

# **Colony Bylaws**

The Delta Colony of the Fraternity of Phi Gamma Delta

Christopher Newport University

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## Article I

### Membership

#### A. In General

- 1) The members of this colony shall be those undergraduate and post-graduate students initiated or affiliated by this colony actually attending the university who have not received a degree from the university subsequent to their initiation or affiliation, and the colony shall consist of all such students. The colony may, with his consent, continue or revise the undergraduate status of a post-graduate student actually attending the university. (Sections 19.10 and 19.11)
- 2) Candidates for membership shall be men possessed of the qualifications prescribed by the Constitution, Article IV, Section 1.
- 3) No member shall be permitted to become inactive so long as he is in attendance at the university, unless he shall have received a degree from the university subsequent to his initiation or affiliation. (Constitution, Article IV, Section 9)
- 4) No member of the colony can resign from the Fraternity except in accordance with the provisions of the Constitution, Article IV, Section 15.
- 5) It shall be the duty of each member to exemplify in his daily conduct the trinity of noble principles of the Fraternity and the colony by every means consistent with true principles of honor, obey the Constitution, Rituals, and Bylaws of the Fraternity, the bylaws and house rules of the colony, avoid all conduct which may be justly criticized among his acquaintances or which may be offensive to his fellow members, and exert himself to maintain and promote the harmony and prosperity of the Fraternity and the colony. (Constitution, Article IV, Section 21)

#### B. Pledging

- 1) Candidates shall be pledged only after election by a three-fourths majority vote of at least three-fourths of the members of the colony, which vote must be taken by secret ballot
- 2) When a person shall have been nominated for membership, a ballot shall be had not later than two weeks after the nomination has been made, and one negative vote shall debar from membership. In case of rejection, he shall not be again voted upon unless renominated for membership. (Section 19.30)
- 3) The colony may, by a majority vote of all its members, taken by secret ballot, terminate the pledge relationship. (Constitution, Article IV, Section 13)
- 4) Any pledge given to the colony shall automatically terminate if the pledge candidate thereafter ceases to be a duly matriculated student actually pursuing a course of instruction at the institution, or if he shall fail to qualify for initiation within the time prescribed in the Constitution, Article IV, Section 14.

### C. Initiation

- 1) Candidates for membership shall be initiated only after authorization by the affirmative vote of at least three-fourths of the members of the colony, which vote must be taken by secret ballot, and be the unanimous vote of all those in attendance.
- 2) To qualify for initiation, an undergraduate shall have, at a minimum, either a cumulative college grade point average of 2.7 (on a 4.0 scale) or its equivalent on other scales, or a 2.7 grade point average (on a 4.0 scale) or its equivalent during his most recent college academic term, or, if the candidate has not yet completed at least one academic term of college work, the candidate shall have a cumulative high school grade point average of at least 3.0 (on a 4.0 scale) or its equivalent verified in an acceptable manner by the colony. (Constitution, Article IV, Section 2(b))
- 3) No candidate for membership shall be initiated until he shall have paid to the colony a sum sufficient to meet the fees payable by the colony on account of his initiation to the Fraternity.
- 4) No person who is or was a member of an undergraduate chapter of the Fraternity and who enters this institution shall be entitled to affiliate with full privileges of membership in the colony until he shall have been elected to membership by the affirmative vote of  $\frac{3}{4}$  of the members of the colony and shall have paid such fees as the colony may require prior to affiliation. In no event shall such person be considered for affiliation, except upon production of a certificate of good standing from the undergraduate chapter of the Fraternity with which he was last connected. (Constitution, Article IV, Section 7; Section 19.50)
- 5) Faculty initiates shall be men possessed of the qualifications prescribed by the Constitution, Article IV, Section 3.
- 6) Former student initiates shall be men possessed of the qualifications prescribed by the Constitution, Article IV, Section 4.

## Article II OFFICERS

### A. Definition of Officers

- 1) The officers of the colony shall be the President, the Treasurer, the Recording Secretary, the Corresponding Secretary, and the Historian. (Constitution, Article III, Section 8)
- 2) The duties and powers of the officers shall be those prescribed by the laws of the Fraternity and, in addition, such as usually attach to the offices held by each. (Sections 19.70-19.78)

### B. Eligibility Requirements

- 1) Officers of the colony shall be chosen only from members in good standing and not in default in respect to their financial or other obligations to the colony

- 2) Have a cumulative average of 3.0 or higher on a 4.0 scale (or its equivalent on other scales)
- 3) Must have completed at least one semester as an initiated member.

#### C. Election of Officers

- 1) The precise time of nominations and elections shall be fixed by the officers. (Section 19.80)
- 2) All officers shall serve for a period of twelve calendar months.
- 3) Vacancies in any office shall be filled for the unexpired term by secret ballot at the first regular meeting after the vacancy occurs. (Section 19.84)
- 4) If an officer shall have become in default in respect to any of his financial or other obligations to the colony and shall have remained in default for sixty days, or if his academic average shall have dropped below a 2.5 on a 4.0 scale (or its equivalent on other scales) for any academic term while in office and enrolled for a full course of study, or if he is convicted of violation of any law of the Fraternity, his office shall become vacant, and there upon his successor shall be elected. (Section 19.82)

#### D. Purple Legionnaire

- 1) At the time of the annual election of officers, the consent of the colony shall be sought to the appointment of a graduate member selected by the Section Chief to serve as Purple Legionnaire for the next twelve months. He shall be eligible for reappointment. (Section 16.20)
- 2) The duties of the Purple Legionnaire shall be those set down in the Bylaws of the International Fraternity.

### Article III Committees

1. The President shall establish such committees as are necessary for the government and operations of the colony. He shall appoint the chairman and members of all committees, who shall serve at his pleasure. The duties and authority of all committees shall be prescribed by the President. (Section 19.70)
2. Recruitment:
  - 1) Plan and organize all formal and informal recruitment activities and events.
  - 2) Keep detailed candidate profile records on all recruits.
  - 3) Maintain contact with recruits, including follow-ups, future invites, and random discussion.
  - 4) Work with your committee to prep the entire Colony for recruitment.
3. Scholarship:
  - 1) Draft a scholarship plan for the Colony to include accountability measures, incentives, and assistance.
  - 2) Organize workshops to improve study skills and time management.
  - 3) Track members' scholastic performance and coordinate with the officers to provide/suggest extra support for members, as necessary.
4. Philanthropy:
  - 1) Get a calendar of other campus philanthropies and community service projects.
  - 2) Facilitate a brainstorming session to agree upon an annual philanthropic event.
  - 3) Develop an annual event that will generate money to benefit the USO, the American Red Cross, and/or a local charity.
5. Community Service:
  - 1) Speak with service organizations on campus to get the names of charitable organizations that could use assistance.
  - 2) Organize and see that the pledge class completes its community service project.
  - 3) Track and document individual service hours and projects of pledges.
6. Brotherhood:
  - 1) Plan and organize brothers' only events (sports, meals, trips, etc.).
  - 2) Work with officers and graduate advisors to monitor and maintain positive morale and momentum.
  - 3) Assist in solving/mediating disagreements between brothers.
7. Intramurals:
  - 1) Organize all intramural teams for the Colony.
  - 2) Organize Fiji teams for Greek athletic events.
  - 3) Provide schedules of all athletic activities and coordinate Colony attendance (varsity & club sports, etc.).
8. Social:
  - 1) Plan all colony social events.

- 2) Keep a calendar of all Fiji, Greek, and campus social activities.
  - 3) Maintain contact with Greek social representatives.
9. Risk Management:
  - 1) Ensure all events follow the Fraternity's risk management policy.
  - 2) Coordinate Risk Management and Alcohol Education seminars for the Colony.
  - 3) Work with officers to review the Crisis Management Plan with every member.
10. Graduate Relations:
  - 1) Draft a newsletter to send to your graduate brothers and brothers in the area.
  - 2) Coordinate with the Corresponding Secretary to organize events for graduate brothers.
11. Campus Events:
  - 1) Keep members updated about upcoming campus events and organize groups of brothers to attend those events.
  - 2) Maintain a list of university organizations and activities and encourage members to join.
12. Fundraising:
  - 1) Facilitate a brainstorming session with members to identify potential fundraising opportunities to benefit the Colony's budget.
  - 2) Organize fundraising events and recruit members to attend/work them, as necessary.
  - 3) Maintain a list of fundraising opportunities and activities the Colony could use to raise funds.
13. Bylaws:
  - 1) Develop initial bylaws for the colony, and present to the group to vote on
  - 2) Assist in the creation of a judicial board to monitor bylaws.

## Article IV

### MEETINGS

### A) Types of Meetings

- 1) Regular meetings of the colony shall be held once each week while the college or university is in session.
- 2) At least one formal meeting shall be held each month while the college or university is in session and shall follow faithfully the order laid down in the Ritual.
- 3) Each member of the colony shall attend unless for good reason excused by the President from attendance at a particular meeting.
- 4) Each member of the undergraduate colony present in person shall be entitled to cast one vote on any matter to be acted upon by the meeting. Voting by proxy shall not be permitted at any meeting. (Section 19.2)
- 5) For formal meetings, the dress code is a button-down collared shirt (tucked-in), sports coat, tie, slacks, dress socks, and dress shoes. For informal meetings, a combination of collared shirt (such as a dress shirt), cotton trousers (such as khakis), or tennis shirt with a belt, and shoes (such as loafers) with socks is generally acceptable
- 6) A special meeting of the colony may be called by the President or on the written request of five members of the colony, which request must be presented to the President. It shall be his duty promptly to set a time for the meeting, which time shall be not less than 24 hours after posting of notice as provided herein. He shall make prominent the notice of the special meeting which shall state the time and place thereof. He shall take such other measures as are reasonably calculated to give all members actual notice of the special meeting.
- 7) Robert's Rules of Order shall be regarded as the controlling authority upon questions of parliamentary law.
- 8) For the transaction of the ordinary business of the colony, a quorum shall be established consisting of 2/3 of the undergraduate members of the colony.
- 9) The officers of the colony may designate any activity a mandatory colony function with two weeks' notice provided by an email sent to the entire colony and must designate the date, time and location of the event. The event's exact start and end times may be changed up to a week from the day the event is scheduled, however the day may not be changed if it would make it less than two weeks from the current day. The location of the event may be changed if 48 hours' notice to the start time of the event is given on the change. All alterations to an event must be accompanied by an email to the entire colony and no change is finalized until the colony is notified prior to the respective expiration of time given by the change made. Failure by the colony's officers to notify the colony in the exact manner described herein nullifies the mandatory status of the event modified. Valid excuses for missing mandatory events are to be given at least 24 hours in advance in the manner specified by the Cabinet. Failure without acceptable excuse of any member of the colony to participate in the function so designated shall render the offender liable to the penalty for missing an informal meeting or such greater penalty as the officers shall have prescribed in the notice designating the activity a colony function.

### Section B: Flow of Business



- 1). The officer known as the President presides over meetings and should he be unable to preside or be present, the officer known as Treasurer shall take his place.
- 2). The flow of business during meetings held by the Delta Colony of the Fraternity of Phi Gamma Delta is as follows:
  - i). Call the meeting to order
  - ii). Roll call of members present, recorded by the Recording Secretary.
    - a). The reply shall be “here, brother.”
  - iii). Guest speakers may speak at this time
  - iv). Approval of minutes
    - a). The officer known as the President will entertain a motion to approve the minutes of the previous meeting after the Recording Secretary reports briefly the minutes of the meeting.
    - b). Any correction shall be known as an amendment and must be approved either as friendly or unfriendly. Should this be friendly the Recording Secretary will state it and correct it. Should it not be friendly then the Colony must vote to include it by a simple majority.
  - v). Officer Reports
  - vi). Committee reports which include subcommittee reports
  - vii). Old business
    - a). This includes anything that was not resolved in the previous meeting or that has been tabled in the previous meeting.
    - b). Any business that requires a need of voting, it shall follow the voting procedure in Article V.
  - viii). New business
    - a). This includes any new information or proposals that is to be brought before the Colony to be approved or voted.
    - b). Any business that requires voting shall follow the voting procedure in Article V.
  - ix). Remarks and Criticisms
  - x). Adjournments
    - a). The officer known as the President will entertain a motion to adjourn or close meeting.

#### Section C: Fines

Fines for unexcused absences from meetings shall be levied according to the following guidelines:

- A. Absences must be documented by filling out and turning in an absence form distributed by the recording secretary. Brothers have until three days after the meeting to turn in a form.
- B. Valid excuses include family emergency and class events which the brother had no part in planning.
  - a. For events not occurring on the regularly scheduled Sunday meeting time, work and class shall also be valid excuses.
- C. Judicial Board shall review other absence excuses and determine validity.
- D. Informal Meetings:

- a. Unexcused absences are subject to \$10 fine.
- b. Excused absences subject to \$0 fine.

E. Formal Meetings:

- a. Unexcused absences are subject to \$40 fine.
- b. Excused absences are subject to \$0 fine.

F. Mandatory Events and Special Meetings:

- a. Unexcused absences are subject to \$40 fine.
- b. Excused absences are subject to \$10 fine.
- c. Work shall not be considered a valid excuse even if occurring at a time other than the regularly scheduled meeting time.

G. Each brother is entitled to one waived fine per semester, not to be applied to ritual events.

Section D: Late Fees

Late Fees for meetings will be levied as following:

- A. Any brother who is more than fifteen minutes late to an informal meeting, formal meeting, according to Recording Secretary, shall be fined \$5 unless a cabinet member is notified beforehand.
- B. Allowing late entry to formal meetings and ritual events shall be at the discretion of the Historian. Refused entry shall count as an absence.

## Article V

### Voting Procedures

## Section A: Parliamentary Procedure

- 1). The Delta Colony of the Fraternity of Phi Gamma Delta shall follow voting procedures as outlined in this document which is known as parliamentary procedure which is modeled from Robert's Rules of Order.
- 2). This process is outlined in this document and is the official procedure of business in the Colony.
- 3). Any item which includes but is not limited to a presentation, document, change of document, motion, or decree that requires a vote of the Colony to be acted or proceed shall be known as a proposal.
  - i). There are two types of proposals, the first being known as a formal proposal and the second as an informal proposal.
  - ii). Formal proposals are to be written or typed and a copy given to the officer known as the Recording Secretary must be submitted and asked to present before the Colony 24 hours prior to the meeting it is to be presented at.
  - iii). The officer known as Recording Secretary reserves the power to not allow such a proposal with proper reason to be presented to the Colony and is to explain the reasoning the day before meeting.
  - iv). Individuals may submit a formal request to the Executive board to retract the Recording Secretary's reasoning to not allow the presentation by all other members of the Executive Board agreeing to allow the said presentation to occur.
- 4). The officer known as President shall preside over meetings and that he is to be directed all questions and motions.
  - i). The President may redirect questions to others who may know the answer.
  - ii). Individuals may speak only if they are recognized by the President including other officers.
- 5). Brothers and pledges may have speaking power during meetings.
- 6). Only brothers that is those who have been initiated may have voting powers.
- 7). The process of voting is as follows:
  - a). Proposal is brought before the Colony.
    - i). The proposal is to be presented before the Colony.
    - ii). The President entertains a motion to adopt; it must be seconded or dies.
    - iii). Questions and answer is allowed following presentation and adoption.

iv). Voting of the proposal is to occur next meeting.

v). A proper method of Colony to understand or see the proposal must be convenient and available such as but not limited to PowerPoint presentation or hard copy like paper handout.

vi). There must also be a hard copy describing the proposal for the President to sign with his signature and to officially approve such document.

b). Voting of proposal process is as follows:

i). Discussion- further question and answer

ii). Debate over the proposal

(a). There must be a motion to move discussion to debate

(b). Consist of reasons to vote for or against the proposal

(c). Must follow pro or for, followed by con or against arguments

(d). Questions may still be asked with proper motions

iii). Amendments may be added with proper motions and is defined below.

(a). All friendly amendments simply require the author of the proposal to accept and is to be altered to fit the amendment.

(b). All amendments not taken friendly by the author requires a two-thirds vote of the Colony to be altered to fit the amendment

iv). Voting on proposal process is as follows:

(a). This must be motioned to enter voting by a call to vote.

(b). Voting may be done in the following ways but is not limited to the following ways:

(1). Acclamation- stating out loud aye (for) or nay (against)

(2). Secret ballot- writing on paper for, against, name, or whatever instructed by the President

(3). Hand count- raise hand for or against, officers count votes

(4). Roll call vote- recording secretary will call each Brother's name and they will respond aye (for) or nay (against); this vote shall be recorded

(c). The standard voting shall be acclamation with the reservation to change to adapt to circumstance as seen fit by the President

(1). If the president is in doubt, he will ask for a different kind of vote, one of his choosing

(d). If a proposal or motion carries the officer known as the President reserves the power to smack his gavel

(e). All finalized proposals must have a final copy or a page attached to a presentation of any kind that describes the proposal sufficiently and is to be presented to the President by the following meeting after it passes a vote to be signed by the President thus making such document an official document.

(i) Passing any document does not require the President's signature

(f). All proposals that pass take effect immediately unless otherwise stated

## Section B: Special Powers

1). In the event of a tie on all matters that do not require a two-thirds vote then the officer known as President will make the final vote.

2). The officer known as President shall reserve the power to veto any proposals.

3). The Executive Board may override a veto of the officer known as the President if the other four vote against him.

4). The Colony with a two-thirds majority can override a veto of the officer known as the President

5). A veto can be done once a proposal is active or after it passes.

6). An override of a veto may only come from a motion with the terminology of "Motion to override by method of Executive Board" or "Motion to override by method of Colony."

i). These must be seconded and then voted to proceed

7). There can be a temporary change, alteration, or suspension of bylaws but must be approved by two-thirds majority.

## Article VI REVENUES

1. The operating revenues of the colony shall consist of such charges as are authorized from time to time by majority vote of the colony.
2. Financial obligations of members and pledges shall be paid within 15 days after such charges are billed, and an incentive for prompt payment shall be deducted or penalties for late payment shall be levied according to a schedule fixed by the colony.

## Article VII Scholarship Plan

### Section A: Individual Check-ins

1. Every brother, regardless of grades, is assigned to a brother in high academic standing as their scholarly advisor by the Scholarship Chairman at the beginning of each semester.
2. Assignment is proportional, so that each committee member has a relatively equal number of brothers they are responsible for - additionally, the committee will attempt to pair brothers with a committee member of the same or similar major (hard sciences, social sciences, economics and math, etc.)
3. Advisors are not assigned an advisor; they are assumed to be in high academic standing without need for support. However, advisors may consult the Scholarship Chairman or other advisors for support if necessary.
4. All brothers must meet with their scholarly advisor regularly, based on their current GPA (The time/place of these meetings should be agreed upon by the advisor and the brother):
5. 4.0-3.6: Optional
6. 3.59-3.0: Once a month
7. 2.99-2.71: Twice a month
8. 2.7 or less: Three times a month (with discretion)

### Section B: Academic Probation

1. If a brother does not achieve a 2.5 in a given semester, that brother will be placed on academic probation for the next semester.
2. Brothers on academic probation for their first semester may be limited to participation in fraternal activities at the discretion of the Scholarship Committee
3. Brothers who are on academic probation for a semester and have not improved by the second semester must meet with the head of the Scholarship Committee at the beginning of the second semester to develop a plan in order to improve their academic standing.
4. Brothers who are on academic probation for 2 semesters in a row and have not improved by the third semester will have to take a semester off from fraternal activities. If their GPA improves above a 2.5, they will be reinstated in the fraternity.

## Article VIII Judicial Board

### Section A: Purpose and Definitions

1. The Judicial Board is a group of brothers who act as a judicial authority of the Colony who may hold proceedings to determine the truth of alleged incidents against brothers of the Colony.
2. The purpose of the Judicial Board is to keep all members of the Colony including brothers and pledges accountable for their actions.
3. The Judicial Board seeks the truth in all matters by determining whether an individual did in fact do or did what the individual was accused of doing.
4. A brother who accuses another brother of violating policies of the Delta Colony of the Fraternity of Phi Gamma Delta, policies of Christopher Newport University, or actions unbecoming of a Fiji gentlemen or acting in manners contradicting to the values of the Fraternity of Phi Gamma Delta is known as a complainant.

### Section B: Authority and Jurisdiction

1. Members of the Colony which include brothers and pledges that violate any policy that has been adopted by the Fraternity of Phi Gamma Delta, the Colony, and Christopher Newport University are subject to hearing of the Judicial Board.
2. The Judicial Board will preside over any hearing over a brother or pledge who has violated any policy within the Fraternity of Phi Gamma Delta or the Delta Colony of the Fraternity of Phi Gamma Delta.
3. Any officer that does not fulfill duties or behaves in a manner that is unbecoming of a member of the fraternity is subject to hearing by the Judicial Board.
4. Any member of the Colony whose actions contradict the core values of the Fraternity of Phi Gamma Delta or act in a matter that is not like a Fiji gentleman as defined by the Fraternity of Phi Gamma Delta or the Delta Colony of the Fraternity of Phi Gamma Delta are subject to hearing by the Judicial Board.
5. Members who violate the constitution and bylaws are subject to hearing by the Judicial Board.
6. All charges are to be written to be considered a formal charge.

### Section C: Membership of Judicial Board

1. The Judicial Board shall consist of members of the Judicial and Bylaws Committees.
2. The Judicial Chair shall be the head member of the Judicial Board.
3. Members of the judicial board must display the values of the Fraternity of Phi Gamma Delta in an exemplary fashion such that resembles the Fiji Gentleman.
4. Members of the judicial board must be a brother for one semester which includes their pledging semester.

#### Section D: Rights of the Accused

1. An individual who has been formally charged or accused of violating policy or actions unbecoming of a member of the Fraternity of Phi Gamma Delta is known as the accused.
2. Any member or members of the Colony that is accused of any violation of policy or anything that can be brought for a hearing before the Judicial Board will be notified of such accusations within three days of notification of the Judicial Head.
3. The accused will be notified of a hearing with the Judicial Board within proper time being ten days prior to the hearing.
4. The notification of a hearing to the accused shall include the time, location, and date of alleged violation along with what policies and the accusation that the accused is said to have committed.
5. A hearing with the Judicial Board will be set at a time that is convenient for all parties involved.
6. The accused reserves the power for a closed hearing to members of the fraternity.
7. The accused reserves the power to a closed hearing to only those involved with the hearing be permitted at the trial.
8. The Executive Board may override the power of closed hearings allowing members outside the fraternity and brothers not associated to the trial to be present at a hearing and that this must be an official letter signed by every member of the Executive Board clearly stating this as an override and the reasoning for such an override.
9. The accused has a right to an advisor which may or may not be a member of the Fraternity of Phi Gamma Delta but cannot be a member of the Executive Board.
10. Should a brother request an advisor outside the Colony any individual may be present at trial.
11. The accused may present any witnesses and evidence to the hearing but must notify the Judicial Head forty-eight hours prior to a hearing.
12. The individual reserves the right to review his judicial record within the Fraternity at any time.
13. The Standards Board is not a court of law in the local, state, or federal government and that it is a judicial authority subject to the Colony.



14. The accused is in fact innocent of such violations until substantial evidence that proves without a doubt that the individual did do what he was accused in a hearing before the Judicial Board.

Section E: Hearing Procedure:

1. The hearing is called to order
2. The accused is called in to the room at this time
3. The Judicial Head then introduces the board members that are in attendance
4. The statement of concern is read:
  - a. “(Member name), the alleged concern(s) brought before the judicial board is as follows.” (Statement of concern is read) “Do you understand these concerns as they have been presented to you?”
    - i. If the answer is yes: the meeting may proceed
    - ii. If the answer is no: the concerns will be clarified
  - b. The concern will be directly related to one or more of the values and/or bylaws of the colony that have been breached.
5. Presentation of Information:
  - a. The accused is now instructed that he may make a statement, present information, and ask questions.
  - b. The judicial board may ask questions related to the information presented by the accused.
  - c. Witnesses may be called at this time (depending on circumstances). Both the judicial board and the accused are permitted to ask questions of the witnesses.
  - d. The accused will be asked, “Do you have a final statement to make prior to the deliberation of the judicial board?”
  - e. The accused will be asked, “Do you find yourself responsible or not responsible for this (these) violations?”
  - f. After all of the information has been presented the accused will be asked to leave the room so the board can deliberate
6. Deliberation:
  - a. The following must be considered:
    - i. Whether the accused is most likely responsible, beyond reasonable doubt, by 75% of the judicial board.
    - ii. A short majority opinion (and dissenting opinion if necessary) will be written explaining the general basis for the decision. These opinions will be archived with the meeting minutes. These must be completed within 24 hours of the end of the hearing.
  - b. The advisor present must be satisfied with the manner of the proceedings and adherence to the guidelines up to this point. The judicial chair is permitted, but not required, to suggest his own decision, but it will not be counted towards the 75% required to find the accused responsible.
  - c. If the accused is found responsible, appropriate sanctions or a warning must also be decided upon. As a general rule, the precedent of similar infractions should be

followed when considering a sanction. 100% of the judicial board must agree on the appropriate sanction. If the judicial board is unable to come to a unanimous consensus, the judicial chair is responsible for deciding the sanction.

7. Statement of Decision:

- a. The accused will be called back into the room. The judicial chairman will proceed as follows: “(Member’s name), the judicial board has reached a decision.” The decision along with the sanction, if appropriate, will then be communicated by the judicial chairman.
- b. The statement of decision will be signed by the judicial board, the judicial chair, and the alleged member. Note: Signature does not imply agreement with the decision.

● Article IX

## Impeachment of Offices

### Section A: Impeachment Process

- 1). Any office may serve under the pleasure of the Colony and is entrusted to do their duties as stated in the Constitution.
- 2). Should this trust be violated by any elected position in the Colony occur, such an individual will be subject to the Judicial Board and a hearing presided by the Judicial Board.
- 3). If the Judicial is in violation of trust or policy, the President shall appoint another member of the Judicial Board to be the Judicial Head for a hearing.
- 4). The formal impeachment process is as follows:
  - i). A formal accusation is to be submitted to the Recording Secretary even if the Recording Secretary is in question; this accusation is to be in the form of letter also stating the information of what was violated citing any official document of the Colony or the fraternity of Phi Gamma Delta or conduct unbecoming of an officer of the Colony; time and location of alleged violation or accusation even if estimated; date of the alleged violation or accusation even if estimated; and the name of the individual who submitted such accusation.
  - ii). The letter is then to be brought before the Colony to be aware that such accusation has occurred.
  - iii). An investigation may follow by a special committee created to conduct an investigation with a particular appointed head; also noting the investigation is to have a stated time to conclude.

- iv). A full report is to be done once the stated time to conclude an investigation is over and is to be presented to the Executive Board including any that may have been investigated.
- v). Should the accused officer plea accepting such accusations as factual after the conclusion of the investigation with full report presented then the individual may meet with the Judicial Board for reprimands along with removal of office if necessary.
- vi). The Judicial Board will determine the punishment of any accusation that is found to be true with consent of the Purple Legionnaire and the faculty advisor provided by Christopher Newport University.
- vi). Should the accused not accept such accusations or the conclusion of the investigation as factual then there may be a hearing regarding such accusations; and further stating that the Judicial Board will be presiding such accusations.

#### Section B: Vote of No Confidence

- 1). A vote of no confidence is another means to request the removal of an individual to be removed from office.
  - i). Any individual may also call for a vote of no confidence at any time during the new business portion of the fraternity.
  - ii). Understanding that such a vote is a vote stating that the individual calling for such a vote has no more confidence in the duties of an officer for the office that they hold.
  - iii). Such a vote requires three-fourths of the Colony to execute.
  - iv). Such a motion will follow proposal voting as stated in Article: Voting Procedure.
- 2). A vote of no confidence is a motion that may be the sole business of any emergency meeting or meeting conducted outside the annual weekly meeting of the Colony.

### Article X

#### Removal of Membership from the Colony

##### Section A: Removal by Judicial Board

1). Any individual accused of violation of policy with the Fraternity of Phi Gamma Delta, the Colony, or Christopher Newport University or actions unbecoming of a Fiji gentlemen as defined by the Fraternity of Phi Gamma Delta or the Colony at Christopher Newport University are subject to the Judicial Board and may be removed by means of a hearing by following procedures outlined in Article: The Judicial Board.

#### Section B: Vote of Misconduct

- 1). A motion for a vote to remove a member for reasons of conduct that is contrary to the values of the Fraternity of Phi Gamma Delta or acting in manners that is unbecoming of a Fiji Gentlemen as defined by the Fraternity of Phi Gamma Delta or the Colony may be made and such a vote shall be called a Vote of Misconduct.
- 2). Such a vote requires three-fourths of the Colony to vote in support to pass.
- 3). Such a motion can only be made in new business of a meeting with the Colony or an emergency meeting under the authority of the President and the Executive Board to conduct.
- 4). Such a request must also require a proposal as outlined in Article: Voting Procedures which outlines reasons and citing documents and policies one has violated if violated or cite any conduct that can be construed as unbecoming of a Fiji Gentlemen as defined by the Fraternity of Phi Gamma Delta and/or the Colony.
- 5). Such a motion may be the sole business of any emergency meeting or meeting conducted outside the annual weekly meeting of the Colony.

### Article XI

#### Amending the Colony Bylaws

- 1). Any amendment or change to bylaws must be presented to the Colony and voted by the Colony with a consensus of three-fourths vote to the addition, removal, or any form of change to what is the current document.
- 2). Any such change shall follow voting procedures outlined in Article: Voting Procedure.
- 3). Such revisions to this document must notify the faculty advisor assigned by Christopher Newport University, the Purple Legionnaire, and the Board of Chapter Advisors.