

CONSTITUTION OF CHI PSI FRATERNITY

(as amended through 30 July 2022)

PREAMBLE

The cultivation of an elevated and refined friendship is so liable to be retarded by the petty jealousies and misunderstandings which assail frail human nature, the silver cord which binds together kindred hearts so easily severed, that we can but lament that there is no sufficient antidote against the poisonous infusion of envy -- no Aeolian cave in which to confine the whirlwind of sudden passion.

The stern dictates of selfishness will rule with iron sway when no cherished bond of union leads to conciliation and teaches mutual concession and forbearance to those whom the routine of life brings into familiar contact.

For the cultivation of true friendship, then, for mutual protection and advancement in intellectual, moral, and social life, keeping always in view that liberality of sentiment due to our fellow students and to all mankind, we do, individually and collectively, electing and elected, form ourselves into a fraternity, whose transactions, hallowed by an exalted friendship, shall be veiled from the rude gaze of public scrutiny, and we do mutually pledge our sacred honor to keep the spirit and letter of the following Constitution.

ARTICLE I NAME, ORGANIZATION, TRADITIONS

1.1 Name. The name of this organization shall be “Chi Psi Fraternity” and shall be referred to in this Constitution as “the Fraternity.”

1.2 Organization. The Fraternity shall consist of members known as “Brother” or “Brothers” grouped in sub-organizations and of sub-organizations created from time to time for specific fraternal purposes.

1.3 Traditions.

1.3.1 In General. The Fraternity shall preserve and promote its traditions utilizing all means available to educate its Brothers about the traditions.

1.3.2 *Ritual and Traditions of Chi Psi Fraternity*

1.3.2.1 - The Fraternity shall maintain and safeguard the historic document entitled *Ritual and Traditions of Chi Psi Fraternity* and shall take all necessary measures to maintain its secrecy.

1.3.2.2 - The first section of the *Ritual and Traditions of Chi Psi Fraternity* shall provide the ceremony of Initiation. No change shall be made in this section except by four-fifths (4/5) affirmative vote of those delegates whose names appear on the accredited roll of a Convention, and then only if the proposed change has been submitted to and been given preliminary approval by a majority affirmative vote of the delegates whose names appear on the accredited roll of the preceding Convention.

1.3.2.3 - The Convention may, from time to time, create, amend or delete additional sections of the *Ritual and Traditions of Chi Psi Fraternity* by applying the procedures of Article 10.4 with respect to general amendments to this Constitution.

1.3.2.4 - The Convention may designate one section that is created under 1.3.2.3 as the *Supplement* to the *Ritual and Traditions of Chi Psi Fraternity* and may specify the materials to be placed therein (or updated) from time to time without further action by the Convention.

ARTICLE II MEMBERSHIP

2.1 In General. Brothers of the Fraternity shall be men who have been duly initiated in accordance with this Constitution, the *Ritual and Traditions of Chi Psi Fraternity*, and the National Bylaws of Chi Psi Fraternity (“Bylaws”), and whose membership continues to comply with this Constitution, the *Ritual and Traditions of Chi Psi Fraternity*, and the Bylaws.

2.2 Categories of Membership. Brothers of the Fraternity are either “active” Brothers or “alumni” Brothers. In general, active Brothers are currently enrolled as undergraduate students at any institution at which an Alpha is located. All Brothers, who are not active Brothers, are alumni Brothers. The Executive Council may make further provision for the definition, classification, and details of the categories of membership.

2.3 Initiation. The ceremony of initiation, as prescribed in the *Ritual and Traditions of Chi Psi Fraternity*, shall be used for the initiation of all new Brothers. The ceremony of initiation shall be conducted with the utmost dignity and solemnity. The initiation must be conducted within the framework of any rules that the Alpha’s host educational institution, Interfraternity Council, or other institutional authority may have or may enact governing fraternity initiations.

2.4 Pledges. Those men who are under consideration for membership in the Fraternity shall be called “Pledges.” The Executive Council shall set forth the process of selecting Pledges and the educational program to be presented to Pledges prior to initiation. The status of being a Pledge shall not constitute a right to become a Brother of the Fraternity.

2.5 Hazing. No Brother of the Fraternity shall engage in any form or any act of hazing at any time. For purposes of this Constitution, “hazing” shall be defined by the Executive Council.

2.6 No Discrimination. No man shall be denied membership in the Fraternity on the basis of his race, religion, national origin, sexual orientation, or disability status.

2.7 Suspension and Termination of Membership. The Executive Council shall make provisions for resignation, dormant membership, suspension of membership, expulsion, and all matters relating to the termination of membership.

ARTICLE III

ALPHAS

3.1 In General. Sub-organizations of active Brothers of the Fraternity shall exist at various educational institutions. Such sub-organizations shall be known as “Alphas.” Each Alpha shall have a separate and distinctive Greek letter designation. No Alpha shall exist that has not been granted a charter in accordance with this Constitution.

3.2 Alpha Status.

3.2.1 In General. Alphas are either active, suspended, or dormant.

3.2.2 Active Alpha. An active Alpha is one that has been granted a charter in accordance with this Constitution and is neither a suspended Alpha nor a dormant Alpha. An active Alpha enjoys all rights, privileges, and responsibilities that are granted to an Alpha by virtue of its charter, which shall be set forth by the Executive Council.

3.2.3 Suspended Alpha. A suspended Alpha is one that has had its charter suspended by the Executive Council. An Alpha may be suspended for any reason determined by the Executive Council, including, but not limited to, the loss or neglect of the Fraternity’s traditions, low membership, disciplinary problems, risk management violations, incidents of hazing, and failure to meet financial obligations. The Executive Council may set detailed criteria for suspension and the effects thereof. During the suspension period, the suspended Alpha may conduct initiations only if supervised by a representative of the Executive Council.

3.2.4 Dormant Alpha.

3.2.4.1 - Revocation of Charter. A dormant Alpha is one whose charter has been revoked by a four-fifths (4/5) affirmative vote of the entire Executive Council. An Alpha shall be considered dormant immediately upon such vote by the Executive Council, but the revocation of the charter must be ratified at the next Convention by a four-fifths (4/5) affirmative vote of delegates whose names appear on the accredited roll of such Convention. If such Convention fails to so ratify the revocation, the dormancy of such Alpha shall be lifted at the adjournment of such Convention.

3.2.4.2 - Effects of Dormancy.

(a) Immediately upon dormancy or as soon thereafter as may be practicable, all assets of the dormant Alpha, including, but not necessarily limited to, all Fraternity regalia, shall be delivered to the care of the Executive Council. To carry out this responsibility, the Executive Council shall appoint a Dormancy Trustee to supervise the delivery of such assets to the Executive Director or to a place specified by him. If possible, the Dormancy Trustee shall be one or more Brothers of the dormant Alpha’s Alumni Corporation.

(b) The Executive Council through the Executive Director shall hold and maintain the Alpha's assets for a period of five (5) years with the expectation that a Colony will be established at the site of the former Alpha. The Executive Council shall actively work with the dormant Alpha’s Alumni Corporation to do everything possible to reestablish the Alpha.

(c) If, during this five (5) year period, the Alpha is reestablished then the Executive

Council shall return the Alpha's assets to it. If, at the end of that five (5) year period, a Colony has not been established at the site of the former Alpha, and if there is no reasonable expectation that a Colony will be established at the site of the former Alpha, then the Executive Council may dispose of the Alpha's assets in a manner it deems appropriate.

3.3 Extension.

3.3.1 In General. The Executive Council shall see to the necessary growth of the Fraternity, as it deems appropriate, by establishing Colonies under detailed procedures established by the Executive Council.

3.3.2 Colony. A Colony is a probationary entity that has been established by the Executive Council at an educational institution where there is no active Alpha. The purpose of a Colony is to establish itself in good standing with the hope that it will become an Alpha. As with Alphas, each such Colony shall have a separate and distinctive Greek letter designation.

3.3.3 Colony Status. A Colony shall not have the authority to initiate Brothers, and a Colony shall not have the right to vote at or to attend formal Convention sessions. No Colony is guaranteed that it will be granted a charter and raised to the status of an active Alpha.

3.3.4 Colony Members. Colony members shall be Pledges.

3.3.5 Grant of Charter. When a Colony is deemed ready to be granted a charter, the Executive Council shall vote to recommend that the next Convention grant a charter to such Colony and raise it to the status of an Active Alpha. At such next Convention, a four-fifths (4/5) affirmative vote of delegates whose names appear on the accredited roll shall be required to grant a charter to the Colony. If the Convention so votes to grant the Colony a charter, then such Colony shall become an Active Alpha, and, at a date set by the Executive Council, the Executive Council shall supervise the initiation of the Pledges of the Colony. If such Convention fails to approve the grant of a charter, the Colony shall remain a Colony.

3.3.6 Dissolution of Colony. At any time after the establishment of a Colony, the Executive Council, acting in accordance with its procedures, may vote to dissolve the Colony. Immediately upon such vote, such Colony shall cease to exist. Any assets of such Colony shall be distributed in the manner set forth by the Executive Council.

ARTICLE IV ALPHA ALUMNI CORPORATIONS

4.1 In General. There shall be one or more entities established to fulfill the purposes under Article 4.2 of an Alpha Alumni Corporation for each active Alpha, but the Executive Council shall recognize not more than one such entity for each active Alpha for purposes of Article 8.2.b.

4.2 Purposes. The purposes of such Alpha Alumni Corporations shall be to act as a property ownership and management entity and hold title to the Alpha's Lodge, to see to the Lodge's financial operation and solvency, to see to the Lodge's proper and sound maintenance, to collect any rent, to pay any taxes, to procure insurance, and to provide for the Lodge in general.

4.3 Establishment, Recognition, Assets.

4.3.1 - Establishment and Recognition. It is the responsibility of the Executive Council to establish an Alpha Alumni Corporation for each new Colony created. The Executive Council shall develop and revise from time to time the requirements that each new and continuing entity must meet to be recognized under Article 4.1. Recognition for purposes of Convention shall be in accordance with Article 8.6.

4.3.1 - Assets. Each Alpha Alumni Corporation shall ensure that the assets of such Corporation are maintained and held separate and apart from the assets of the Alpha itself.

4.4 Nonfunctioning Entities. In the event that the Executive Council determines either that an Alpha Alumni Corporation has ceased to function as a viable entity or that an Alpha Alumni Corporation shall not be recognized under Article 4.1, Executive Council, the Executive Council shall take such steps as it determines are necessary to provide for the entity's reorganization or for the establishment of a new functioning entity. The Fraternity's Bylaws, as amended from time to time, shall define and make provision for a non-functioning corporation.

4.5 Fraternity Relationship. The Executive Council, through the Fraternity's Bylaws, as amended from time to time, shall specify the relationship of the Alpha Alumni Corporations to the Fraternity, including any obligations, rights, and powers of the Alpha Alumni Corporations as they relate to the Fraternity.

4.6 Alpha Dormancy. If an Alpha is declared dormant, its Alpha Alumni Corporation shall work with the Fraternity to reestablish the Alpha, if possible, as soon as possible. If possible, the Alpha Alumni Corporation shall provide the Dormancy Trustee for the Alpha.

4.7 Dissolution. Each Alpha Alumni Corporation shall include in its articles of incorporation a provision that, should the Alpha Alumni Corporation legally dissolve according to the laws of its state of incorporation, its assets shall be dispersed to Chi Psi affiliated organizations as directed by the Executive Council.

ARTICLE V

ALPHA ALUMNI ADVISORY BOARDS

5.1 In General. An Alpha Alumni Advisory Board may be established for each active Alpha and Colony.

5.2 Purpose. The Alpha Advisory Board shall assist in whatever manner is pertinent to the Alpha or Colony, establish an advisory structure that ensures the Alpha follows best practices, set benchmarks for undergraduate leaders, ensure efficient undergraduate leadership transitions, and when necessary, inquire into the undergraduate operations to address judiciary actions.

5.3 Recognition. The Executive Council, through the Fraternity's Bylaws, as amended from time to time, shall specify the relationship of the Alpha Alumni Advisory Boards to the Fraternity, including any duties and obligations, along with all rights and powers of the Alpha Alumni Advisory Boards.

ARTICLE VI

ALPHA EDUCATIONAL FOUNDATIONS

6.1 In General. As soon as it is practical, each Alpha Alumni Corporation shall establish an Alpha Educational Foundation for the purpose of promoting education and scholarship in general and for promoting individual excellence and cultural development within the Alpha. Each such Alpha Educational Foundation shall qualify as an educational organization exempt from taxation under the U.S. Internal Revenue Code.

6.2 Establishment by Executive Council. In the event an Alpha Educational Foundation is not established within one hundred eighty (180) days after the establishment of an Alpha under this Constitution, the Executive Council shall have the authority to establish one.

6.3 Effect of Alpha Dormancy. If an Alpha becomes dormant, its corresponding Alpha Educational Foundation may choose to dissolve but is not required to do so.

6.4 Dissolution. It is preferred that each Alpha Educational Foundation include in its articles of incorporation a provision that, should it dissolve, its assets will be distributed to The Chi Psi Educational Trust or to an organization designated by The Chi Psi Educational Trust.

ARTICLE VII REGIONAL ALUMNI ASSOCIATIONS

From time to time, alumni Brothers may establish associations that shall be called Regional Alumni Associations. Membership in such an association shall be open to all alumni Brothers of the Fraternity living within a defined and limited geographic area. Regional Alumni Associations shall be established in accordance with procedures adopted by the Executive Council for the purpose of promoting the ideals and interests of the Fraternity. Upon dissolution of a Regional Alumni Association, its assets shall be distributed to The Chi Psi Educational Trust or to the Fraternity.

ARTICLE VIII CONVENTIONS

8.1 In General. A general Convention of the Brothers of the Fraternity shall be held once each year at such time and place as the Executive Council may determine. Special Conventions may be called at any time by the Executive Council.

8.2 Vote. Certain Brothers shall be entitled to vote as delegates at any general or special Convention of the Fraternity. Those Brothers entitled to vote are:

- a. One accredited delegate from each active Alpha.
- b. One accredited delegate from each recognized Alpha Alumni Corporation in accordance with Article 5.4, and in the event there is no accredited delegate from an Alpha Alumni Corporation, then an accredited delegate from an Alpha Alumni Advisory Board may be recognized.
- c. One accredited delegate from each recognized Regional Alumni Association.

8.3 Full Power. Each Convention shall have power and authority to do all things for and in the name of the Fraternity, subject to the provisions of this Constitution.

8.4 Quorum. For the transactions of any business at any Convention, accredited delegates from two-thirds (2/3) of the active Alphas shall constitute a quorum.

8.5 Chair. The Executive Council shall appoint a Chair of the Convention. He may be removed for cause upon a two-thirds (2/3) affirmative vote of the delegates whose names appear on the accredited roll of the Convention. The successor Convention Chair shall be nominated by the Executive Committee of the Executive Council and approved by majority vote of such delegates.

8.6 Convention. Only one alumni entity associated with an Alpha may be recognized as the accredited Alpha alumni entity for purposes of having a vote at the annual Convention. Recognition at the annual Convention shall be in accordance with the requirements set forth in the Bylaws. If more than one alumni entity complies with the requirements set forth in the Bylaws and seeks recognition as the accredited Alpha alumni entity for purposes of having a vote at the annual Convention, the alumni entity to be recognized at Convention shall be selected in accordance with Section 8.2.b.

8.7 Effective Time of Actions. All actions taken by a Convention, except election to the Executive Council by a Convention, shall become effective immediately upon their adoption, unless by the terms of the adopted proposal some other effective date is specified.

8.8 Rules. The Rules of Procedure for use at Conventions shall be modified from time to time.

ARTICLE IX EXECUTIVE COUNCIL

9.1 In General.

9.1.1 Establishment. The overall management and governance of the Fraternity shall be vested in the Executive Council.

9.1.2 Authority. The Executive Council shall have full power, authority, and responsibility for the actions of the Fraternity and for the management of the affairs of the Fraternity between Conventions except as such power may be limited by this Constitution.

9.1.3 Bylaws. The Executive Council shall establish such Bylaws as it deems necessary and appropriate to provide for the management of the Fraternity. Such Bylaws shall be amendable by the Executive Council and shall be consistent with actions approved by the Convention. Such Bylaws shall be binding upon the Executive Council, Alphas, Colonies, and all Brothers and entities of the Fraternity.

9.2 Executive Council Membership.

9.2.1 Roster. The Executive Council shall consist of the following Brothers of the Fraternity:

- a. the President;

- b. all living past Presidents;
- c. the Executive Director;
- d. nine (9) alumni Brothers; and
- e. one (1) active Brother (an “Undergraduate Representative”) from each group of Alphas which are designated from time to time as a region of the Fraternity (a “Region”) by the Executive Council.

9.2.2 Past Presidents. Each past President shall serve on the Executive Council for the remainder of his life or until he submits his written resignation. A past President shall be counted as part of the entire Executive Council for voting purposes only when he attends a meeting of the Executive Council.

9.2.3 Alumni Brothers. Three (3) alumni Brothers of the Executive Council shall be elected at each Convention by a majority affirmative vote of the delegates whose names appear on the accredited roll of the Convention. Each alumnus Brother shall serve a term of three (3) years, but no alumnus Brother shall be elected for more than three (3) full consecutive terms. The term of an alumnus Brother begins at the close of the Convention at which he is elected.

9.2.4 Alumni Vacancy. In the event of a vacancy of an alumnus Brother’s seat on the Executive Council, the remaining Executive Council members shall elect a replacement to serve until the next Convention when a successor shall be elected to complete the unexpired term. Any alumnus Brother who serves to complete an unexpired term remains eligible for three (3) full consecutive terms in accordance with Article 9.2.3.

9.2.5 Undergraduate Representatives. One Undergraduate Representative shall be elected from each Region by a process which is specified by the Executive Council from time to time. The term of an Undergraduate Representative begins at the close of the Convention which follows his election and ends at the close of the Convention in the next year. The Executive Council shall specify (and may revise from time to time) the qualifications for eligibility for serving as an Undergraduate Representative.

9.2.6 Undergraduate Vacancy. In the event of an absence or vacancy of an Undergraduate Representative’s seat, an alternate shall be selected pursuant to the Bylaws.

9.2.7 Removal. Any Executive Council member may be removed from office by the Executive Council upon a two-thirds (2/3) affirmative vote of the entire Executive Council. Any Executive Council member may be removed from office by a Convention by a majority affirmative vote of the delegates whose names appear on the accredited roll of the Convention.

9.3 Quorum. The presence of a majority of the members of the Executive Council (including a past President only if he be present) shall be required at any meeting of the Executive Council to constitute a quorum.

9.4 Chair and Vice Chair. A Chair and Vice Chair shall be elected by the Executive Council from

among its members. The Executive Council shall set forth the procedures for their election and removal from office.

9.5 Advisory Board. The Executive Council may establish an Executive Council Advisory Board upon such terms and conditions as the Executive Council, in its sole discretion, deems appropriate and conducive to the Executive Council's performance of its duties.

ARTICLE X OFFICERS

10.1 President. The Fraternity shall have a President who shall be a distinguished alumnus Brother. The President shall be elected by a majority affirmative vote of delegates whose names appear on the accredited roll of the Convention at which the prior President's term ends and then shall serve a term of three (3) years. The President shall be the symbolic head of the Fraternity and shall preside at all Fraternity functions where no other person is designated to preside. He shall make every effort to visit as many Alphas and Colonies as possible during his tenure. In the event that the office of President becomes vacant, the Executive Council shall appoint an alumnus Brother of the Fraternity to serve as Acting President until a new President is elected at the next scheduled Convention to serve the remainder of the term. The President may be removed from office by a two-thirds (2/3) affirmative vote of the entire Executive Council.

10.2 Executive Director. The Executive Council shall hire an Executive Director who shall serve upon such terms as the Executive Council may set. The Executive Director shall be responsible for and manage the day-to-day operations of the Fraternity.

ARTICLE XI OTHER MATTERS

11.1 Supreme Law. This Constitution shall be the supreme law of the Fraternity. Any question regarding the interpretation of this Constitution shall be referred through the Executive Director to the Executive Council, whose interpretation of the Constitution shall be final and binding.

11.2 Terms of Office. Members of the Executive Council and the President shall hold their respective offices for the period of time for which they were elected or until their successors have been duly elected and have been qualified.

11.3 Voting. Unless otherwise specified in this Constitution, a majority affirmative vote of all accredited delegates or Executive Council members shall be required for any action on the part of the Convention and the Executive Council.

11.4 Amendment. Except for amendments to the *Ritual and Traditions of Chi Psi Fraternity*, as provided for in Article 1.3.2.2, this Constitution may be amended by a two-thirds (2/3) affirmative vote of those delegates whose names appear on the accredited roll of a Convention, provided that the proposed amendment has been submitted by a Brother of Chi Psi Fraternity to the Executive Director at least sixty (60) days prior to the convening of such Convention. The Executive Director shall forthwith, but not later than thirty (30) days prior to the convening of the Convention, circulate notice of such proposed amendment to all active Alphas, recognized Alpha Alumni Corporations, Alpha

Alumni Advisory Boards, and Regional Alumni Associations. Failure of the Executive Director to circulate notice of any such timely proposed amendment not later than thirty (30) days prior to the convening of the Convention will not preclude the Convention's consideration of such amendment provided that, by a majority affirmative vote of the delegates who appear on the accredited role, the Convention votes to waive the thirty (30) day notice period. Amendments become effective immediately upon adoption, unless the amendment specifies another effective date.