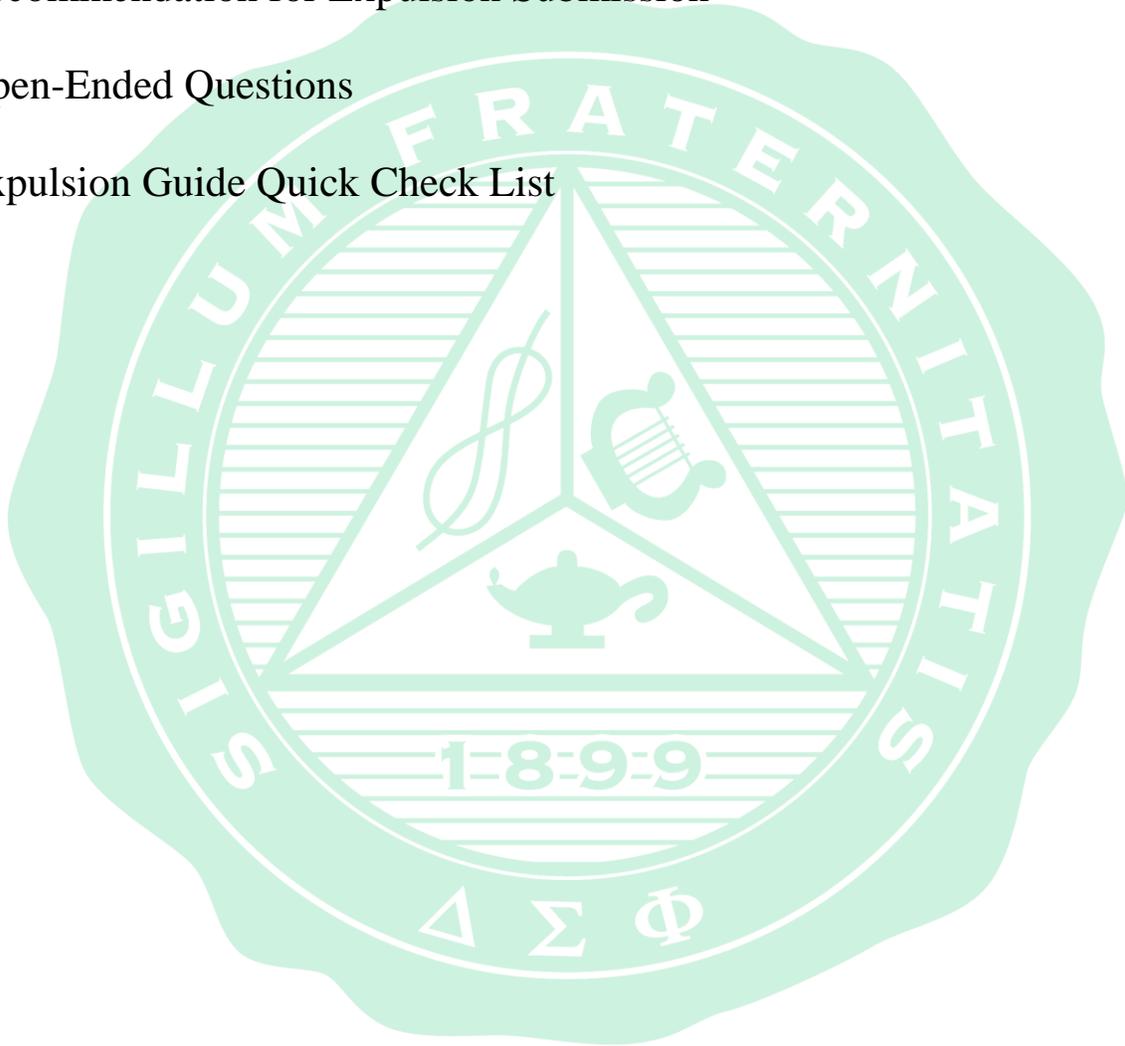




Undergraduate Membership Expulsion Guide

Table of Contents

Introduction	2
Expulsion Procedure	3
Recommendation for Expulsion Submission	5
Open-Ended Questions	6
Expulsion Guide Quick Check List	7



This guide is designed to assist in the execution of expulsion proceedings of undergraduate chapter members of Delta Sigma Phi Fraternity. All processes contained in this guide are only to be used in the event that an undergraduate member is to be expelled from the Fraternity.

What is an expulsion from the fraternity?

Expulsion is the permanent denial and forfeiture of all rights and privileges accorded by the Fraternity, including any involvement with the undergraduate or alumni chapter, possession of the badge, membership card and certificate. When a member is expelled it is the duty of the chapter president to secure the badge and return it to the Executive Director.

Who can initiate the expulsion process?

Expulsions may be initiated by a chapter or alumni corporation board, any district or deputy district commissioner or any National Officer on any one of four grounds:

- 1. Conduct Unbecoming a Gentleman or Brother**
- 2. Illegal Conduct**
- 3. Failure to Participate in the Life of the Chapter**
- 4. Financial Delinquency (90-days past due)**

Can an initiated member be considered inactive?

There is no such thing as an inactive member in the Fraternity. If a member chooses not to participate in your chapter's activities and you do not wish to pay his dues, then you must expel him. If you are planning to expel one of your members, the National Office must receive notice in writing before the deadline date for status reports. Be sure and circle "expelled" by his name on the status report. You will still be billed for that member's dues, but you will receive a credit when the National Office receive the completed expulsion paperwork.

Can an initiated member be suspended for just cause?

Suspension of membership is the denial of all privileges of participation in undergraduate or alumni chapters until such time as the member has met the requirements necessary to lift the suspension. Suspensions are levied by the Executive Director or the Grand Council for minor infractions of Fraternity or chapter rules and regulations. Expulsion is levied by the Grand Council for major infractions of the constitution, bylaws and this manual or offenses against the Fraternity or the chapter.

A suspended member may not participate in any chapter activity during the term of his suspension and may not attend chapter meetings. He may not display the letters or name of the Fraternity in any way, and he may not wear the badge. During the suspension, he also must continue to pay all dues and fees as if he were not suspended. Failure to comply with these terms is grounds for immediate expulsion.

Hearing Board Expulsion Procedure

All expulsions must follow the outlined process. Expulsions submitted to the National Office for processing that do not follow the outlined process will not be presented to the Executive Director or the Grand Council for consideration.

When a chapter standards board, Alumni Corporation Board, Collegiate Chapter Advisory Board, or Active Chapter initiates an expulsion, the member being charged with an expellable offense must be notified of the charges, time and place of the hearing.

Notifications of Charges

- Member must be notified no less than one week (7days) in advance of the charges against him and of the date, time and place when the hearing board will consider his expulsion using **the Notice of Charges and Hearing to be Conducted**. This should be delivered to the charged member in one of the following ways:
 - Personal service (**Hearing Acknowledgment & Certification Form** must be signed by both the charged member and the delivering member)
 - Certified mail, return receipt requested (copy of certified mail receipt should be included in the **Request for Expulsion submission**)
 - Official email exchange with member including email read receipt
 - Attached communication via text message with a response form the accused member acknowledging receipt and understanding of the time and place for the hearing.

Hearing Procedure

The Sargent at Arms (SAA), ACB President or CCAB President should call the hearing to order.

- Introduce everyone and read the charges brought forth against the member for expulsion.
- Begin by asking the accused member to describe his understanding of why he has been brought up for expulsion.
- Gather all necessary facts by asking information gathering/open-ended questions.

If necessary, or if the member in question wishes, allow witnesses in at this time.

- All witnesses should be brought into the hearing room and questioned individually.
 - The member who is brought up for expulsion should be asked to leave to room during the questioning of any witness.
- Member who is brought up on expulsion charges must be allowed to present any defense and call witnesses on his behalf at the meeting.
 - The member who is brought up for expulsion is responsible for getting his own witnesses to the hearing. If he cannot attend, he is allowed to submit a written defense.

- In the event that witnesses are presenting on the character of the member brought up for expulsion a written statement should be provided.
- If the hearing Board cannot call the necessary witnesses to the hearing, or if they need to hear from additional witnesses, the hearing can be tabled at this point and brought back at the next meeting. No hearing should be tabled twice.

The Hearing Board should move forward with deliberation once all information has been presented and witnesses questioned.

- Any discussion or deliberation should be conducted in a closed session with only members of the Hearing Board present.
 - If the member who is brought up for expulsion desires, he must be allowed to be present while the expulsion is discussed. During the discussion and deliberation the member who is brought up for expulsion is to remain silent.
 - In the event the member who is up for expulsion interrupts the deliberation and discussion, he is to be removed from the room for the remainder of the time it takes for the Standards Board to come to a decision.

Upon completion of any discussion and deliberation, the SAA, ACB President, or CCAB President should call for a vote and be seconded by another member of the board.

- Once a vote has been called and seconded all members of the Hearing Board should cast their individual vote by secret, written ballot.
 - All members of the Hearing Board should cast a vote except the SAA, ACB President, or CCAB President.
 - A three-quarters (3/4) vote of the Hearing Board is required to recommend expulsion to the Grand Council.
 - In the event of a tie the SAA, ACB President, or CCAB President will serve as the tie breaker vote.
 - The results of the vote must be disclosed immediately to the member brought up for expulsion.

Upon completion of the final vote the SAA, ACB President, or CCAB President should inform the member brought up for expulsion of the final decision.

- The SAA, ACB President or CCAB President should remind the member brought up for expulsion of his due process rights and inform him that he has the ability to include a statement of his defense to be submitted in the final submission (Request for Expulsion) to the Grand Council.
 - Statement should be addressed to the Grand Council and indicate why the member should be allowed to continue their membership in Delta Sigma Phi Fraternity.
 - Written statement should be delivered to the SAA, ACB President or CCAB President no later than five (5) calendar days from the conclusion of the expulsion hearing.
 - Only the personal defense statement from the member brought up for expulsion should be submitted with Request for Expulsion Form.

After everything is complete, the SAA, ACB President, or CCAB President should adjourn the hearing.

Submission of Recommendation for Expulsion

Within 10 days of an expulsion hearing the final recommendation must be communicated to the Executive Director electronically using Delta Sigma Phi **Request for Expulsion** form.

The following should be attached electronically to the **Request for Expulsion** form:

- Copy of **Notice of Charges and Hearing to be Conducted**
 - Personal service (**Hearing Acknowledgment & Certification Form** must be signed by both the charged member and the delivering member) or
 - Certified mail, return receipt requested (copy of certified mail receipt must be included)
 - Official email exchange with member must include email read receipt
 - Attached communication via text message, must include a response from the accused member acknowledging receipt and understanding of the time and place for the hearing.
- Any official evidence or documentation that was used during the hearing
 - For a hearing that is being conducted for failure to participate in the life of the chapter an official record of chapter event attendance showing lack of participation is required.
 - **For financial expulsions an official record of the member's financial statement must be included. Official financial records that will be accepted are statements from OmegaFi, LEGFI, or official statement used for billing of members.**
- Optional written statement of defense from the member brought up for expulsion addressed to the Grand Council.

If any of the forms are missing, the expulsion cannot be processed, and the member will remain in good standing until the forms are received.

Upon receiving a request for expulsion with appropriate attachments, the Executive Director shall forward the request to the Grand Council along with his recommendation for approval or denial of the request and any pertinent correspondence or other information regarding the case.

A majority vote of the Grand Council is required to expel a member of the Fraternity.

After a vote has been taken, the Executive Director shall notify the member in question, the chapter and the alumni corporation board of the results, and, if the member has been expelled, shall instruct the chapter president to obtain and return the member's badge and membership certificate.

OPEN-ENDED QUESTIONING

Phrase your questions in a way that is open-ended (who, what, how, where) rather than specific (did you, or yes/no). Also, avoid multiple choice questions, as you do not want to limit the member's response. This allows the member to say everything they need to say. Make sure to ask relevant questions; if the member's GPA is not an issue then do not ask about it. Examples:

- Please tell us more about the incident.
- What effect did your actions have on the other members?
- What significance did this incident have in relation to the Fraternity's alcohol policy? What is your understanding of the policy?
- What other options were available to you in this situation?
- How do you account for the discrepancies between your statement and that of other witnesses?
- How may your actions during the incident affect your education?
- Given that you disagree with certain Fraternity policies/regulations, what alternative actions could have been taken to demonstrate your concerns?
- What responsibilities do you have in regard to other members of the Greek community?
- What did you do after . . . ?
- What do you mean when you said . . . ?
- How might you react if this same situation were to occur again?
- How might you react if you were the person reporting this incident?
- How would you explain this policy to others?
- Now having some time to think about this incident, how do you feel about what happened?
- How have your actions influenced/affected others?
- Explain how your behavior will be different in the future.
- What advice would you give to someone who encountered the same set of circumstances?
- Was this a typical response for you? Under what conditions are you likely to respond in a similar manner?
- What have you learned from this incident?
- Who do you feel is responsible for what happened? Why?
- Do you feel that you did anything wrong? Why?
- What will prevent something like this from happening again?
- How do you evaluate your violation of this particular rule?

Pre - Hearing

Notify the member at least one week (7 Days) in advance of the proposed hearing.

1. Notice of Charges and Hearing to be Conducted
 - a. Certified Mail - member must sign the Certified Mail card (Post Office form 3811)
 - b. Personal Delivery Service - Hearing Acknowledgment Form must be signed by both the charged member and the delivering member.
 - c. Official Email - exchange with member acknowledging hearing, must include email read receipt.
 - d. Attached communication via text message, must include a response form the accused member acknowledging receipt and understanding of the time and place for the hearing.

Hearing should be conducted by one of the following entities. The vote for expulsion in all instances must pass by 75% of those present. This information should be included in the Notice of Hearing Letter.

- a. Chapter Standards Board
- b. Alumni Corporation Board
- c. Colligate Advisory Board
- d. Full Undergraduate Chapter

Post – Hearing Request for Expulsion

After the hearing, fill out the Request for Expulsion.

1. Send the following forms to Headquarters electronically through the [Request for Expulsion Form](#).
 - a. Notice of Hearing Letter Including – Letter that was sent to member
 - i. Signed Certified Mail Card or
 - ii. Personal Delivery Service - Hearing Acknowledgment & Certification Form must be signed by both the charged member and the delivering member or
 - iii. Official Email - exchange with member acknowledging hearing, must include email read receipt or
 - iv. Attached communication via text message, must include a response form the accused member acknowledging receipt and understanding of the time and place for the hearing.
 - b. Official Hearing Minutes
 - c. Evidence
 - i. For a hearing that is being conducted for failure to participate in the life of the chapter an official record of chapter event attendance showing lack of participation is required.
 - ii. For financial expulsions an official record of the member's financial statement must be included. Official financial records that will be accepted are statements from OmegaFi, LEGFI, or official statement used for billing of members.

Please ensure that all forms are attached during the submission process, this will eliminate missing forms, and will result in a more efficient expulsion process. An expulsion is not processed until ALL forms are received, so there is no advantage in sending one or two forms in advance.