Bylaws, Robert’s Rules of Order, newly revised, shall apply.

**Commentary.** Standing Rules for the convention are authorized in the Bylaws, Art. XI, Sec. 5.

## **ARTICLE V—The Undergraduate Member of the Grand Council Not Elected by Convention**

**}Section A. Voting rights**

- §1. Each chapter or alumni association in good standing with more than 50 members shall be allowed two votes, all other chapters or alumni associations in good standing shall be allowed one vote. Votes shall be cast by electors who shall be members in good standing of the entity that chooses them.
- §2. Names of the electors shall be certified in the manner specified in the Bylaws. Any chapter, alumni association, or member shall be in good standing when such chapter or member has satisfied all obligations to the Fraternity.

§3. Each member of the Grand Council, each Regional Commissioner and each Deputy Regional Commissioner shall be allowed one vote.

§4. Each duly qualified Chapter Advisor shall be allowed one vote. If the Chapter Advisor is unable to participate, his vote may be exercised by the duly elected president of the undergraduate chapter's Alumni Corporation Board. In such event, the name of the Alumni Corporation Board president must be certified to and received by the Executive Director in the manner specified in the Bylaws. Such certification shall be certified by the Chapter Advisor, a Regional Commissioner, or the Executive Director.

***]Section B. Dual votes prohibited***

The voting rights conferred upon chapters, alumni associations, and individuals in this Article notwithstanding, no individual shall cast more than one vote.

**Commentary.** The words "chapter" in Article V, applies to both alumni chapters and to undergraduate chapters. The amendments to this section adopted in 2015 had no change on the existing practice.

The process for conducting the election are set out in the Bylaws, Art. XII.

## **ARTICLE VI—Chapters and Charters**

***]Section A. Procedure for review of petitions***

Applications or petitions for charters shall be made to the Executive Director, who shall prepare the same for submission to the Grand Council.

***]Section B. Role of the national Fraternity***

§1. Neither the national Fraternity nor its officers has control of or responsibility for the day-to-day operations of its individual members, chapters or the separate alumni organizations. However, should it come to the attention of any officer of the national Fraternity that any policies or practices of an undergraduate chapter, alumni chapter or alumni association, or any individual member are in violation of this Constitution, its Bylaws, or the stated policies of this Fraternity, then such actions as may be appropriate may be taken by the Grand Council or any national officer provided such actions are not in violation of this Constitution or the Bylaws of this Fraternity. The governing documents, including, but not limited to, articles or certificates of incorporation, bylaws, constitutions, rules, regulations or policies of any kind or nature, of the national Fraternity, chapters, , alumni corporation boards, alumni chapters and alumni associations shall not conflict with any federal, state, or local law.

§2. It is the function of the Fraternity and its officers to offer educational programs to its individual members, chapters which encourage development by each of them of their highest potential for the good of themselves, their college and community. Authority for the overall conduct of such programs shall be vested in the Grand Council, and other national officers, but may be delegated to the Executive Director.

***]Section C. Disposition of chapter property***

In the event that the Grand Council revokes the charter of an undergraduate chartered chapter, or withdraws recognition of a new chapter, or in the event that an undergraduate chapter becomes inactive, the Alumni Corporation Board of such chapter should take control of the assets of the chapter, satisfy claims of creditors of the chapter and then transfer the balance of the assets of the chapter to the Fraternity to be held for the benefit of such chapter, according to the procedures and requirements of the Fraternity.

**Commentary.** See Section F for the process for suspending or revoking a chartered chapter or terminating the status of a new chapter.

***]Section D. Duties of undergraduate officers***

All undergraduate chapters shall have officers with duties as outlined in the Fraternity Manual.

***]Section E. Conduct of members***

The Fraternity expects its members to always conduct themselves at the highest moral and social level. We are ever mindful that the minimal level of acceptable conduct is delineated by applicable law.

***]Section F. Suspension and revocation of a charter or status***

§1. The status of a new chapter may be terminated by a majority vote of the Grand Council.

§2. The charter of any undergraduate or alumni chapter or alumni association may be suspended by a majority vote of the Grand Council or revoked upon a three-fourths vote of the Grand Council.

## ARTICLE VII—Ceremonies and Insignia

The Ceremonies and Insignia of this Fraternity shall be established by the Rituals, Manuals, and Bylaws of this Fraternity.

## ARTICLE VIII—Honors

### *Section A. Major awards authorized and described*

The Fraternity may grant awards from time to time, to promote its ideals, to recognize superior achievements, and to encourage contributions to its cause.

§1. The highest award of the Fraternity shall be the designation of an alumni member as recipient of the Mr. Delta Sig Award. The Mr. Delta Sig Award shall be granted from time to time by the Grand Council or its designee on the basis of sustained contributions of major importance to the National Fraternity.

§2. A minimum of one Harvey Hebert Award shall be made for each calendar year by a committee comprised of previous Harvey Hebert Award winners appointed by the President, said award to be presented to the recipients at the Biennial Convention. This award shall be granted to alumni members on the basis of outstanding service to the Fraternity, or for achievement which reflects honor upon the Fraternity.

§3. An Outstanding Undergraduate Award or Awards shall be granted annually to one of our undergraduate members whose achievements and leadership reflect the highest ideals of the Fraternity. The specific qualifications for the awards and the names by which they are designated shall be established from time to time by the Grand Council.

### *Section B. Other awards authorized*

Other awards may be created and conferred by or with the consent of the Grand Council as conditions may warrant.

## ARTICLE IX—Amendments

### *Section A. By Convention*

By Convention: This Constitution may be amended in a two-thirds affirmative vote of the Biennial Convention. Amendments may be proposed by the Grand Council. A proposed amendment may also be submitted in writing by registered or certified mail, return receipt requested, to the Grand Council in care of the Executive Director by any chapter or alumni association, in good standing, at least 120 days before the opening of the Convention. The Grand Council shall submit any proposed amendments to the chapters and alumni associations of the Fraternity at least 60 days prior to the Convention, with any recommendations the Council may have. A proposed amendment submitted to the Convention may be further amended by it without resubmittal to chapters and alumni associations. Amendments approved in this manner shall become effective upon adoption.

### *Section B. By Direct Submission*

By Chapters: This Constitution may be amended by a two-thirds affirmative vote of the chapters, Grand Council members, past national presidents not currently serving on the Grand Council, Regional Commissioners, Chapter Advisors, and alumni associations eligible to vote at Biennial Conventions as described in Article IV, or their substitutes as defined in Article IV, each with the number of votes described therein. Provided, however, that proposed amendments shall be submitted in writing by registered or certified mail, return receipt requested, to the Grand Council, in care of the Executive Director, by any undergraduate or alumni chapter in good standing, or by the Grand Council. The Grand Council shall consider said proposed amendment, and it shall be submitted in writing to the chapters and all others entitled to vote upon it within 60 days after the receipt of said proposed amendment with any recommendations the Grand Council may have. Chapters and all others entitled to vote upon the proposal, upon receipt of said proposed amendment, shall within 60 days, forward their votes to the Grand Council, in care of the Executive Director. All amendments approved in this manner shall become effective 15 days after expiration of the 60 day voting period.

## **ARTICLE X—Appeal for Reconsideration**

### ***Section A. Procedure***

Upon a three-fourths majority vote, a chapter may appeal for reconsideration any act of the Grand Council or National Officer by forwarding its appeal by registered or certified mail, return receipt requested, to the Grand Council in care of the Executive Director. Said appeal shall recite such act, ruling, or edict of the Grand Council or National Officer which the chapter considers detrimental to the interests of the National Fraternity or chapter thereof.

### ***Section B. Requirement for Grand Council action.***

Upon receipt of such appeal by the Executive Director, it shall be incumbent upon the Grand Council or National Officer concerned to either affirm or reverse the said act within 21 days after receipt of such appeal.

## **CERTIFICATION**

The undersigned hereby certify that this Constitution was amended and restated in its entirety, as previously amended, by the Convention assembled in New Orleans, Louisiana, July 2015.

/s/Thomas A. Cycyota, President

/s/Patrick F. Jessee, J.D., Executive Director

# BYLAWS OF *DELTA SIGMA PHI*

## **Article I—Principal Office**

The principal office of this Fraternity shall be in Indianapolis, Indiana, or at such other place as may be designated by the Grand Council.

## **Article II—Corporate Seal**

The corporate seal of this Fraternity shall be circular in form. Inside the outer circumference shall be inscribed the words “Sigillum Fraternitatis” and the Greek symbols for Delta Sigma Phi. Within a smaller circle shall be an equilateral triangle divided into three triangles, each of the three smaller triangles bearing one symbol: a lyre, a lamp, and a knot. Within the smaller circle, but outside the equilateral triangle, shall be the words “In’c’pt. Washington D.C. 1929.”

## **Article III—Authority for Bylaws**

The authority for these Bylaws is the Constitution of Delta Sigma Phi Fraternity as particularly expressed in Article III, Section B, H, M, and Article VI, and amendments as may be made thereto.

## **Article IV—Grand Council**

### ***Section 1. Eligibility for Council Membership***

§a. To be eligible for service on the Grand Council as an alumnus member, a person shall:

- 1.) be an initiated member of the Fraternity;
- 2.) have a baccalaureate degree or higher from an accredited four year institution;
- 3.) be at least thirty years of age;
- 4.) submit a personal statement explaining why he wishes to fill the position of Member of the Grand Council;
- 5.) submit the above information to the Executive Director at least 120 days prior to the opening of the National Convention at which he intends to seek the position; and
- 6.) attend the National Convention at which he intends to seek the position.

§b. To be eligible for service on the Grand Council as an undergraduate member, a person shall:

- 1.) be an initiated member of the Fraternity;
- 2.) be enrolled in a baccalaureate degree program as a full-time student at an accredited institution of higher education or have obtained a baccalaureate degree during his term of office;
- 3.) be in good standing with the National Headquarters and the local chapter of which he is a member;
- 4.) have a grade point average equivalent to at least 3.0 on a 4.0 scale;
- 5.) remain an undergraduate for at least one year from the date of election; and,
- 6.) submit a personal statement explaining why he wishes to fill the position of Undergraduate Member of the Grand Council.
- 7.) submit the above information to the Executive Director at least 120 days prior to the opening of the National Convention at which he intends to seek the position or at least 120 days prior to the date of the first ballot of the election in a non-convention year; and,
- 8.) if the election is to be held at a convention, attend the National Convention at which he intends to seek the position.

§c. At least 30 days prior to the opening of the National Convention or at least 30 days prior to the first ballot of an election in a non-convention year, the Executive Director shall submit a list of all candidates for the Grand Council, including the personal statements, to all voting delegates to the National Convention or eligible voters for the election in non-convention years.

§d. Disputes concerning eligibility shall be determined in such a manner as the Grand Council shall provide.

***]Section 2. Vacancies***

Vacancies occurring on the Grand Council for reasons other than expiration of terms shall be filled until the next Convention by a qualified individual, appointed by the remaining members of the Grand Council.

**Commentary.** See, Constitution, Art. III, Sec. B 3.

***]Section 3. Notice of Meetings***

Notice of Grand Council meetings, other than the biennial meeting at the Convention, shall be given by letter, personal notification, telephone, or telegram from the Executive Director on direction of the President, in sufficient time to reach each member's address at least 21 days before the time appointed for the meeting. If the time and place of the next Grand Council meeting has been set and announced prior to the adjournment of the previous meeting, then no further notice is necessary.

***]Section 4. Fees for Meetings***

No member of the Grand Council shall receive a fee of any kind for attending a meeting of the Council or for other services.

***]Section 5. Expenses***

Authorized travel, food, and hotel expenses of members of the Grand Council and employees required to attend meetings of the Grand Council shall be reimbursed according to a predetermined schedule established by the Council.

***]Section 6. Other Committees***

The Grand Council may from time to time create committees of one or more members of the Fraternity for such purposes and with such powers as the Grand Council may determine, provided that such purposes and powers shall not be contrary in any way to the provisions of the Constitution, Bylaws, nor to the actions or policies of the Grand Council, and provided that the work of such committees does not duplicate that of a committee then in existence.

***]Section 7. Mail Ballots***

Actions may be taken by the Grand Council through a vote of the Grand Council by mail. At least five members of the Council must return ballots for the results to be valid.

***]Section 8. Telephone Meetings***

Meetings of the Grand Council may be conducted by conference telephone or similar communication equipment by which all persons participating in the meeting can hear the others and be heard by the others. Such participation shall constitute presence in person at the meeting. Notice of meetings by telephone conference may be given in the same manner as provided by Article IV, Section 3, received by each member of the Grand Council at least 24 hours in advance of the meeting.

***]Section 9. Legislative and Policy Public Statements***

The National Fraternity will only make public statements in support of or disagreement with a policy or related to political or legislative issues to the extent such policy or political or legislative issues is related to the Fraternity or its ability to operate, and any such public statements must be approved by vote of the Grand Council."

## **Article V—Officers**

***]Section 1. Unexpired Terms of Regional Commissioners***

Vacancies occurring among the Regional Commissioners for reasons other than expirations of terms shall be filled until the next Convention by the Grand Council. The Grand Council shall decide, pursuant to Article III, Section K, §3 of the Constitution, when a Regional Commissioner has failed to perform faithful service. When the Grand Council so decides then that Regional Commissioner's office shall be declared vacant.

**)}Section 2.     *Commissioners***

The Grand Council may appoint National Commissioners for such areas of Fraternity operation as may be considered appropriate. Such National Commissioners shall be appointed at the end of each National Convention and shall serve a term of two years until the end of the next National Convention. National Commissioners may be appointed between National Conventions and shall serve until the end of the next National Convention following their appointment. National Commissioners shall be eligible for reappointment at the discretion of the Grand Council. Each National Commissioner shall report results of his work to such member of the Grand Council as the President shall specify.

**)}Section 3.     *Additional Officers***

The Grand Council may from time to time appoint, in addition to appointive officers named in Article III, Section E, §4 of the Constitution, such other subordinate officers or agents as may be deemed appropriate and prescribe the duties and remuneration, if any, for each. Only employees of the Fraternity or officers receiving a fee as compensation for services shall be deemed to have any contract right to their offices.

**)}Section 4.     *Bonding of Officers***

Any officers, representatives, and employees of the Fraternity shall, on the direction of the Grand Council, be bonded for the faithful performance of duties in such amount and by such surety company as the Grand Council or Executive Director may direct. Premiums on such bond shall be paid by the Fraternity.

**)}Section 5.     *Except for the two undergraduate members of the Grand Council all officers shall:***

- §a. be an initiated member of the fraternity, and
- §b. have earned a baccalaureate degree or higher from an accredited four year institution of higher learning.

## **Article VI—Powers and Duties of National Officers**

**)}Section 1.     *President***

The President shall be the chief executive officer of the Fraternity and shall direct the general activities of the Fraternity under policies established by the Grand Council. He shall perform the following duties:

- §a. Preside at the National Convention.
- §b. Act as Chairman of the Grand Council.
- §c. Appoint Convention committees.
- §d. Appoint such other committees as may be authorized and approved by the Grand Council.
- §e. Call meeting of the Grand Council.
- §f. Sign such legal documents as may be authorized by the Grand Council. §g. Perform such other duties as may be directed by the Grand Council.

**)}Section 2.     *Vice President***

Upon the resignation, incapacity, or death of the President, the Vice President shall assume the office of the President for the remainder of the unexpired term. He shall also supervise any department and operation of the Fraternity that the President may from time to time assign to him.

**)}Section 3.     *Secretary-Treasurer***

The Secretary-Treasurer shall have the following duties and responsibilities:

- §a. He shall keep or cause to be kept accurate minutes of all meetings of the National Convention, Grand Council and Finance Committee.
- §b. Sign, along with the President, such legal documents as may be authorized by the Grand Council.
- §c. Be responsible for arrangements for the custody of all moneys, funds, and valuable financial or legal documents of the Fraternity.
- §d. Deposit or cause to be deposited all funds of the Fraternity in such depositories as the Grand Council may direct.
- §e. Keep or cause to be kept accurate books and records of the financial operations and condition of the Fraternity.

- §f. Submit or cause to be submitted annually at the close of the Fraternity's fiscal year a full and complete financial statement in a form and manner generally accepted by certified public accountants and to which a firm of public accountants approved by the Grand Council shall attach its certificate of audit.
- §g. Send or cause to be sent a copy of each annual financial statement to each member of the Grand Council.
- §h. Serve as Chairman of the Finance Committee
- §i. Be under valid bond for and in such amounts as are determined by the Grand Council, with the premiums on such bonds being paid by the Fraternity.

Upon the resignation, incapacity, or death of the Secretary-Treasurer, the Grand Council shall elect one of its members to assume the office of Secretary-Treasurer for the remainder of the unexpired term.

**Section 4. Regional Commissioners**

Each Regional Commissioners and Deputy Regional Commissioners shall have the following duties and responsibilities:

- §a. Advise and assist the chapters located within his region.
- §b. Report to the Executive Director, and such member of the Grand Council as the President shall designate, such chapter, , or regional matters as may be of interest or concern, particularly as they may affect establishment or alteration of policy.

**Section 5. Executive Director**

The Executive Director shall be the principal administrative officer of the Fraternity, administering the policies established by the Grand Council. He shall have the following duties and responsibilities.

- §a. Be custodian of all corporate records, official papers and books of the Fraternity.
- §b. Be a paid employee of the Fraternity and receive such remuneration as shall be set by the Grand Council.
- §c. Keep the President and other members of the Grand Council informed of all matters of major importance to the Fraternity.
- §d. Advise the members of the Grand Council of any matters requiring their attention.
- §e. Distribute copies of the minutes of meetings of the Grand Council and Finance Committee to all members of the Council.
- §f. Under the direction of the Secretary-Treasurer, receive, collect and deposit all moneys to the credit of the Fraternity.
- §g. Apply all provisions of the Constitution, Bylaws and the Fraternity Manual as they affect either the operation of the National Fraternity or the individual chapters.
- §h. Prepare all checks, vouchers or warrants payable by the Fraternity.
- §i. Be one of the signatories on all checking accounts of the Fraternity.
- §j. Be under valid bond for and in such amounts as shall be determined by the Grand Council, with the premiums on such bond being paid by the Fraternity.
- §k. Act as general advisor and counsel to all chapters.
- §l. Be the chief corresponding officer between the National Fraternity and the chapters.
- §m. Be in full charge of employees of the National Fraternity, except as provided in Article VIII, Section 1, of these Bylaws, and Article III, Section E, §5, of the Constitution.
- §n. Be authorized to attest to the authenticity of corporate resolutions adopted by the Grand Council and to the authenticity of other corporate documents.
- §o. Be authorized, after proper investigation, to place any chapter on probation for a major violation of any policy adopted by the Fraternity with such probation to be reported to the President and the others of the Grand Council within three working days.

**Commentary.** The Executive Director has the authority to add additional eligibility requirements for membership on the Undergraduate Advisory Committee. See Bylaws, Art. VII, Sect. 3.

The Executive Director also has the authority to supervise all matters incidental to the holding of the Convention. See Bylaws, Art. XI, Sec. 5.

The Executive Director also is the signatory on the Operating and Set Aside accounts of the Fraternity. See Bylaws, Art. X, Sec. 2.

**)}Section 6.     *General Counsel***

The General Counsel shall be an attorney-at-law. When requested he shall advise the National Fraternity on all legal matters affecting its interests.

§a. The General Counsel shall receive no remuneration for services, except reimbursement for expenses, unless previously authorized by the Grand Council.

§b. The referring of legal matters to the General Counsel shall be through the President or Executive Director. A report of his opinion or action shall be made to the next meeting of the Grand Council.

§c. Any request from chapters for legal opinions from the General Counsel shall be sent first to the Executive Director, who shall determine whether it will be referred to the General Counsel.

**)}Section 7.     *Historian***

The Historian shall be the chief historical officer of the Fraternity. He shall have the following duties and responsibilities:

§a. Have access to all chapter records and documents and to all National Fraternity records of every form and nature.

§b. Direct and supervise the collection and preservation of material for the history of Delta Sigma Phi and determine what documents and other materials shall be placed in the archives of the National office for perpetual care.

§c. Be responsible for the editing and publishing of a history of Delta Sigma Phi, subject to the approval of the Grand Council.

§d. Any publications prepared by the Historian or under his direction pertaining to the Fraternity shall be published in the name of the Fraternity, and the copyright shall remain in the National Fraternity.

**)}Section 8.     *National Office Service to Local Chapters***

No national officer shall serve as a Chapter Advisor, a member of an Alumni Corporation Board or in any other chapter position.

## **Article VII—The Undergraduate Advisory Committee**

**)}Section 1.     *Purpose***

The Undergraduate Advisory Committee (“UAC”) shall serve to collect and discuss matters of concern to undergraduate members of the Fraternity. The Undergraduate Advisory Committee shall advise the Grand Council through the Undergraduate Members of the Grand Council.

**)}Section 2.     *Membership and terms***

The Undergraduate Advisory Committee consists of ten undergraduate members of the Fraternity. Eight of the committee members each represent a Region. Regions are determined by the Executive Director. The two remaining UAC members are the undergraduate members of the Grand Council. Since this committee is advisory, selection to the UAC does not constitute becoming a National Officer of this fraternity.

**)}Section 3.     *Eligibility***

Undergraduates seeking to serve as a member of the Undergraduate Advisory Committee must have at least one calendar year of undergraduate education at the time of their election. Candidates must also be in good standing with their school, chapter and the Fraternity, maintain at least a 3.0 GPA on a 4.0 basis and carry a minimum of a 12 hour (or equivalent) course load while enrolled in school, or if not enrolled in school, be enrolled in a school sponsored internship or co-operative program. “Enrolled in school” means during two of three semesters, or three of four quarters, both excluding the summer semester or quarter. UAC members must continue to be enrolled in their respective schools for at least one calendar year from the date of their election or be enrolled in another institution of higher learning. Eligibility shall be determined by the Executive Director who is authorized to add additional requirements.

**Commentary.** The Executive Director has added the additional requirement that members of the Undergraduate Advisory Committee must be initiated members.

**)}Section 4. Selection**

The eight regional members of the Undergraduate Advisory Committee shall be selected by the Executive Director, subject to the approval of the Grand Council, within 45 days after the close of the previous Convention.

**)}Section 5. Meetings**

The Undergraduate Advisory Committee shall meet at the call of the Executive Director. Meetings may be conducted electronically.

**)}Section 6. Term of Office**

§1. The eight regional members of the Undergraduate Advisory Committee shall serve from the close of the National Convention until the close of the next succeeding National Convention.

§2. The two remaining members shall serve throughout the duration of their term as Undergraduate Members of the Grand Council.

**)}Section 7. Removal of Members**

A member of the Undergraduate Advisory Committee may be removed for good cause shown by a three-fourths vote of the Grand Council, provided that the member is given the opportunity to respond in writing to any charges placed against him. Notice of the proposed removal shall be given so as to reach the member of the Undergraduate Advisory Committee not later than twenty-one days before the date of his proposed removal. The member's written response must be received by the Grand Council not later than seven days prior to the date on which the proposed removal is to take place. The member shall not be entitled to a hearing before the Grand Council unless such hearing is authorized by a majority vote of the Grand Council. If a hearing is granted, the member of the Undergraduate Advisory Committee must bear his own expenses in attending the hearing.

**)}Section 8. Vacancies**

Any vacancy on the Undergraduate Advisory Committee shall be filled by a majority vote of the Grand Council upon the recommendation of the Executive Director.

## **Article VIII—Removal of Officers and Employees**

**)}Section 1. Appointed Officers and Employees**

Any appointed officer or employee of the Fraternity, with the exception of the Executive Director, the General Counsel and the Historian, may be removed from office, subject to such contractual rights as may exist between the individual and the Fraternity, by a majority vote of the Grand Council. Employees of the Fraternity hired by the Executive Director or his designee in the exercise of his authority pursuant to Article VI, Section 5, §m, serve at the pleasure of the Executive Director, and he has full authority to discharge the same.

**)}Section 2. Elected Officers**

Any elected officer of the Fraternity, the Executive Director, the General Counsel and the Historian may be removed from office, subject to such contractual rights as may exist between the individual and the Fraternity, by a three-fourths vote of the Grand Council, provided the following conditions have been satisfied:

§a. That notice of the meeting has been given in accordance with Article IV, Section 3, or Article IV, Section 8 of these Bylaws.

§b. That consideration of the removal of the officer or employee in question has been stated in the notice as one of the items to be considered at the meeting, and that the officer or employee has received the notice that his removal will be considered.

§c. That actions of the officer or employee considered to be detrimental to the Fraternity be stated in the notice.

§d. That such officer or employee be given the opportunity to be heard, with his travel and hotel expenses, if any, paid, to answer such charges as have been made, or, at his option, to have any other person appear in his place, provided, however, that should the person being considered for removal be a member of this Fraternity, then the person appearing on behalf of the member must also be a member in good standing.

**Commentary.** See also, Constitution, Art. III, Sec. B 4, which provides that provisions will be made in the Bylaws concerning removal of a member of the Grand Council.

## Article IX—Fiscal Year

The fiscal year of the Fraternity for accounting purposes and the preparation of reports shall be from July 1 to June 30 of each year.

## Article X—Signatories on Fraternity Funds

### *Section 1. Deposit of Funds*

All funds of the Fraternity shall be deposited in depositories authorized by the Grand Council.

### *Section 2. Operating Account*

The Executive Director shall be the signatory on the Operating and Set Aside accounts of the Fraternity.

### *Section 3. Convention or Other Funds*

Checks against any fund of the Fraternity aside from the Operating Fund or the Set Aside account shall have two signatures. One shall be that of the Executive Director, and the other that of the Secretary-Treasurer; or, in the event of the incapacity or death of either of these, the signature of the President or a Vice President.

## Article XI—The National Convention

### *Section 1. Nominating Committee*

**Commentary.** The authority for the Bylaws to provide for procedures for electing the Grand Council is in the Constitution, Art. III, Sec. B 5 [e].

For each Convention, the President shall appoint a Nominating Committee of not less than seven members in good standing. The committee shall be chaired by the Immediate Past President unless that position is vacant, in which case the President shall appoint one member of the committee to be the chair. Members of the Grand Council whose term of office is expiring at the Convention will not be members of the Nominating Committee.

### *Section 2. Certification of Candidate Eligibility*

The Nominating Committee shall make one nomination for each vacancy. The full slate of nominees shall be disclosed to the Convention, and additional nominations of eligible candidates shall be accepted from the floor. Before the balloting begins, proponents of each candidate shall be allowed a combined total of five minutes to speak on his behalf. The chairman of the nominating committee shall advise the Convention as to whether the nominated candidates are eligible to serve. Ineligible candidates are not permitted to stand for office.

- §a. Each candidate for the Grand Council shall certify to the nominating committee, in writing, his eligibility to serve. The certification shall be made on a form provided by the nominating committee which shall require the candidate to place a check by each of the individual requirements for eligibility specified in these bylaws. The candidate shall then sign the form to verify the truth of the information provided.
- §b. Should there be any question as to the eligibility of any candidates for the Grand Council, the nominating committee may require further proof of eligibility.
- §d. No candidate may stand for election to the Grand Council unless he has certified his eligibility in accordance with Article IV, Section I of these bylaws and with this section of these bylaws.

### *Section 3. Balloting for Positions on the Grand Council*

Voting on candidates shall be by secret written ballot unless there is only one candidate for each office being voted upon, in which case voting may be by voice vote. Each qualified voter shall vote for a number of candidates equal to the number of vacancies to be filled, and on each round of voting only ballots containing that number of votes shall be counted. Candidates shall be declared elected only when they have received

a majority of those voting. On the second ballot, the number of candidates shall be reduced to twice the number of remaining vacancies by elimination of candidates receiving the lowest number of votes. On every ballot, at least the candidate receiving the lowest number of votes shall be eliminated after each round, unless such elimination shall leave only one candidate who has not yet received a majority vote. In the event of any tie-vote between the fewest number of votes, or a tie-vote on the last ballot with only two candidates, additional rounds of balloting will be conducted between the candidates who are tied until at least one achieves a majority, or if two or more are tied for the fewest number of votes, until one has fewer votes. In the event of any vacancy on the Grand Council, the unexpired term of office and the complete terms of office shall be considered as separate sets of offices from the unexpired terms created by vacancies on the Grand Council. The complete terms of offices shall be voted upon first in accordance with the above procedure, followed by the vote for the unexpired terms. The alumni positions on the Grand Council shall be filled before the election of the undergraduate members.

**Commentary.** See Constitution, Art. III, Sec. 5.

**)}Section 4. Arrangements**

All matters pertaining to arranging and contracting for facilities, services and other matters incidental to the holding of the Convention, shall be under supervision of the Executive Director.

**)}Section 5. Standing Rules**

The Grand Council may provide for standing rules of order for the conduct of business at the convention. The standing rules may provide for a method for each chapter, and alumni association to provide documentation demonstrating the good standing for each for the purpose of seating delegates at the convention.

**Commentary.** See Const. Art. IV, Sec. F.

## **Article XII—The Undergraduate Member of the Grand Council elected in non-convention years.**

**)}Section 1. Nominating Committee and Certification of Candidate Eligibility**

§a. The President shall appoint a Nominating Committee of not less than seven members in good standing. The committee shall be chaired by the Immediate Past President unless that position is vacant, in which case the President shall appoint one member of the committee to be the chair.

§b. Each undergraduate member in good standing who wishes to be a candidate for the Grand Council shall certify to the nominating committee, in writing, his eligibility to serve. The certification shall be made on a form provided by the nominating committee which shall require the candidate to place a check by each of the individual requirements for eligibility specified in these bylaws. The candidate shall then sign the form to verify the truth of the information provided. Should there be any question as to the eligibility of any candidates for the Grand Council, the nominating committee may require further proof of eligibility. The nominating committee shall determine eligibility to serve.

§c. The Nominating Committee shall endorse one nominee from the full slate of nominees unless there is only one candidate, in which case the Nominating Committee may either endorse the nominee or not. . The full slate of nominees shall be disclosed to the electors. The chairman of the nominating committee shall advise the Executive Director as to whether the candidates are eligible to serve. Ineligible candidates are not permitted to stand for office.

§d. No candidate may stand for election to the Grand Council unless he has certified his eligibility in accordance with Article IV of these bylaws and with this section of these bylaws.

**)}Section 2. Voting rights**

§a. Each chapter in good standing with more than 50 members shall be allowed two votes at the election and all other chapters in good standing shall be allowed one vote, such votes to be cast by delegates in good standing duly chosen by such chapters.

§b. Each member of the Grand Council, each Regional Commissioner and each Deputy Regional Commissioner shall be allowed one vote at the election.

§c. Each duly qualified Chapter Advisor shall be allowed one vote at the election. In the absence of the Chapter Advisor, his vote may be exercised by the duly elected president of the undergraduate chapter's Alumni

- Corporation Board. However, in this event, the name of the Alumni Corporation Board president must be certified to and received by the Executive Director 45 days prior to the first ballot. Such certification shall be certified by the Chapter Advisor, a Regional Commissioner, or the Executive Director
- §d. Each alumni association and alumni chapter in good standing with more than 50 alumni members shall be allowed two votes at the election and all other alumni associations and alumni chapters in good standing shall be allowed one vote, such votes to be cast by delegates in good standing duly chosen by such alumni associations or chapters.
- §e. Each delegate must have his name certified to the Executive Director at least 45 days before the first ballot on a certificate that is certified by the President and Secretary of the chapter. Each Chapter Advisor or president of an Alumni Corporation Board must have his name certified to the Executive Director at least 45 days before the first ballot, on a certificate that is certified by the Chapter Advisor, a Regional Commissioner, or the Executive Director..
- §f. Any chapter or member is in good standing when the chapter or member is not on suspension or probation and has satisfied all obligations to the Fraternity.
- §g. The voting rights conferred upon chapters and individuals in Section B of this Article notwithstanding, no individual shall cast more than one vote.

***§Section 3. —The election for the position on the Grand Council***

§a. The method of balloting shall be by secret ballot in a manner established by the Grand Council prior to the election and may be by electronic ballot. The Executive Director will facilitate the dissemination throughout the fraternity of information concerning the election and each candidate and may provide for electronic meetings to assist in that process. Each qualified voter may vote for only one candidate on each ballot.

§b. The first round of balloting shall commence on a date in July, as determined by the Executive Director. Balloting shall be open for 48 hours for each ballot. If a second round of balloting is necessary, the second round of balloting shall commence one week following the initial balloting date. If a third round of balloting is necessary, the third round of balloting shall commence one week following the second balloting date.

§c. After the first ballot, if there are more than three candidates all candidates who do not finish as the top three are eliminated and only three candidates who receive the most votes will be voted upon on the second ballot. If there are only three candidates then the candidate who receives the least number of votes is eliminated and only two candidates will be voted upon on the second ballot. On the third ballot the number of candidates shall be reduced to the two candidates receiving the greatest number of votes on the second ballot.

§d. A candidate is elected only when he has received a majority of those voting. On any ballot if one candidate receives a majority of those voting then that candidate is elected.

***§Section 4. —Standing Rules for the election.***

The Grand Council may provide for standing rules of order for the conduct of the election. The standing rules may provide for a method for each chapter, and alumni association to provide documentation demonstrating the good standing for each for the purpose of appointing delegates for the election.

***§Section 5. —Term of Office of the member elected in non-convention years.***

The term of office of the member of the Grand Council who is elected in a non-convention year commences on August 1<sup>st</sup> after his election and ends two years later.

**Commentary.** See also Constitution Art. III, Sec. B.

## **Article XIII—The Fraternity Magazine**

The official magazine of the Fraternity shall be *The Carnation*. The annual subscription price shall be set by the Executive Director and is subject to the consent of the Grand Council.

## **Article XIV—Status of Members in Chapters Undergoing Reorganization**

***§Section 1. Undergraduate Status Resulting from Chapter Reorganization***

The Grand Council may authorize the reorganization of a chapter upon a finding that the current chapter is in jeopardy of failure, or that actions of the chapter membership fail to meet operating standards of Delta Sigma Phi Fraternity. Such reorganization may result in removal of members or reclassification of membership status. Any undergraduate member may be removed during reorganization of the chapter and may be classified

under the following two statuses. The status of each individual shall be determined based upon recommendations of the Executive Director, Alumni Corporation Board, Chapter Advisor or other national officer. The determining authority shall be in accordance with Section 1, §a and §b of this Article. Upon determination of an individual member's status, said member must be notified by mail in accordance with the applicable provisions of the Constitution of Delta Sigma Phi Fraternity and the *Fraternity Manual* regarding suspension and expulsion:

§a Expulsion— Undergraduate members may be expelled in accordance with the Bylaws and Constitution of Delta Sigma Phi Fraternity. Expulsion as defined by these Bylaws shall constitute the permanent removal of all membership privileges on both the local and national level.

**Commentary.** See Constitution, Art. II, Sec. E.

§b Suspension— Undergraduate suspension shall constitute the removal of all membership privileges until the member graduates or permanently leaves college. Undergraduate suspension of members must be approved by the Executive Director. At such time as the suspension no longer applies, the member's status shall be redefined as specified in Section 2 of this Article. Decisions regarding a member's future status may be made during the reorganization.

**Section 2. Alumni Status Resulting from Chapter Reorganization**

A member placed on suspension may also be placed on Alumni Probation. Upon determination that the member should be placed on alumni probation, said member must be notified by mail in accordance with the applicable provisions of the Constitution of Delta Sigma Phi Fraternity and the *Fraternity Manual* regarding suspension and expulsion. In cases of probation, provisions regarding suspension notification procedures shall apply. Probation shall constitute a five-year period. Should the alumnus prove to be a negative influence, said alumnus may be recommended for expulsion by the Alumni Corporation Board or Chapter Advisor, or a member of the Headquarters' staff and must be approved by the Executive Director. At the end of the probationary period, a member will be reinstated as an alumnus in good standing.

**Section 3. Reinstatement**

Reinstatement of a member reclassified during reorganization to an alumnus in good standing shall be the sole prerogative of the Grand Council in expulsion cases provided sufficient cause is shown by the member in question. In cases of suspension or probation, reinstatement shall be the prerogative of either the Executive Director or the Grand Council provided sufficient cause is shown by the member in question. All appeals for reinstatements made under this Section shall be in accordance with the Constitution of Delta Sigma Phi Fraternity and the *Fraternity Manual*.

## Certification

This will certify that these Bylaws were amended and restated by action of the Grand Council July 2015.

/s/Patrick F. Jessee, J.D., Executive Director