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KAPPA SIGMA
FRATERNITY
FELLOWSHIP • LEADERSHIP • SCHOLARSHIP • SERVICE

2019
CONSTITUTION, BY-LAWS AND RULES
OF THE
KAPPA SIGMA FRATERNITY

Issued to: _____ *No.* _____

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CONSTITUTION of KAPPA SIGMA FRATERNITY

PREAMBLE

WHEREAS, the true and honorable good of its members should be the final object of every organization; therefore, we, believing the promotion of FRIENDSHIP and BROTHERLY FEELING to be such a good, do hereby organize the KAPPA SIGMA FRATERNITY; and

WHEREAS, experience has shown the advantage of secrecy in drawing the members closer together, secrecy is therefore made the shield of the Constitution, and especially of our time honored Initiatory, for our better understanding, organization and union.

Be it known and acknowledged that we but formally ratify in this Grand Conclave (as at New York, 1910, and as at Baltimore, 1876) the organization previously effected at the University of Virginia, on December 10, 1869, by the Five Friends and Brothers, who then met for organization and initiation.

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ARTICLE I. NAME AND COMPOSITION OF THE ORDER.

Section 1. **Name.** The name of the Order, which has its existence by virtue and accordance with this Constitution, shall be KAPPA SIGMA FRATERNITY.

Section 2. **Composition of the Order.** The Fraternity shall be composed of its Membership, all Undergraduate Chapters located at various colleges and universities, and Alumni Chapters, all constituted and established as set forth herein.

ARTICLE II. OFFICERS.

Section 1. **Supreme Officers.** The Supreme Officers of the Fraternity shall be Worthy Grand Master, Worthy Grand Procurator, Worthy Grand Master of Ceremonies, Worthy Grand Scribe, and Worthy

Grand Treasurer. The Supreme Officers may use alternate titles as they deem necessary. No person shall hold more than one of such offices simultaneously.

Section 2. **Election and Term of Office.** The Supreme Officers shall be elected by the Grand Conclave in the manner set forth in Article IX of this Constitution. The Worthy Grand Master, the Worthy Grand Procurator and the Worthy Grand Master of Ceremonies shall hold office for two years, or until their successors are chosen. The Worthy Grand Scribe and the Worthy Grand Treasurer shall hold office for four years, or until their successors are chosen but may not thereafter succeed themselves in such respective offices.

Section 3. **Qualifications.** No one shall be a Supreme Officer of this Fraternity unless he shall at the time of his election or appointment be at least twenty-one (21) years of age and unless he shall have been a member of the Fraternity for four (4) full years.

Section 4. **Duties.** The powers and duties of the Supreme Officers shall be:

- (1) The Worthy Grand Master shall be the Chief Officer of the Fraternity and shall preside over all Grand Conclaves.
- (2) The Worthy Grand Procurator shall be the officer of the Fraternity responsible for matters of organization and discipline and shall monitor legal or other proceedings.
- (3) The Worthy Grand Master of Ceremonies shall be the officer of the Fraternity responsible for matters of ceremony and secret work.
- (4) The Worthy Grand Scribe shall be the secretary of the Fraternity and the officer responsible for keeping a complete record of all Acts, Orders, and Decrees of the Supreme Officers.
- (5) The Worthy Grand Treasurer shall be the officer of the Fraternity responsible for custody and disbursement of all funds of the Fraternity.
- (6) Each Supreme Officer shall have such other and further powers and shall perform such other and further duties as

may be provided by this Constitution, the By-Laws, the Rules, or Acts of Grand Conclave.

- (7) The Supreme Officers may delegate duties to others in order to carry out the objectives of the Fraternity.

Section 5. **Expenses.** The Supreme Officers shall serve without salary but shall be entitled to all reasonable expenses actually incurred by them in the discharge of their duties, including the expense of attending Grand Conclaves.

Section 6. **Removal from Office.** Any Supreme Officer of the Fraternity may be removed during his term of office if he be proven guilty of any felony, misappropriate Fraternity Funds, reveal Fraternity secrets, fails to perform the duties of his office, or by acts or words brings dishonor upon the Fraternity; and this removal may be made either by a unanimous vote of the Supreme Executive Committee, the officer under charges not voting, or by two-thirds (66-2/3%) vote of all Undergraduate Chapters of the Fraternity and not otherwise.

Section 7. **Vacancies – How Filled.** In case of the death, expulsion, resignation, removal from office, or disability of any Supreme Officer, other than the Worthy Grand Master, before his term of office shall have expired, the Worthy Grand Master, with the concurrence of two (2) other members of the Supreme Executive Committee, shall appoint some member of the Fraternity to fill the vacancy thus caused; and in the event of a vacancy being caused in the office of Worthy Grand Master by virtue of any of the above-mentioned causes of this section, the Worthy Grand Procurator shall become the Worthy Grand Master of the Fraternity; and if by virtue of any of the above-mentioned causes of this section the offices of Worthy Grand Master and Worthy Grand Procurator both become vacant, then the Worthy Grand Master of Ceremonies shall become the Worthy Grand Master of the Fraternity.

In the case of the temporary disability of any of the Officers of the Supreme Executive Committee not exceeding six months, the Supreme Executive Committee may appoint an interim committee member to fill the vacancy.

In the case of the simultaneous death,

expulsion, resignation, removal from office, or disability of the Worthy Grand Master, Worthy Grand Procurator, and Worthy Grand Master of Ceremonies, a special Grand Conclave shall be called by the remaining Supreme Officers or Officer to elect their successors.

Section 8. **Other Officers.** The Fraternity shall elect and appoint such other Officers as may from time to time be provided in the Constitution, By-Laws and Rules.

Section 9. **Indemnification.** The Fraternity shall indemnify the members of the Supreme Executive Committee and all other officers elected or appointed pursuant to the Constitution, By-Laws and Rules of the Fraternity as provided in the Rules.

ARTICLE III. THE SUPREME EXECUTIVE COMMITTEE.

Section 1. **Composition and Officers.** The Supreme Executive Committee shall consist of the five Supreme Officers of the Fraternity; the Worthy Grand Master shall be its Chairman.

Section 2. **Purpose.** The Supreme Executive Committee shall be the governing body of the Fraternity, and shall enforce this Constitution, the By-Laws, Rules, and Acts of Grand Conclaves.

Section 3. **Duties and Powers.** The Supreme Executive Committee shall have power to make any rules and regulations not inconsistent with this Constitution, the By-Laws, Rules, and Acts of Grand Conclaves.

ARTICLE IV. UNDERGRADUATE CHAPTERS.

Section 1. **Composition.** An Undergraduate Chapter of this Fraternity shall consist of a body of four or more male persons which meets all of the following requirements:

- (1) all of the members of such body shall be students at some one college or university,
- (2) all of the members of such body shall be initiated members of the Fraternity,
- (3) such body shall have been granted a Charter by the Supreme Executive

- Committee, and
- (4) such Charter shall not be in a withdrawn or suspended status.

Section 2. New Chapters Chartered. New Chapters of this Fraternity shall be founded on Charters granted and issued by unanimous vote of the Supreme Executive Committee which shall have the sole power and authority to do so and to provide for the proper institution of such Chapters.

Section 3. Requirements for New Chapters. A Charter for a new Chapter in this Fraternity may be granted to any body composed of four (4) or more male persons, students at some one college or university, the character and reputation of which college or university may, after investigation, be satisfactory to the Supreme Executive Committee.

Section 4. Organization. Each Chapter shall make its By-Laws, orders and regulations for its own government, not inconsistent with the Constitution, By-Laws and Rules of the Fraternity; Chapter By-Laws shall be subject to review by the Supreme Executive Committee.

Section 5. Powers and Duties. The powers and duties of each Chapter shall be set forth in the Constitution, By-Laws and Rules of this Fraternity.

Section 6. Initiation of Members. Each Chapter shall have the right and power to elect and initiate members, solely in accordance with the provisions of Article V hereof.

Section 7. Chapter Officers. Each Chapter shall elect a Grand Master, Grand Procurator, Grand Master of Ceremonies, Grand Scribe, and Grand Treasurer, who shall constitute the Chapter Executive Committee. They shall respectively have such powers and perform such duties as may be provided in the By-Laws and Rules.

Each Chapter shall also elect two Guards, and they shall have such powers and duties as may be provided in the By-Laws and Rules. Each Chapter may also elect one or more Assistant Grand Scribes and one or more Assistant Grand Treasurers, and they shall have such powers and perform such duties as may be provided in the By-Laws and Rules.

Section 8. Fees. Each Chapter shall have power to levy any sum or sums of money

upon its initiates or affiliates as a membership or affiliation fee, respectively.

Section 9. Dues. Each Chapter shall be responsible to the Fraternity Treasury for all general Fraternity dues, fees, charges, assessments, and other payments of its undergraduate members or initiates provided for in the Constitution, By-Laws or Rules of this Fraternity.

Section 10. Discipline of Chapters.

Sub-Section 1. Authority of the Supreme Executive Committee. The Supreme Executive Committee shall be the sole authority regarding the discipline of Chapters chartered under this Article and shall adjudicate all disputes between, or charges against, any Chapter. The Supreme Executive Committee shall have the authority to impose sanctions against Chapters in any manner in accordance with the provisions of the Constitution, By-Laws and Rules of Kappa Sigma Fraternity.

Sub-Section 2. Causes. A Chapter may be disciplined for any one or more of the following reasons:

- (A) failure to comply with the provisions of the Constitution, By-Laws and Rules of Kappa Sigma, or any Enactment or Resolution of the Grand Conclave, or any demand or order of the Supreme Executive Committee or any officer of this Fraternity pursuant thereto;
- (B) failure to comply with the provisions of the Constitution, By-Laws and Rules of Kappa Sigma regarding the conduct of members of Undergraduate Chapters;
- (C) failure of a Chapter or its members to maintain standards of scholarship established by and approved by the Supreme Executive Committee;
- (D) failure of a Chapter or its members to maintain standards of moral conduct acceptable to the Supreme Executive Committee;
- (E) failure to comply with regulations of the university or college where an Undergraduate Chapter is chartered and operating or the laws of the State or Province or other appropriate governmental body, which might affect the Chapter or its members where the

- Chapter is operating;
- (F) failure to comply promptly with any orders issued by the Supreme Executive Committee, or by any of the following acting under authority granted by the Supreme Executive Committee: (i) any member of the Supreme Executive Committee; (ii) the District Grand Master having jurisdiction over the affairs of the Undergraduate Chapter and its members; (iii) the Alumnus Advisor for said Chapter; or (iv) any other officer or member of the Fraternity appointed by the Supreme Executive Committee.
 - (G) failure of any Chapter to pay promptly obligations either to the Fraternity or to any other person or entity;
 - (H) engaging in contumacious conduct and failure to maintain standards of friendship and Brotherly feeling in relation to the Fraternity; or
 - (I) for any other reason deemed necessary and appropriate for the Fraternity's well-being by the Supreme Executive Committee.

Sub-Section 3. Action By Colleges.

Efforts made by any host institution or any body authorized by any host institution which infringe upon the freedom of the Chapter members to choose their own members or prospective members shall constitute grounds for withdrawal of the charter of that particular Chapter. Notwithstanding the foregoing, the Supreme Executive Committee may in appropriate circumstances authorize the continuance of such Chapter as an off-campus organization, not accredited as a student organization by the host institution.

Sub-Section 4. Procedure. A Chapter may be subject to discipline by the Supreme Executive Committee upon either; (A) written charges or a request made by one or more members of the Fraternity and submitted to the Worthy Grand Procurator and presented forthwith to the Supreme Executive Committee for consideration; (B) written notice to Kappa Sigma Fraternity from the host institution of any Chapter, or any Interfraternity Council (or similar organization) of which the Chapter is a member, of allegation, investigation, sanction, or discipline

of a Chapter by that institution or organization for violations of the rules, policies, or standards of the institution, the organization, or Kappa Sigma Fraternity; or (C) failure of the Chapter to comply with Article IX of the By-Laws of Kappa Sigma Fraternity. The Supreme Executive Committee may, in its discretion, determine any other additional procedures necessary to ensure the fair and appropriate discipline of Chapters.

Sub-Section 5. Sanctions. The Supreme Executive Committee may impose any Sanctions (whether or not defined herein) against any Chapter as it deems appropriate to the circumstances and facts presented, provided that;

- (A) Expulsion of a Chapter shall require the unanimous vote of the Supreme Executive Committee and shall result in: (i) withdrawal of the Chapter's charter, and (ii) unless otherwise ordered by the Supreme Executive Committee in its written Order of Expulsion, expulsion of all undergraduate members of such Chapter, provided, however, that in the event that an Order of Expulsion shall issue without a prior hearing, the Chapter or any individual members expelled by the Order of Expulsion, shall have the right to appeal such expulsion in accordance with the applicable provisions of the Constitution, By-Laws and Rules of the Fraternity. Notwithstanding any pending or contemplated appeal, upon receipt of the written Order of Expulsion, the members of the former Chapter (whether or not remaining members of the Fraternity) shall return the charter and Ritual Equipment of the Chapter to the custody of the Worthy Grand Scribe, and the status of the Chapter shall be that of an Inactive Chapter, without authority to pledge or initiate members or conduct any business meeting or social affair as a Chapter of, or in the name of, Kappa Sigma, or to use the name, marks, insignias or other distinctive emblems of Kappa Sigma;
- (B) Withdrawal of a Chapter's charter shall require the four-fifths (80%) vote of the Supreme Executive Committee and shall

result in the withdrawal of the Chapter's charter for either a fixed or indefinite period of time. Withdrawal shall not affect the membership status of any individual member of such Chapter. Upon receipt of the written Order of Withdrawal, the members of the former Chapter shall return the Charter and Ritual Equipment of the Chapter to the custody of the Worthy Grand Scribe, and the status of the Chapter shall be that of an Inactive Chapter, without authority to pledge or initiate members or conduct any business meeting or social affair as a Chapter of, or in the name of, Kappa Sigma, or to use the name, marks, insignias or other distinctive emblems of Kappa Sigma;

- (C) In lieu of or in addition to any other Sanction, a Chapter may be subject to any one or more Sanctions, including, without limitation, suspension, fines, assessments, modification of or participation in defined programs, appointment of a Trustee to oversee Chapter operations, or requirement or other penalties as defined by, and deemed appropriate by, the Supreme Executive Committee. Upon receipt of any Notice of Sanctions, members of the Chapter sanctioned shall comply with all sanctions imposed and all orders and directions of the Supreme Executive Committee.

Sub-Section 6. **Hearings.** Except as otherwise required by the Constitution, By-Laws and Rules of Kappa Sigma Fraternity, or as determined by the Supreme Executive Committee, in its discretion, may impose Sanctions without a prior hearing when it deems necessary. Any Hearing ordered by the Supreme Executive Committee or required under the Constitution, By-Laws and Rules of Kappa Sigma Fraternity, shall be held in accordance with any guidelines established from time to time by the Supreme Executive Committee.

Sub-Section 7. **Appeals; Reinstatement.** If a Chapter is Sanctioned without a prior Hearing, it may, within thirty (30) days following the date of the Notice of Sanctions

or Order of Withdrawal, appeal such action in writing to the Supreme Executive Committee. Upon receipt of a timely filed appeal, the Supreme Executive Committee shall provide for a Hearing concurrent with the next scheduled meeting of the Supreme Executive Committee. Where a Hearing is held prior to imposition of any Sanctions, it is in the sole discretion of the Supreme Executive Committee to grant any subsequent appeal. The Supreme Executive Committee may, in its discretion, reinstate any Chapter at any time following the imposition of any Sanctions and may waive, modify or otherwise, decrease, limit or rescind the nature or duration of any Sanctions imposed on any Chapter.

ARTICLE V. MEMBERSHIP.

Section 1. **Qualifications for Membership.**

Sub-Section 1. **Basic Requirements.** All initiates of this Fraternity must be male persons at least fourteen (14) years of age selected to be worthy of membership by standards of scholarship, conduct, morals and proficiency acceptable to initiated members of the Chapter by which they are initiated.

Sub-Section 2. **College Students Only.** No Person shall be eligible for initiation, nor shall he be admitted to membership in this Fraternity, unless he is in active attendance as a student at a college or university where an Undergraduate Chapter of this Fraternity is located. For purposes of this Constitution and the By-Laws promulgated hereunder, the term "Undergraduate," when used to refer to the members of an Undergraduate Chapter, shall also include graduate students. In the following cases the Supreme Executive Committee may unanimously consent to a waiver of this membership requirement:

- (A) in case the absorption of local societies or other organizations whose bona fide Undergraduate members shall be eligible to initiation and membership in this Fraternity,
- (B) in case of a member of the faculty, staff, or administration in the institution at which a Chapter is located,
- (C) in case of a man over twenty-five (25)

- (D) years of age, whose initiation will be in the best interests of the Fraternity, or in case of a pledge who was not initiated while in college through no fault of his own, and whose pledge was not broken.

Sub-Section 3. Dual Membership Prohibited. No person who is or ever has been a member of any National Interfraternity Conference or National Pan-Hellenic Conference fraternity shall be eligible for membership in this Fraternity.

Sub-Section 4. Founders' Legacies. Any male issue of a Founder of Kappa Sigma Fraternity may be admitted to membership in this Fraternity, regardless of any provision of Sub-Sections 2 and 3 hereof, with the unanimous consent of the Supreme Executive Committee.

Sub-Section 5. Prohibited Memberships. No member of this Fraternity shall join the class society known as Theta Nu Epsilon (T,N,E), Quo Vadis, P.N.E., Reds, Kappa Beta Phi, Pi Xi (The Pixies), or any class society or otherwise become a member of, or provide support to in any form whatsoever, to any other organization which the Supreme Executive Committee, by four-fifths vote, shall from time-to-time specify. No person being a member of or providing support to any such organization shall be eligible to membership in this Fraternity, or be permitted to remain a member of the Fraternity.

Sub-Section 6. Exceptions. Circumstances justifying slight departures from the requirements for membership herein prescribed may be allowed by approval of the Supreme Executive Committee upon recommendations of and request from the District Grand Master, where it shall appear to the Supreme Executive Committee that the best interests of the Chapter and the Fraternity in general shall be served.

Sub-Section 7. Members of Absorbed Locals. No Chapter shall initiate a member of a "local" absorbed by Kappa Sigma without first obtaining the written consent of the Chapter which succeeded the local.

Section 2. Election of Members.

Sub-Section 1. Authority for Initiation. Except as hereinabove provided in this Article, no person shall be elected or initiated by any body of men or in any manner or form

other than regularly with proper ceremony as provided for in the Ritual of Kappa Sigma, by the Chapter located at the college or university at which such person is a student or any other form of Chapter approved by the Ritual Commission.

Sub-Section 2. Requirements for Election. Before an otherwise qualified person may be elected to membership and initiated into this Fraternity, he shall meet all of the following requirements:

- (A) He shall have been first duly pledged in a formal ceremony conducted by the Chapter by which he is to be initiated.
- (B) His pledge fees must have been paid not later than ten (10) days following his pledging by such formal ceremony.
- (C) He must be in good scholastic standing, as measured by this Fraternity's academic standards.
- (D) Any indebtedness to the Chapter by which he is initiated, including the membership fees, shall have been paid in full prior to initiation.
- (E) He must be eligible for initiation under all applicable rules of the institution at which he is a student (in those cases where the Chapter by which he is initiated is an organization accredited by the particular institution).

Exceptions to the above requirements may be made at the discretion of the Supreme Executive Committee or as otherwise authorized by the Constitution, By-Laws and Rules of the Fraternity.

Sub-Section 3. Manner of Election. The unanimous secret vote of the Undergraduate members in good standing of a Chapter attending the meeting shall be required to elect a person for initiation and membership, as follows:

- (A) A unanimous secret ballot of the Undergraduate members in good standing of the Chapter, provided that any Undergraduate member of the Chapter may call for a special secret ballot on the day fixed for initiation, and such ballot must be unanimous.
- (B) Such votes shall only be held at a regular or special meeting of the Chapter.
- (C) Three-fourths (75%) of the Undergraduate members of the Chapter

in good standing shall constitute a quorum for the purpose of conducting such vote.

- (D) Failure of a candidate for pledging or a pledge to receive a unanimous vote on any preliminary balloting shall not be construed to prohibit his later initiation, provided that the above requirements are later met.

Sub-Section 4. **Exception.** Any Chapter by written petition signed by at least four-fifths (80%) of its undergraduate members in good standing may request a waiver of Sub-Section 3 (A) above, and on receipt of such petition the Supreme Executive Committee by an affirmative vote of at least three (3) of its members may suspend the requirements of said Sub-Section 3 (A) and permit the petitioning Chapter to elect persons to membership who received no more than three (3) negative votes, or negative votes from ten percent of the Undergraduate Chapter present and voting, whichever is greater. The Supreme Executive Committee shall consult with the Chapter's Alumnus Advisor and District Grand Master prior to acting upon any such petition. A Chapter operating under this waiver may rescind its position by an affirmative vote of at least four-fifths (80%) of its undergraduate members in good standing.

Section 3. **Members in Good Standing.**

All regularly initiated members of this Fraternity shall be members in good standing, except:

- (A) any member who has been expelled.
- (B) any member who has been suspended and not reinstated.
- (C) any member who owes any sum of money to this Fraternity or any Undergraduate Chapter, more than thirty (30) days past due.
- (D) any member who is considered not in good standing under any provisions of the Constitution, By-Laws, Rules and Enactments of the Grand Conclave of this Fraternity.
- (E) any undergraduate member who is considered not in good standing under any provisions of the By-Laws or other Enactments of his Chapter.

Only members in good standing shall be entitled to attend Chapter meetings, Grand

Conclaves, and other business meetings and social affairs conducted in the name of Kappa Sigma. Every member in good standing shall enjoy perpetual membership in this Fraternity, including the continuing right to attend meetings of the Chapter by which he was initiated and vote on all questions, except that only undergraduate members shall be eligible to vote on the election of candidates for initiation or pledging, the suspension or expulsion of an undergraduate member, the election of officers, and assessments applicable to undergraduate members.

Section 4. **Resignation.**

Sub-Section 1. **Undergraduate**

Members. Any undergraduate member who shall desire to withdraw from the Fraternity may present his resignation in writing to the Grand Scribe of the Chapter of which he is a member, and such resignation must be presented to the Chapter at the first meeting after its receipt by the Grand Scribe. It shall lie over one meeting and may then be accepted by a majority vote of the Chapter.

In the alternative, any undergraduate member in good standing may present his written resignation to the Executive Director, who shall forward the same to the Supreme Executive Committee. The Supreme Executive Committee may accept such resignation.

Sub-Section 2. **Alumni.** Any alumnus member who shall desire to withdraw from the Fraternity shall submit his resignation in writing to the Executive Director, who shall forward the same to the Supreme Executive Committee. The Supreme Executive Committee may, by a majority vote, accept such resignation.

Sub-Section 3. **Payment of Dues and**

Charges. Under no circumstances shall any member be permitted to resign by a Chapter or by the Supreme Executive Committee until and unless he shall have paid all dues, charges and assessments owed to the Chapter or to this Fraternity up to the date of his resignation.

Section 5. **Expulsion.** Any member of this Fraternity may be expelled (A) pursuant to an Order of Expulsion issued upon the expulsion of a Chapter; or (B), if he, after a trial in the manner provided in the By-Laws, shall have been found guilty of any act or conduct unbecoming a Kappa Sigma, or other causes prescribed in the By-Laws.

Any member expelled pursuant to an Order of Expulsion without a prior hearing provided for such chapter shall have the right to appeal by filing a written notice with the Supreme Executive Committee in care of the Executive Director within thirty (30) days following the date of the Order of Expulsion providing for his expulsion. Upon receipt of a timely filed appeal, the Supreme Executive Committee shall provide for a Hearing concurrent with the next scheduled meeting of the Supreme Executive Committee for the appeal of such individual's expulsion. Where a Hearing occurs for any chapter prior to the expulsion of any member pursuant to the expulsion of his Chapter, it is in the sole discretion of the Supreme Executive Committee to grant any subsequent appeal, as provided under the Constitution, By-Laws and Rules of the Fraternity.

Section 6. **Suspension.** Any member of this Fraternity may be suspended for a definite period of time, or until a specified event, from all rights and privileges of membership in Kappa Sigma.

Sub-Section 1. **Manner of Suspension.** Such suspension may be imposed only as follows:

- (A) After a trial in the manner provided in the By-Laws;
- (B) By the Worthy Grand Procurator as provided in the By-Laws; or
- (C) By the Worthy Grand Treasurer as provided in the By-Laws for a delinquent account.

Any member suspended pursuant to Article V, Section 6 (B) or (C) may appeal to the Supreme Executive Committee as provided in the By-Laws.

Sub-Section 2. **Effect of Suspension.** During any period of suspension, a member suspended shall not be considered a member in good standing.

Section 7. **Reinstatement.** Any member of this Fraternity who has resigned, been expelled, or been suspended from membership in Kappa Sigma Fraternity, may be reinstated only by action of the Supreme Executive Committee; provided, however, that one suspended for a definite period shall automatically again become a member of the Fraternity at the expiration of the period of suspension. The Supreme Executive Committee shall request a recommendation from

the member's Chapter prior to granting any request for reinstatement. A four-fifths (80%) vote shall be required to reinstate a member who has resigned or been expelled. A majority vote shall be required to reinstate a member who has been suspended.

ARTICLE VI. ALUMNI CHAPTERS.

Section 1. **Alumni Chapter Charters.** Whenever four (4) or more Alumni members of the Fraternity residing near each other in any part of the world shall petition the Supreme Executive Committee to be chartered as an Alumni Chapter, that body may, in its discretion, so organize the petitioners and grant them a Charter, which shall give them the privilege to hold meetings for mutual benefit and pleasure under the Alumni Chapter name by which the body shall be designated, and under the authority of the Fraternity.

Section 2. **Alumni Chapter Dues.** Chartered Alumni Chapters shall pay regular annual dues into the general treasury of the Fraternity in such amounts, at such times and in such manner as shall be prescribed by the Supreme Executive Committee under the provisions of the By-Laws or Rules.

ARTICLE VII.
DISTRICTS.

Section 1. **Districts.** The Chapters of the Fraternity shall be divided into Districts, from time to time, by the Supreme Executive Committee, and the composition, organization and government of such Districts shall be such as may be provided for in the By-Laws or Rules.

ARTICLE VIII.
UNDERGRADUATE ADVISORY
COMMITTEE.

Section 1. **The Undergraduate Advisory Committee.** The Undergraduate Advisory Committee shall consist of five (5) undergraduate members and five (5) alternates. They shall represent five areas, each area to consist of approximately one-fifth (20%) of the total number of Chapters as determined by the Supreme Executive Committee.

Section 2. **Purpose.** The purpose of the Undergraduate Advisory Committee is to: (a) act in an advisory capacity to the Supreme Executive Committee and the general officers of Kappa Sigma, (b) solicit ideas, suggestions, and criticisms from undergraduate members for the betterment of the Fraternity, and (c) represent the undergraduate tone of the Kappa Sigma Fraternity.

Section 3. **Term of Office.** Members and alternates shall be elected annually in odd-numbered years at the Grand Conclave and in even-numbered years at a Leadership Conference or other Area meeting.

Section 4. **Nomination of Members.** A member shall be received for nomination by either a submission of his name and area to the outgoing Undergraduate Advisory Committee or by a nomination and second at the area election.

Section 5. **Election of Members.** Members of the Undergraduate Advisory Committee shall be elected in the manner set forth in the Rules not inconsistent with this Section. In any election, each Chapter in good standing present and voting shall be entitled to one (1) vote. The election of the member shall be by a majority vote of the Chapters present and voting by area, and the alternate shall be the man receiving the

second highest number of votes. At a Grand Conclave, the election of members and alternates shall be on the last day of the Grand Conclave, and the terms of members shall commence on the first day following their election. Members elected in even-numbered years shall commence their term of office on the date of their election.

Section 6. **Qualifications for Undergraduate Advisory Committee.** No one shall be a member of the Undergraduate Advisory Committee of this Fraternity unless he shall at the time of his election have been an initiated member and have at least one (1) year remaining prior to graduation. In the event that a member of the Undergraduate Advisory Committee should become unable to fulfill the duties of his office, or should not be a member in good standing of the Fraternity, or should be removed from office, then he shall be succeeded in his office by the alternate from his Area.

Section 7. **Duties of the Undergraduate Advisory Committee.**

Sub-Section 1. **Attend Supreme Executive Committee Meetings.** Each member shall attend each Supreme Executive Committee meeting. The Undergraduate Advisory Committee may meet an additional day preceding or following any regular Supreme Executive Committee meeting, at the expense of the Fraternity, with the approval of both the Worthy Grand Master and Worthy Grand Treasurer.

Sub-Section 2. **Communicate With Chapters.** Members will contact each of the Chapters in their areas at least once each academic period (sem., qtr., etc.) and will report the progress of the Fraternity to the Chapter as well as solicit Chapters' problems and opinions, so that they may better speak in their behalf with the Supreme Executive Committee.

Section 8. **Expenses.** An Undergraduate Advisory Committee member or alternate who performs duties requested by the Supreme Executive Committee shall be entitled to expenses as Fraternity policy dictates.

Section 9. **Removal From Office.** Any such member or alternate may be removed during his term of office if he be proven guilty of any felony in law, fails to perform the duties of his office, or by acts or words brings dishonor upon the Fraternity; and this removal may be made by

either a unanimous vote of the Supreme Executive Committee or a unanimous vote of the Undergraduate Advisory Committee members, the Undergraduate Advisory Committee member under charges not voting.

ARTICLE IX.
GRAND CONCLAVES.

Section 1. **Date and Place of Grand Conclave, Postponement.** A Grand Conclave of the Undergraduate and Chartered Alumni Chapters and members of the Fraternity shall hereafter be held every odd numbered calendar year, the place and date of the meeting to be selected by the Supreme Executive Committee, of which place and date of Grand Conclave sixty (60) days' written notice shall be given to each Undergraduate and Alumni Chapter by the Worthy Grand Scribe. The Supreme Executive Committee may, by a majority vote, postpone the holding of any Grand Conclave as it may determine but not beyond the succeeding odd year, provided that written notice of such decision shall be forthwith given to each Undergraduate and Alumni Chapter of the Fraternity.

Section 2. **Delegates' Votes in Grand Conclave.**

Sub-Section 1. **Undergraduate Chapter Votes.** Each Chapter represented by a delegate in person shall be entitled to three (3) votes; provided, however, that no Undergraduate Chapter delinquent in the payment of dues or assessments shall be allowed to vote, and no Undergraduate Chapter shall be entitled to representation in the Grand Conclave after its expulsion or during any period of suspension.

Sub-Section 2. **Alumni Chapter Votes.** Chartered Alumni Chapters represented by a delegate in person shall be entitled to two (2) votes; provided, however, that no Alumni Chapter delinquent in the payment of dues or assessments shall be allowed to vote or be entitled to representation in the Grand Conclave during any period of suspension and provided, further, that no member of the Supreme Executive Committee, Officer or District Grand Master shall be eligible to be a delegate from an Alumni Chapter.

Sub-Section 3. **Alumni Votes.** Each alumnus member present who is not a delegate

from an Alumni Chapter shall be entitled to one (1) vote. The alumni of any one Undergraduate Chapter shall collectively be allowed three (3) votes and no more.

Sub-Section 4. **Quorum.** Delegates representing a majority of the Undergraduate Chapters shall constitute a quorum in Grand Conclave.

Section 3. **Presiding Officer.** In case of the absence of the Worthy Grand Master, the next Supreme Officer present in the order in which they are named in Article II, Section 1 of this Constitution, shall preside over the Grand Conclave.

Section 4. **Credentials Committee.** The Supreme Executive Committee shall, before or immediately after convening the Grand Conclave, appoint a Committee on Credentials, which shall report all Undergraduate and Alumni Chapter delegates and alumni entitled to a vote in the Grand Conclave. No delegate whose seat is contested shall be appointed, or act, as a member of said Committee. From the report of the Committee on any such contest, there shall be an appeal to the Grand Conclave. Upon a ballot on such appeal none of the contesting parties shall be entitled to vote. No Undergraduate Chapter delegate shall be seated or receive credentials if he does not expect to return to his Undergraduate Chapter in the collegiate session next following the Grand Conclave to which he was elected delegate.

Section 5. **Rules.** Each Grand Conclave may determine the rules of its proceedings.

Section 6. **Grand Conclave Committees.** The Supreme Executive Committee shall appoint such Committees as may be necessary and proper to facilitate the business of the Grand Conclave or as may be required by the Rules thereof.

Section 7. **Minutes of Grand Conclave.** Each Grand Conclave shall keep a journal of its proceedings, and such journal shall be published together with the text of all orders, resolutions and acts passed by the Grand Conclave, and a copy of such publication furnished each Undergraduate Chapter.

Section 8. **Powers of Grand Conclave.** The Grand Conclave shall have power to pass any order, act, or resolution, not inconsistent with this

Constitution or By-Laws, and unless a different date be provided therein, such order, act or resolution passed shall take effect from the last day of the Grand Conclave.

Section 9. Nominating Committee. Prior to December 1 preceding each Grand Conclave, the Supreme Executive Committee shall cause a Nominating Committee to be constituted to be comprised of:

- (1) Two past members of the Supreme Executive Committee, one of whom shall serve as Chairman. The Chairman shall be elected by the Nominating Committee;
- (2) Two Commissioners;
- (3) Five District Grand Masters or Alumnus Advisors, one from each of the areas defined in Section 1 of Article VIII; and
- (4) Two members of the Undergraduate Advisory Committee.

The Worthy Grand Master and the Worthy Grand Treasurer or Worthy Grand Scribe whose term of office will expire at the next Grand Conclave.

Sub-Section 1. Election of Members. Members of the Nominating Committee, except the Worthy Grand Master and Worthy Grand Scribe or Worthy Grand Treasurer shall be elected by secret mail ballot of their peer group taken at the direction of the Supreme Executive Committee in November of the year preceding the Grand Conclave, that is, the past members of the Supreme Executive Committee shall be elected by all past members of the Supreme Executive Committee, the District Grand Master or Alumnus Advisor representing an area shall be elected by all District Grand Masters and Alumnus Advisors in that area, etc.

Sub-Section 2. Term of Membership. No Member shall serve on two (2) consecutive Nominating Committees, and no member of the Committee shall be eligible for nomination or election to office at the Grand Conclave to which that Committee reports.

Sub-Section 3. Alternate Members. If any member elected to the Nominating Committee is unable or unwilling to serve, or ceases to hold the office which was held at the time he was elected to the committee, or withdraws to enable his name to be considered for

nomination, the member of the group from which he was elected with the next highest number of votes shall be appointed in his stead; however, the Undergraduate Advisory Committee shall determine a first and second alternate at the time it selects its two committee members.

Sub-Section 4. Call for Nominations. Prior to the 15th day of January next following the constitution of the Committee, the Worthy Grand Master and Nominating Committee Chairman shall issue a call for nominations by first class mail to all Undergraduate and Alumni Chapters, District Grand Masters and their Assistants, Alumnus Advisors and their Assistants, Commissioners, Committee Chairmen and members, and past members of the Supreme Executive Committee. The call for nominations shall describe the responsibilities of serving on the Supreme Executive Committee and explain the nomination and election process, and shall include a suggested form for the nomination, and shall direct the return of the nomination to the Chairman in care of International Headquarters not later than February 15.

Sub-Section 5. Nominee Consent. The Chairman shall contact each proposed nominee by March 1 and determine their availability for election to a Supreme Office and advise them of the responsibilities of serving on the Supreme Executive Committee. The proposed nominee shall be provided with a form to consent to his nomination and to provide his personal, business, fraternity and community activities and other qualifications for office. Copies of all nomination forms, letters of nomination, consent to nomination forms and individual written statements of personal, business, fraternity and community activities and other qualifications for office shall be distributed to all Nominating Committee members so as to be actually physically received by them not less than 7 days prior to the meeting referred to in Sub-Section 6, below.

Sub-Section 6. Meeting. The Committee shall meet in March of the Grand Conclave year in the manner specified by the Supreme Executive Committee. Costs and expenses of such meeting, if any, shall be paid by the Fraternity.

Sub-Section 7. Selecting Nominees for

Office. The Committee shall review and consider all nominations submitted and shall slate one candidate for each open Supreme Office.

- (1) A quorum shall be nine (9) or more voting members of the Committee.
- (2) The Worthy Grand Procurator shall be slated for Worthy Grand Master, unless rejected by a two-thirds (2/3) vote of the Nominating Committee members present at a meeting at which a quorum of the Committee is present.
- (3) The Worthy Grand Master of Ceremonies shall be slated for Worthy Grand Procurator unless rejected by a two-thirds (2/3) vote of the Nominating Committee members present at a meeting at which a quorum of the Committee is present.
- (4) The position of Worthy Grand Master of Ceremonies and either Worthy Grand Treasurer or Worthy Grand Scribe and any other open office caused by the rejection of the incumbent Worthy Grand Master of Ceremonies or Worthy Grand Procurator shall be slated by a two-thirds (2/3) vote of the Committee present at a meeting at which a quorum of the Committee is present.
- (5) In the case of the slating of any person for any position on the Supreme Executive Committee, where the person so slated for any such position is then serving as a member of the Supreme Executive Committee, the position on the Supreme Executive Committee of the person then so slated shall be deemed potentially vacant and the Nominating Committee shall slate one (1) person to be elected by the Grand Conclave to serve the unexpired portion, if any, of such person's term of office on the Supreme Executive Committee.

Sub-Section 8. Reporting Nominees. The Chairman shall, within three (3) business days of the meeting referred to in Sub-Section 6, above, report the slate to the Supreme Executive Committee which shall, with seven (7) additional calendar days, announce the slate to the Chapters in the manner specified by the Supreme Executive Committee and persons described in Article IX,

Section 9, Sub-Section 4.4 and publish the slate in the next following regularly scheduled issue of *The Caduceus*.

Sub-Section 9. Reporting to the Grand Conclave. The Chairman shall give the report of the Nominating Committee at the opening session of the Grand Conclave. Additional nominations may be received from the floor at this time.

Sub-Section 10. Introduction of Candidates. The Nominating Committee shall facilitate the introduction of all candidates at a special open forum prior to the election.

Sub-Section 11. Nomination Timing. If the Grand Conclave is held other than in a Summer month, the timing of the nominating process shall be adjusted accordingly.

Section 10. Election and Installation. Elections shall be held at the first business session on the day next following the opening session. At that time, additional nominations may be made from the floor. Each officer shall be voted for separately, and a majority vote shall be necessary to elect. The newly elected Supreme Executive Committee shall be installed in conjunction with the Model Initiation, and shall assume the responsibility of their respective offices on the day next following the adjournment of the Conclave.

Section 11. Voting. All voting in Grand Conclave shall be by roll call if demanded, and every vote shall be recorded by the Worthy Grand Scribe.

Section 12. Special Grand Conclave. A special Grand Conclave shall be called at any time at the written request of two-thirds (66-2/3%) of the Undergraduate Chapters of the Fraternity.

Section 13. Notice of Special Grand Conclave. No special Grand Conclave shall be called until the several Chapters of the Fraternity shall have had thirty (30) days' written notice of the time and place for holding same. The Worthy Grand Scribe shall file his written certificate at the opening session of the special Grand Conclave containing a copy of the written notice he has given as well as a statement as to whom it was sent and when and where it was mailed.

Section 14. Expenses. The Fraternity shall pay such amounts for Grand Conclave expenses as the Supreme Executive Committee

shall order. If any Chapter is in arrears with the Fraternity from any cause, the amount of its indebtedness shall be first deducted, and the balance, if any, paid to the delegate. Any such delegate shall not be allowed or paid any of such sums, nor shall his Chapter receive credit therefore, unless such delegate is entitled to be seated or receive credentials at the Grand Conclave to which he was elected delegate.

ARTICLE X. BY-LAWS AND RULES.

Section 1. **By-Laws.** By-Laws not inconsistent with this Constitution may be adopted or amended by a two-thirds (66-2/3%) vote of any regular or special Grand Conclave, providing such proposals are signed by a member of the Supreme Executive Committee or by at least three (3) elected delegates and presented to the Worthy Grand Scribe, prior to the opening of the first business session of such Grand Conclave.

Section 2. **Rules.** Rules not inconsistent with the Constitution and By-Laws may be adopted by majority vote at any regular or special Grand Conclave, provided proposed rules or changes are signed by a member of the Supreme Executive Committee or by at least three (3) elected delegates and presented in writing to the Worthy Grand Scribe, prior to the opening of the first business session of the Grand Conclave. They may be amended or supplemented from time to time by unanimous action of the Supreme Executive Committee, such changes or additions to be communicated to the Undergraduate Chapters and to be effective until the next Grand Conclave and thereafter, if approved by simple majority vote at such Grand Conclave.

Section 3. **Chapter By-Laws and Rules.** Chapter By-Laws and Rules may be adopted, which are not inconsistent with the Constitution, By-Laws, Rules, and Acts of Grand Conclaves of this Fraternity.

ARTICLE XI. THE BADGE, COLORS, FLOWER, COAT- OF-ARMS, CREST, MOTTO, FLAG, SEAL AND PLEDGE BUTTON.

Section 1. **Badge.** The Badge of the

Fraternity shall be a Crescent and a Five-Pointed Star, the outer rim of the Crescent holding four extreme points of the Star and the inner rim of the Crescent being a segment of a circle that will make the Crescent five thirty-seconds (5/32) of one (1) inch at its greatest width in a Badge three-quarters (3/4) of an inch in width. The Crescent shall be finished in frosted or rough metal, and there shall be enameled in black in the center of the Crescent a Skull and Cross Bones, and in the left end of the Crescent there shall be enameled in black Crossed Keys, and in the right end of the Crescent there shall be enameled in black Crossed Swords. The Star shall be enameled in black with a border of white enamel. There shall be a circle, either of plain metal or jewels, in the center of the Star, enclosing the Greek letters, Kappa Sigma. The Badge must be of convex surface, and the greatest width must not be more than three-quarters (3/4) of one (1) inch. Jewels may also be placed in the points of the Star and around the outer rim of the Crescent, but settings of any jewels shall not be above the general surface level of the Badge.

Section 2. **Colors.** The Colors of the Fraternity shall be Scarlet, White and Emerald Green.

Section 3. **Flower.** The Flower of the Fraternity shall be the Lily of the Valley.

Section 4. **Coat-of-Arms, Crest, Motto.** The Fraternity Coat-of-Arms shall be blazoned as follows: Gules, on a bend sinister vert five mullets argent. In Dexter chief a crescent moon of the third.

Crest: On a wreath of the colors (argent and gules) a Caduceus proper debriused by an annulet argent.

Motto: A.E.K.Δ.B.

The Mullets shall be five-pointed, unpierced, and oriented on the arms so that one point of each star shall point vertically upwards.

Section 5. **Flag.** The Flag of Kappa Sigma shall consist of three (3) vertical bars of scarlet, white and emerald green, of equal width, and in the order named; upon the middle or white bar the Fraternity's Coat-of-Arms in its proper colors.

Section 6. **Seal.** The Seal of the Fraternity shall consist of a circle with the words The Seal of the Kappa Sigma Fraternity around its

outer circumference and the words Founded at the University of Virginia, December 10, 1869 in or around its center.

Section 7. **Pledge Button.** The official Pledge Button of the Fraternity shall show an inverted triangular field of black enamel with a narrow border of gold and the Caduceus surmounted by a circle enameled in gold thereon together with the letters K and Σ.

ARTICLE XII. AMENDMENTS.

No amendment shall be made to this Constitution unless a written copy of such amendment proposed be submitted to each Undergraduate Chapter of the Fraternity at least thirty (30) days preceding the next Grand Conclave after such submission, but not later than May 1st with respect to a regular Grand Conclave. If any proposed amendment shall be submitted to the Chapters in proper time, it shall, upon receiving three-fourths (75%) of all the votes in Grand Conclave, become a part of this Constitution, and not otherwise. Such proposed amendment, as submitted to the Chapters, may be altered or amended in Grand Conclave before adoption, provided the general tenor or objective desired is not changed, the latter to be determined by the Parliamentarian. The Worthy Grand Scribe shall file his written certificate at the opening session of the Grand Conclave to which any such proposed amendment is to be submitted containing a copy of the proposed amendments as well as a statement as to whom it was sent and when and where it was mailed. Any proposed amendments received by the Worthy Grand Scribe postmarked on or before March 1 preceding a regular Grand Conclave, shall be mailed by him to all Undergraduate Chapters not later than April 1 preceding such Grand Conclave.

BY-LAWS of KAPPA SIGMA FRATERNITY

ARTICLE I. THE SUPREME EXECUTIVE COMMITTEE.

Section 1. **Meetings.** Meetings of the Supreme Executive Committee shall be held at the places and times as may be determined by a majority vote of the Committee, provided that at least one meeting shall be held in-person in each calendar year. Meetings may take place in person or by telephonic means, provided, however, that all trials and hearings required by the Constitution, By-Laws and Rules shall be conducted only at an in-person meeting of the Supreme Executive Committee. Action between meetings shall be permitted provided such actions are taken otherwise in accordance with the applicable provisions of the Constitution By-Laws and Rules and such actions are ratified by the Supreme Executive Committee.

Section 2. **Worthy Grand Master.**

Sub-Section 1. **Responsibilities.** The Worthy Grand Master shall be responsible for all aspects of the operation of the Fraternity not otherwise assigned.

Sub-Section 2. **Audit.** The Worthy Grand Master, with concurrence of the Worthy Grand Procurator, Worthy Grand Master of Ceremonies, and Worthy Grand Scribe, shall, before the end of each fiscal year, appoint a Certified Public Accountant, whose duty it shall be to audit the accounts of the Worthy Grand Treasurer and whose report shall be published in the Star and Crescent.

Section 3. **Worthy Grand Procurator.**

Sub-Section 1. **Reviews Charges.** He or his appointee shall review all charges made against any Chapter or member, and any failure, neglect or refusal of any Chapter or member to observe or obey any provision of the Constitution of this Fraternity or these By-Laws or the Rules or any order or demand of the Supreme Executive Committee, or any Officer thereof and shall report the result of such review to the Supreme Executive Committee, recommending, in his discretion and where appropriate, that any such charges be dismissed without further action by the Supreme Executive

Committee where the review of such charges finds such charges frivolous or otherwise without merit.

Section 4. **Worthy Grand Master of Ceremonies.**

Sub-Section 1. **Preserves Secret Work.** The Worthy Grand Master of Ceremonies shall preserve as records of his office a complete file of all books, documents, and papers connected with or pertaining to the secret work of the Fraternity.

Section 5. **Worthy Grand Scribe.**

Sub-Section 1. **Preserves Records.** The Worthy Grand Scribe, as the Secretary of the Fraternity, shall be responsible for the safekeeping of the records of the Fraternity.

Sub-Section 2. **Records Conclave Minutes.** It shall be his duty to keep the Journal of each session of the Grand Conclave and arrange for the publication and distribution of the same as provided in the Constitution.

Sub-Section 3. **Reports Resignations; Suspensions; Expulsions.** He shall promptly submit to the Supreme Executive Committee the resignation of any alumnus member received by the Executive Director otherwise in accordance with the Constitution, By-Laws and Rules and shall report all resignations, suspensions and expulsions accepted or imposed by chapters of Kappa Sigma Fraternity to the Supreme Executive Committee.

Sub-Section 4. **Records of Discipline.** He shall maintain records of all resignations, expulsions, and suspensions, together with all papers pertaining thereto.

Section 6. **Worthy Grand Treasurer.**

Sub-Section 1. **Charges Fees.** The Worthy Grand Treasurer shall be responsible for keeping a record of all the Undergraduate Chapters of the Fraternity and shall upon notification of a pledging or an initiation in any Chapter, charge each pledge and initiate of a Chapter with the pledge fee and membership fee for such pledging or initiation, provided for in these By-Laws.

Sub-Section 2. **Collects Dues, etc.** He shall be responsible for keeping a roll of all the undergraduate members of the Fraternity, properly grouped according to the Chapters of

which they are members, and he shall be responsible for collecting from the several Chapters the dues, membership fees, and assessments of the undergraduate members of the said Chapters, provided for in these By-Laws.

Sub-Section 3. **Secures Payment.** He shall make or cause to be made due and proper efforts to secure the payment of all money due the Fraternity within the times allowed for settlement.

Sub-Section 4. **Pays All Debts.** He shall have power to pay or cause to be paid any and all debts of the Fraternity when properly presented and vouched for.

Sub-Section 5. **Reports of Supreme Executive Committee.** He shall submit to the Supreme Executive Committee quarterly and annual statements in detail showing the receipts and disbursements of his office, together with a statement showing the amount owing the Fraternity from the Chapters and other sources, the current financial condition of the Fraternity, and such other reports as the Supreme Executive Committee may request.

Sub-Section 6. **Preliminary Budget.** He shall prepare a preliminary statement of projected receipts and disbursements for the annual period ending on May 31 of the following year and distribute it at every Grand Conclave and Leadership Conference to the Grand Conclave and Leadership Conference delegates, Alumnus Advisors, and District Grand Masters for informational purposes and for the purpose of inviting and receiving comments there on.

Sub-Section 7. **Budget.** He shall, within sixty (60) days after each Grand Conclave and on the annual anniversary thereof, be responsible for preparing and presenting to the Supreme Executive Committee a proposed budget showing estimated income and estimated expenditures of the Fraternity for the annual period ending on May 31 of the following year. The Supreme Executive Committee shall, within thirty (30) days thereafter, adopt the proposed budget, with any changes they may deem necessary. Thereafter, the Worthy Grand Treasurer shall audit and pay out of the funds of the Fraternity, the bills for such expenditures as are included in the said budget and such other bills for expenses as may be authorized by a majority vote of the Supreme Executive Committee. There shall be

included in said budget all of the salaries and expenses which are authorized by the Constitution, the By-Laws, the Rules of the Fraternity, or by action of any Grand Conclave.

ARTICLE II. PROFESSIONAL STAFF.

Section 1. **General.** The Supreme Executive Committee may employ an Executive Director and such other professional staff as it deems necessary to the efficient operation of the Fraternity. These persons shall have such responsibilities as are from time to time delegated to them by the Supreme Executive Committee, who may delegate to the staff any of the responsibilities outlined in Article I.

Section 2. **Compensation of Professional Staff.** The compensation of the Executive Director and other professional staff members shall be in such amounts as are fixed by the Supreme Executive Committee.

Section 3. **Executive Director.**

Sub-Section 1. **Custodian.** The Executive Director shall be the custodian of all records of the Fraternity.

Sub-Section 2. **Roll of Members.** He shall keep a roll of all members of the Fraternity which shall include: names in full, dates of birth, initiation, and death and addresses.

Sub-Section 3. **Report Forms.** He shall keep in his office and furnish to the Chapters the necessary blank forms for all required reports.

Sub-Section 4. **Constitution.** He shall keep printed copies of the Fraternity Constitution, By-Laws and Rules, and shall furnish same to any Chapter or member of the Fraternity upon the receipt of such price as may be fixed by the Rules or by the Supreme Executive Committee.

ARTICLE III.
APPOINTED COMMISSIONERS.

Section 1. **Appointment.** The Supreme Executive Committee may appoint by a majority vote such Commissioners and Commission members as they shall deem necessary from time to time to assist them in their work. Each of such Commissioners and Commission members shall serve at the pleasure of the Supreme Executive Committee.

Section 2. **Expenses.** No Commissioner or Commission member shall incur any expense incident to his position unless the same shall be provided for in the budget adopted by the Supreme Executive Committee, or such expense shall have been first approved by the Supreme Executive Committee.

Section 3. **Reports.** Each Commissioner shall present a report of the conduct of his position, as often as required by the Supreme Executive Committee, which may be printed and distributed with the reports called for in Article I of the By-Laws.

Section 4. **Supervision.** The Commissioners shall report to such member of the Supreme Executive Committee as the Supreme Executive Committee shall annually designate in writing.

ARTICLE IV.
NEW UNDERGRADUATE CHAPTERS.

Section 1. **Colonization.** The Worthy Grand Master, with the concurrence of three (3) other members of the Supreme Executive Committee, may authorize the establishment of a Colony, which shall consist of a group of eligible students at a qualified college or university for the purpose of establishing a Kappa Sigma Chapter at such college or university.

Section 2. **College Permission Sought.** The Worthy Grand Master shall apply to the faculty, trustees, or governing body of any college or university for a grant or charter authorizing the establishment of a Chapter of this Fraternity, if secret orders are prohibited in such college or university except by such grant or charter. Notwithstanding the foregoing, the Supreme Executive Committee, in its discretion, may

authorize the establishment of a local Chapter at a particular educational institution or may continue the existence of a Chapter already in existence at such institution where accreditation has been withdrawn or denied by the institution, if the Supreme Executive Committee shall determine that such denial or withdrawal of action by the institution was done arbitrarily, unreasonably, and capriciously or done in denial of the students' right of free association and the right of the Fraternity to govern its own affairs.

Section 3. **Procedure For Investigating Petitions.** The Supreme Executive Committee shall institute an investigation of the proposed new chapter in such a manner as the Supreme Executive Committee deems proper. Recommendations for establishing chapters shall be reported to the Chapters in a timely manner and due consideration shall be given to each written and signed communication received by the Supreme Executive Committee from any Chapter or member of Kappa Sigma following the above mentioned notification.

Section 4. **Installation of New Chapters.** The Supreme Executive Committee shall select one or more of its members to effect the organization of such Chapter and to initiate its charter members; provided, that if it is deemed by the Supreme Executive Committee impracticable for any of its members to conduct such organization, it may appoint some member or members of the Fraternity to conduct such organization and initiation, and said member or members shall in such cases be paid all actual expenses incident to such Chapter organization and initiation.

ARTICLE V.
UNDERGRADUATE CHAPTERS.

Section 1. **Powers, Constitution and Property.**

Sub-Section 1. **Authority.** Undergraduate Chapters shall be established only as authorized in the Constitution, By-Laws and Rules of this Fraternity, and shall operate strictly in accordance therewith.

Sub-Section 2. **By-Laws.** Each Chapter shall establish By-Laws for its regulation and government, and shall submit them to the

Executive Director. Such By-Laws shall become valid only upon approval by the Worthy Grand Procurator or his designee.

Sub-Section 3. Property. Each Undergraduate Chapter of Kappa Sigma Fraternity shall be entitled to hold property in its name as an Undergraduate Chapter of Kappa Sigma Fraternity, provided that no Undergraduate Chapter of Kappa Sigma Fraternity shall incur any indebtedness in excess of the total amount of its current assets; and in no event shall any Undergraduate Chapter of Kappa Sigma Fraternity or any individual member thereof or any officer thereof have any right to incur any obligation in the name of or for the account of the international Kappa Sigma Fraternity funds, said authorization being vested exclusively in the Supreme Officers of the Fraternity and the Supreme Executive Committee of the Fraternity.

Sub-Section 4. Trust for Fraternity. Each Undergraduate Chapter of Kappa Sigma Fraternity acquiring property for its account shall hold said property in Trust for the use and operation of an Undergraduate Chapter of Kappa Sigma Fraternity and for the use of the Fraternity, subject to the Constitution, usage, and administrative action of Kappa Sigma Fraternity as from time to time authorized and declared by the Grand Conclaves of the Fraternity and by the Supreme Executive Committee of Kappa Sigma Fraternity. All property acquired by an Undergraduate Chapter of Kappa Sigma Fraternity when no longer needed for the operation of said Undergraduate Chapter of Kappa Sigma Fraternity shall be disposed of in accordance with the direction of the Supreme Executive Committee of Kappa Sigma Fraternity.

Sub-Section 5. Housing Facilities (a) Owned by Fraternity. When an Undergraduate Chapter of Kappa Sigma Fraternity is housed in facilities owned by the Fraternity, said real estate and personal property shall be held in trust for the benefit of Kappa Sigma Fraternity by a corporation or trust established for such purpose. Such property shall be used, maintained and operated for the benefit of Kappa Sigma Fraternity, and such use, operation and maintenance shall be continued unless the Supreme Executive Committee of Kappa Sigma Fraternity, in writing, directs otherwise. In the

event any such property is no longer needed for the benefit of an Undergraduate Chapter of Kappa Sigma Fraternity for which it was originally acquired, the property shall be disposed of in accordance with the written directions of the Supreme Executive Committee and the proceeds therefrom shall be added to the Kappa Sigma Endowment Fund as the Supreme Executive Committee shall direct. The foregoing provision shall apply only to housing facilities owned by the Fraternity and not to house corporations generally operated by alumni of the Fraternity for the provision of housing to specific Undergraduate Chapters.

(b) Obligations of Members Serving as Directors, Trustees, or Officers of House Corporations, Generally. Members of the Fraternity serving as directors, trustees or officers of any corporation or other organization holding title to real or personal property for the use of an Undergraduate Chapter of Kappa Sigma, shall submit such financial and other reports to the Supreme Executive Committee as it may from time to time require and otherwise comply the policies of Kappa Sigma Fraternity regarding the provision of housing for undergraduate chapters as set forth in the Rules..

Sub-Section 6. Inactive Chapters. In the event an Undergraduate Chapter of Kappa Sigma Fraternity is no longer operating by reason of withdrawal, suspension or expulsion of said Undergraduate Chapter or the fact that there are no individuals qualified for membership who are members in good standing of said Undergraduate Chapter of Kappa Sigma Fraternity, all real and personal property of said Undergraduate Chapter of Kappa Sigma Fraternity shall automatically vest in the Alumnus Advisor of said Undergraduate Chapter of Kappa Sigma Fraternity in Trust for the benefit of Kappa Sigma Fraternity, subject to orders for its disposition as issued from time to time by the Supreme Executive Committee.

In such case, the Chapter's books, papers and records shall become the property of the Fraternity and shall be transmitted to the Executive Director, provided that all financial records of the Chapter may be held by a committee of alumni or transmitted to the Worthy Grand Treasurer as directed by the Supreme

Executive Committee.

Section 2. **Meetings.**

Sub-Section 1. **Notice of Meetings.**

Notice of regular and special meetings of the Chapter shall be given as required by the By-Laws of the Chapter.

Sub-Section 2. **Secret Ballot.** All voting for Chapter officers and upon candidates for membership in the Chapter shall be by secret ballot.

Sub-Section 3. **Visitors.** Any member of the Fraternity in good standing may be permitted to visit a Chapter. If no member present can vouch for the visitor, the Grand Master shall appoint a committee of Brothers skilled in the work to examine him. Before the visitor can be examined as to his knowledge of the Fraternity, he must state the name and location of the Chapter of which he is or has lately been a member, or in which he was initiated, which shall be reported to the Chapter before the Committee of Examination is appointed.

Section 3. **Membership.**

Sub-Section 1. **Minimum**

Membership. Four (4) members shall constitute a minimum number for each Chapter, and if for eight (8) consecutive months the required number shall not be upon a Chapter's roll of undergraduate members, the Supreme Executive Committee may withdraw the Charter of such Chapter.

Sub-Section 2. **Chapter Members.** An initiated member is obligated to pay all International Fraternity undergraduate dues, fees and assessments as specified in these By-Laws for each term, quarter, or semester in which he is enrolled as a student at the institution where he was initiated or affiliated. Undergraduate Chapters may not waive those dues, fees, and assessments established by the International Fraternity.

Any graduate student, who was an undergraduate member at the same institution where he is now enrolled as a graduate student, may remain an active member of the undergraduate Chapter with the consent of that Chapter.

An Undergraduate Chapter may assess additional fees and charges to its members based upon the costs of the operation of the Chapter,

taking into account the number of years which the member has been initiated, marital status, and other factors.

Sub-Section 3. **Affiliates.** An affiliated member is one who has transferred as an undergraduate or graduate student to a college or university at which an Undergraduate Chapter of Kappa Sigma is located and who was a member in good standing at the time of transfer and who has been affiliated by such Undergraduate Chapter. An affiliated member of any Chapter must comply with the foregoing sections.

Before a member transferring from one college to another can affiliate with a Chapter, he shall present a certificate from the Chapter of which he was lately a member, signed by the Grand Master, Grand Treasurer, and Alumnus Advisor or District Grand Master, to the effect that he was in good standing and at the date of the certificate was not indebted to the Chapter.

If any Chapter shall admit to membership a member who may be in arrears with another Chapter, it shall be responsible for such arrearages and may be suspended by the Supreme Executive Committee, if it fails to pay them when demand is made therefore.

Section 4. **Chapter Officers.**

Sub-Section 1. **Eligibility of Officers.**

No member shall be elected as an officer, nor continue as such, unless he is a member in good standing. The election of all officers shall be at such time as will facilitate the orderly transition of responsibilities from their predecessors.

Sub-Section 2. **Grand Master.** The Grand Master shall be the chief executive officer of the Chapter and as such will be conversant with the duties and responsibilities of all other officers of the Chapter, both elective and appointive. While he shall not usurp the duties of the remaining officers as outlined hereinafter, nor as covered in the Chapter By-Laws, it is his responsibility to have personal knowledge of the status of reports, correspondence and functions of all other Chapter officers. The Grand Master shall be the presiding officer of the Chapter. He shall preserve order and compel attendance at meetings.

Sub-Section 3. **Grand Procurator.** The Grand Procurator shall report any conduct by the members of the Chapter, not in strict accordance

with the Constitution, By-Laws, and Rules of this Fraternity or the Chapter's By-Laws, to the Chapter at its next regular meeting. The Grand Procurator shall respond to any request from the Supreme Executive Committee or its designee, or a member of the professional staff, for the Chapter's current and historical academic performance reports.

Sub-Section 4. **Grand Master of Ceremonies.** The Grand Master of Ceremonies shall have charge of the Ritual Property of the Chapter and shall see that proper care is taken of it. He shall see that all candidates are properly prepared for initiation.

Sub-Section 5. **Grand Scribe.** The Grand Scribe shall keep the minutes of the Chapter and in all other respects act as its Secretary and to that end shall be provided by the International Headquarters with a suitable book in which shall be kept a full record of the proceedings of all Chapter meetings, regular and special. He shall read each communication in the first Chapter meeting held after its receipt and note its receipt and readings in the minutes of that meeting.

He shall timely report all new pledges and initiates within the time periods as prescribed by the Fraternity, providing full names, dates of birth and all other such information as required on the proper form as provided by the International Headquarters. For each failure to timely report a pledge or initiate, his Chapter shall be fined. He shall also report from time to time to the International Headquarters as to the general condition of the Chapter and the name and offices of all Chapter officers on the day following the elections.

He shall, on or before the date prescribed by the Supreme Executive Committee, report to the Executive Director the names of all undergraduate members of the Chapter.

The Grand Scribe shall, within thirty (30) days after any expulsion, suspension, or the acceptance of a resignation of a member of his Chapter by said Chapter, forward the original charges or resignation and a copy of the minutes of the meetings covering the said case, and the address of such member to the Worthy Grand Scribe for record on the rolls of the Fraternity, upon receipt of which the Worthy Grand Scribe

shall forthwith advise such expelled or suspended member of his right to appeal to the Supreme Executive Committee.

The Supreme Executive Committee shall have the power to assess fines for non-compliance with the above By-Laws.

Sub-Section 6. **Grand Treasurer.** The Grand Treasurer shall act as custodian of the Chapter funds and shall pay out no money except by a check countersigned by the Grand Master, or in his absence, by another officer expressly authorized by the Chapter.

He shall remit to International Headquarters (a) all Pledge Fees at the time of pledging, (b) the Membership Fees of all initiates at the time of initiation, (c) the Annual Dues of all members of the Chapter on or before the date prescribed by the Supreme Executive Committee, and (d) any other fees, dues, or assessments due with respect to the Chapter or members thereof. Failure to remit any such amounts may result in a penalty on the delinquent Chapter. A budget shall be submitted each school year on a form provided by the Executive Director.

The Grand Treasurer of each Undergraduate Chapter shall be elected to hold office for a period of one (1) year. The Grand Treasurer elected by the Undergraduate Chapter shall assume office and shall serve only with the consent of the Alumnus Advisor and District Grand Master. If, in the opinion of the Alumnus Advisor, the Grand Treasurer is not satisfactorily performing the duties of his office, the Alumnus Advisor may remove said Grand Treasurer from office with a written report of such action being made to the Chapter and to the District Grand Master and to the Supreme Executive Committee, whereupon the Undergraduate Chapter shall proceed as expeditiously as possible to elect a satisfactory successor.

After the Worthy Grand Treasurer has notified a Grand Treasurer, or his Chapter, of his failure to perform his duties and such failure continues, the Supreme Executive Committee may remove such Grand Treasurer from his office, and the one so removed shall thereafter be ineligible for election to the office of Grand Treasurer.

Sub-Section 7. **Guards.** The Guards shall act as doorkeepers of the Chapter and shall

allow no one to enter or pass out of a Chapter meeting unless he has the Grand Master's permission.

Sub-Section 8. **Assistant Grand Scribe and Assistant Grand Treasurer.** The Chapter may elect one or more Assistant Grand Scribes and Assistant Grand Treasurers to hold office for not more than one (1) year and whose duties it shall be to assist the Grand Scribe and Grand Treasurer in the performance of the duties of their respective offices. The assistance thus rendered shall be of such nature as to enable the assistants to become thoroughly conversant with the duties of the Grand Scribe and Grand Treasurer respectively.

Sub-Section 9. **Names of Offices.** Where appropriate, the Chapter Officers may use the following titles: President, First Vice President, Second Vice President, Secretary, and Treasurer.

Sub-Section 10. **Removal from Office.** Any Officer of any Undergraduate Chapter may be removed during his term of office if he be proven guilty of any felony, misappropriates Chapter funds, reveals Fraternity secrets, fails to perform the duties of his office, or by acts or words brings dishonor upon the Fraternity. This removal may be made either as the Chapter may provide in its By-Laws, or by the Supreme Executive Committee upon the recommendation of the Chapter's Alumnus Advisor or District Grand Master.

Section 5. **Alumnus Advisors.** The Supreme Executive Committee, after each Grand Conclave and on the recommendation of the District Grand Master, shall appoint an Alumnus Advisor and may appoint one or more Assistant Alumnus Advisors for each Undergraduate Chapter of the Fraternity. The duties of such officers shall be as prescribed in the By-Laws and Rules of this Fraternity, and by the Supreme Executive Committee. Each such officer shall serve at the pleasure of the Supreme Executive Committee. Each such officer shall be furnished with a Warrant of his appointment signed by the Worthy Grand Scribe, with the seal of the fraternity affixed, and also a copy of the Constitution, By-Laws and Rules of the Fraternity, the same to be transmitted to his successor in office. In case of a vacancy in the

office of Alumnus Advisor, the Supreme Executive Committee, upon receipt of the recommendation of the District Grand Master, shall appoint a successor who shall assume office forthwith.

ARTICLE VI. DISCIPLINE OF MEMBERS.

Section 1. **Causes.** Any member of this Fraternity may be subject to suspension or expulsion as hereinafter provided for any one or more of the following causes:

(A) Refusing or willfully failing to comply with any demand or order of the Supreme Executive Committee or any officer of this Fraternity, made under and by virtue of any provision of the Constitution, By-Laws, Rules, Enactments or Resolution of the Grand Conclave or of the Supreme Executive Committee;

(B) Acting in violation of any provision of the Constitution, By-Laws, Rules, Enactment or Resolutions of the Grand Conclave or of the Supreme Executive Committee;

(C) Non-Payment of Members. Continued failure or refusal on the part of any member of this Fraternity to pay any dues, fees, assessment or other proper and legal obligation to the Fraternity or any entity thereof;

(D) Engaging in contumacious conduct; or

(E) Act or conduct otherwise unbecoming a Kappa Sigma.

Section 2. **Delinquent Member Accounts.**

Sub-Section 1. **Executive Director's Duty.** The Executive Director shall communicate with each Undergraduate Chapter at least once each year to request "Delinquent Member's Reports" on members who departed indebted to the Chapter. When a Chapter submits a Delinquent Member's Report to the Executive Director, indicating that any member is indebted to it, the Executive Director shall initiate the following collection procedures by forwarding such report to the Worthy Grand Treasurer.

Sub-Section 2. **Alumni Accounts.** Upon receipt of a "Delinquent Member's Report" by the Executive Director, the Worthy Grand Treasurer shall inform such member that his

rights of membership shall be denied until his account is settled. The undergraduate Chapter shall then file its delinquent account with a collection agency or attorney for a period of at least ninety (90) days. When the Chapter reports such filing and that the account is still not collected to the Executive Director, the Executive Director shall file charges with the Worthy Grand Procurator for suspension or expulsion, as hereinafter provided.

Sub-Section 3. **Undergraduate Accounts.** Upon receipt of a "Delinquent Member's Report" with regard to an undergraduate member, the Worthy Grand Treasurer shall inform the member that his rights of membership shall be denied until his account is settled. If the account is not settled within thirty (30) days, the undergraduate Chapter may file charges for suspension or expulsion, as herein provided.

Section 3. **Undergraduate Members.**

Sub-Section 1. **Venue.** Charges may be filed in accordance with Article IV, Section 1 against an Undergraduate member either with the Chapter of which he is a member, in which case he will be tried by such Chapter, or with the Supreme Executive Committee, in which case he will be tried by the Supreme Executive Committee. Venue shall originally vest in the body before which the charges are first filed.

Sub-Section 2. **Transfer of Venue.** The Supreme Executive Committee, at its discretion or upon request of the member who filed the charges, may remove a trial from the Chapter for trial before the Supreme Executive Committee or remand charges filed with the Supreme Executive Committee to the Chapter to conduct a trial.

Section 4. **Alumni Members.** Charges may be filed against an Alumnus member only with the Supreme Executive Committee.

Section 5. **Trial by Undergraduate Chapter.**

Sub-Section 1. **Procedure.** Undergraduate members shall be tried by the Chapters of which they are members, upon charges made in writing signed by one or more members of the Fraternity, and submitted to the Chapter at a regular meeting, provided that such charges must lie over until the next regular meeting after the one at which it was made, before

a trial shall take place. An accused shall be afforded written or e-mail notice of his trial not less than five (5) days prior to the date scheduled for his trial. At the trial, the accused shall be entitled to make any defense he chooses and to produce testimony both oral and written in his behalf.

Sub-Section 2. **Quorum.** Three-fourths (75%) of the Undergraduate members of the Chapter in good standing shall constitute a quorum for the purposes of such trial. If a quorum cannot be obtained after reasonable effort, the Executive Committee of the Chapter, with the approval of the District Grand Master, may request a transfer of jurisdiction to the Supreme Executive Committee.

Sub-Section 3. **Expulsion From the Fraternity.** To expel the accused member shall require a four-fifths (80%) vote, calculated upon the number of members in good standing present when the vote is taken, exclusive of the accused.

Sub-Section 4. **Suspension From the Fraternity.** To suspend the accused member for a definite period of time or until the occurrence of a specified event shall require a majority vote, calculated in the same manner.

Sub-Section 5. **Appeal.** Either party to a trial may exercise the right of appeal to the Supreme Executive Committee by filing an appeal in writing with the Worthy Grand Scribe who shall at once present the same to the Supreme Executive Committee. Any officer of the chapter shall have standing to file an appeal to the Supreme Executive Committee on behalf of the chapter generally, or on behalf of the member filing the charges. Any such appeal must be filed so that it is received by the Worthy Grand Scribe within thirty (30) days from the date of the Chapter's decision. An accused must file his appeal so that it is received by the Worthy Grand Scribe within thirty (30) days from the date of the written notice sent by the Worthy Grand Scribe of the Chapter's decision. The Supreme Executive Committee shall have full power to determine the manner as well as the evidence, including the form thereof in and upon which it will hear and decide any such appeal.

Sub-Section 6. **Other Formal Procedures.** A Chapter may adopt in its By-Laws other formal procedures for handling

disciplinary matters, such as a Judicial Board, where the sanctions of expulsion or suspension are not involved.

Section 6. Trial by Supreme Executive Committee.

Sub-Section 1. Procedure. (a) *Charges.* Alumni members shall, and undergraduate members may, be tried by the Supreme Executive Committee upon charges, made in writing and signed by one or more members of the Fraternity and filed by the signer or signers with the Worthy Grand Procurator. Written charges may be filed via hard copy with signature, or electronically with digital signature in a manner determined by the Supreme Executive Committee to ensure authenticity of the signature and identity of the charging member(s). Upon receipt of any such charges subject to the review provided for in Article I, Section 3, Sub-Section 1 of these By-Laws, the Worthy Grand Procurator shall make official record thereof, and, within ten (10) days after receipt thereof, shall give the accused notice of the pendency of such charges by transmitting a copy of said charges to the last electronic mail address of the member subject to such charges shown in the records of the General Fraternity. If no such electronic mail address is in the records of the General Fraternity, notice of such charges shall be by United States mail, postage prepaid, certified and addressed to such member at his last address shown in the records of the General Fraternity. Thereafter, said Worthy Grand Procurator shall notify such accused of the date which shall be not less than forty-five (45) days from the date of sending said notice, and place that his case has been set for hearing, which notice shall be given in the same manner as the notice of the charges, as hereinabove provided.

(b) *Defenses.* If the accused intends to offer a defense to said charges, such accused shall notify the Supreme Executive Committee, in care of the Executive Director, so that such notice is received not later than the date fifteen (15) days prior to the date noticed for the trial on such charges. Such notice shall also state if the accused intends to offer the defense in person, in writing or by representative. Any written defense which the accused may have shall be filed with the Worthy Grand Procurator at least seven (7) days

before the date set for such hearing and shall be considered by the Supreme Executive Committee otherwise in accordance with the procedures set forth in the Rules for consideration of a written defense. Any accused electing to appear in person or by representative before the Supreme Executive Committee may present any and all defenses in his behalf which the circumstances may warrant.

(c) *Certified Copy of Judgment.* If the written charges against the accused shall be accompanied by a certified copy of a judgment of conviction by a court of competent jurisdiction showing that he has been convicted of a crime involving moral turpitude or disloyalty to the country of which he is a citizen, such fact shall be stated in the notice of the pendency of such charges and shall also state that the accused shall have thirty (30) days from the date of said notice in which to file in writing with the Worthy Grand Procurator any defense the accused may have, and that after the expiration of said thirty (30) day period, the Supreme Executive Committee may, by mail or otherwise, take such action as it may deem proper in the premises, including, without limitation, the expulsion from the Fraternity of such accused. In all cases where notice of hearing and copy of charges as herein above provided shall have been sent to the accused and said accused has failed to provide timely notice of an intention to defend such charges, made no appearance nor provided any defense to the charges, or the charges are accompanied by such certified copy of a conviction, such accused person shall be conclusively presumed to have had due and legal notice of the charges against him and the hearing thereof and to have waived his rights in the premises and to have ratified and approved whatever action the Supreme Executive Committee shall have taken in connection with the charges so proffered.

(d) *Variances.* The Supreme Executive Committee may make slight variances in the above procedures based on the circumstances of the case. Such variances will be communicated to the accused when charged.

Sub-Section 2. Expulsion. To expel the accused member shall require a four-fifths (80%) vote of the Supreme Executive Committee.

Sub-Section 3. Suspension. To suspend

the accused member for a definite period of time or until the occurrence of a specified event shall require a majority vote of the Supreme Executive Committee members.

Section 7. **Interim Suspension by Worthy Grand Procurator.** The Worthy Grand Procurator shall, upon notification that any member has violated Kappa Sigma law as stated in Section 1, review such misconduct, and if he shall find reason to believe such member may be guilty of such misconduct, and considering any mitigating circumstances existing, may, on his own accord, suspend a member until such time as the charges against him may be filed and disposed of in the manner prescribed in Section 5 or 6. If charges are not filed against a member suspended pursuant to this Section within one (1) year of the date of the interim suspension, the interim suspension shall be released.

Section 8. **Notices, Generally.** Any notices or written submissions required under this Article VI may be sent and transmitted by electronic means including but not limited to email transmission.

ARTICLE VII. ALUMNI ORGANIZATION.

Section 1. **Petition of Alumni Chapter.** Each petition for the establishment of a chartered Alumni Chapter shall be accompanied by a fee of One Hundred Dollars (\$100.00) to be added to the General Funds of the Fraternity.

Section 2. **Officers of Alumni Chapters.** The officers of an Alumni Chapter chartered by the Fraternity shall be elected annually by the Chapter and shall be a Grand Master, a Grand Scribe, and a Grand Treasurer, and such other officers as the By-Laws of the Chapter may provide. The offices of Grand Scribe and Grand Treasurer may in the discretion of the Chapter be held by the same person. The Grand Master shall be the presiding officer of said Chapter, and the duties of the several officers shall be such as conform to the Constitution, By-Laws, Rules, customs, and regulations of the Kappa Sigma Fraternity.

Section 3. **Alumni Chapter Dues.** Annual dues payable by Alumni Chapters, as provided in the Constitution, shall be fixed by

such Chapters at not less than Fifty Dollars (\$50.00) per college year and shall be paid annually to Kappa Sigma Fraternity; provided, however, such annual dues shall not be cumulative from year to year.

Section 4. **Worthy Grand Treasurer Collects.** The Worthy Grand Treasurer is hereby authorized and empowered to collect or see to the collection of the sums of money levied hereunder.

Section 5. **Supreme Executive Committee Power to Suspend.** The Supreme Executive Committee shall have authority to carry this by-law into effect and shall have power to suspend any Alumni Chapter upon the grounds and in the manner prescribed in the Constitution and in these By-Laws.

Section 6. **Inactive Alumni Chapters Property.** In the event an Alumni Chapter is no longer operating by reason of withdrawal, suspension or the fact there are no individuals qualified to perform the functions of the Chapter, all real and personal property shall automatically vest in the District Grand Master of the District wherein the Chapter is situated in trust for the benefit of the Kappa Sigma Fraternity, subject to orders for its disposition as issued from time to time by the Supreme Executive Committee.

Section 7. **Alumni Clubs and Associations.** Any group of Kappa Sigma Alumni of one or more Chapters may form an Alumni Club or Association, and such Clubs and Associations are not required to pay any fees or dues to the Fraternity nor can they be represented in Grand Conclave, nor are they subject to the foregoing sections of this Article.

ARTICLE VIII. DISTRICTS.

Section 1. **Creation of Districts.** The Chapters of the Fraternity shall be grouped into Districts, and the Chapters, respectively, shall be placed in such Districts as will bring them into the closest relations with other Chapters relatively near them; and the creation of Districts, together with the apportionment of Chapters therein, shall be a duty of the Supreme Executive Committee.

Section 2. **District Grand Masters.**

Sub-Section 1. **Appointment.** The Supreme Executive Committee, after each Grand

Conclave or forthwith upon the creation of a new District, shall appoint a District Grand Master to preside over each District of the Fraternity. The term of a District Grand Master shall expire on August 31 of each odd year unless sooner terminated by the Supreme Executive Committee. In case of a vacancy in the office of District Grand Master, the Supreme Executive Committee shall appoint his successor, and such person shall assume office forthwith.

Each District Grand Master shall be furnished with a Warrant of his appointment, signed by the Worthy Grand Scribe with the seal of the Fraternity affixed, and also a copy of the Constitution and By-Laws and Rules of Kappa Sigma, the same to be transmitted to his successor in office.

Sub-Section 2. **Duties.** The duties of a District Grand Master shall be, as the representative of the Supreme Executive Committee, to make at least one (1) official visit in each college year to each Chapter in his District, at which visit he shall carefully inspect the records of the Grand Scribe and the Grand Treasurer and certify to the charter thereof by note and signature in the margin thereof; he shall instruct the Chapter in the secret work of the Fraternity and shall forward to the Executive Director, within thirty (30) days after each official visit, a full and exact report as to the condition of the Chapter records, finances and such other matters as he may deem is advisable to bring to the attention of, or may be required by, the Supreme Executive Committee. Whenever in the opinion of the Supreme Executive Committee a Chapter is not operating properly, the Supreme Executive Committee may give to the District Grand Master of the District in which the Chapter is located the power to remove any or all of the officers of the Chapter and to appoint successors to the officer or officers so removed or to place the Chapter under the control and management of a committee of alumni, appointed by such District Grand Master, with full power to supervise and control any and all of the Chapter's operations, and in his discretion he may give such committee the same power that was given him by the Supreme Executive Committee to remove Chapter officers and appoint successors.

These duties may be modified, and

additional duties of the District Grand Master may be assigned from time to time by the Supreme Executive Committee.

Sub-Section 3. **Expenses.** The reasonable expenses necessary incurred by the District Grand Master in the discharge of his official duties, shall be paid by the Worthy Grand Treasurer out of the funds in the general treasury according to such uniform schedule of allowances as shall be prescribed by the Supreme Executive Committee.

Sub-Section 4. **Reports.** A District Grand Master may at any time require from the Grand Scribe of any Chapter in his District a report as to any particular matter relating to the Chapter or upon the general condition of any Chapter, and if anything is disclosed in any such report that requires action by the Supreme Executive Committee, it shall be his duty at once to send a detailed statement of the same to the Executive Director.

Section 3. **Assistant District Grand Master.**

Sub-Section 1. **Appointment.** The Supreme Executive Committee may appoint one or more Assistant District Grand Masters for any District of the Fraternity. The term of every Assistant District Grand Master shall expire on the 31st of August unless sooner terminated by the Supreme Executive Committee. In the case of vacancy in the office of any Assistant District Grand Master, the Supreme Executive Committee may appoint his successor for his unexpired term. Each Assistant District Grand Master shall be furnished with a Warrant of his Appointment, signed by the Worthy Grand Scribe, with the seal of the Fraternity affixed and also a copy of the Constitution and By-Laws and Rules of the Kappa Sigma Fraternity, the same to be transmitted to his successor.

Sub-Section 2. **Duties.** The Assistant District Grand Masters shall assist the District Grand Master in carrying out any and all of the District Grand Master's duties and shall have special authority as the District Grand Master may delegate from time to time including the authority to act for the District Grand Master in his absence from the District.

Section 4. **District Meetings.** District Grand Masters are encouraged to hold District

Conclaves or Officer Workshops for the benefit of the Chapters in their Districts. Such District Conclaves and Officer Workshops may be held in conjunction with nearby Districts.

ARTICLE IX.
DUES AND CHARGES.

Section 1. **Pledge Fee.** Each pledge, prior to submission to the Pledging Ceremony, shall pay to the Kappa Sigma Fraternity, through the Grand Treasurer of the Chapter to which he is pledged or directly to the General Fraternity in the manner specified by the Supreme Executive Committee, the sum of Forty-Five Dollars (\$45.00) which shall be assigned to the General Fund.

Section 2. **Membership Dues, Fees and Charges.** Each initiate shall pay to the Kappa Sigma Fraternity, through the Grand Treasurer of the Chapter in which he is initiated or directly to the General Fraternity in the manner specified by the Supreme Executive Committee, the sum of One Hundred Fifty Dollars (\$150.00) as the Membership Fee, which sum the Worthy Grand Treasurer shall assign to the General Fund.

Section 3. **Annual Dues, Undergraduate and Alumni.** The Worthy Grand Treasurer shall in October of every year levy Annual Dues of Forty-Five Dollars (\$45.00) upon each and every undergraduate initiate of record of each of the several Chapters, payable by each Chapter in installments as specified by the Supreme Executive Committee.

With the approval of the Supreme Executive Committee, Annual Dues may be requested by the Worthy Grand Master from each alumnus member of the Fraternity in such amounts and allocated to such programs as may be established from time-to-time by the Supreme Executive Committee. Excess amounts paid above requested Annual Dues may be assigned in any manner approved by the Supreme Executive Committee and described in any solicitation for such Dues.

Each undergraduate initiate of record shall pay to the Chapter in which he is initiated such other and further sums as said Chapter may provide.

Section 4. **Liability Coverage**

Management Assessment. The Fraternity shall assess each Undergraduate Chapter, recognized House Corporation and chartered Alumni Chapter such amounts necessary to pay premiums and other costs associated with the placement and management of liability insurance coverage for the Fraternity and its affiliates in accordance with the Liability Coverage Management Program published from time-to-time by the Fraternity or as otherwise described in the Rules.

Section 5. **Chapters Responsible.** Each Chapter shall be responsible to the Fraternity for all dues, fees and charges levied by the Fraternity upon its undergraduate members.

Section 6. **Assessments, Reductions.** In the event the dues and fees provided for in Sections 1 and 2 of this Article are insufficient to meet the expenses of the Fraternity, the Worthy Grand Treasurer shall levy upon each Chapter an assessment which shall be in the same proportion to the total deficiency as such Chapter's undergraduate membership is to the total undergraduate membership in the Fraternity.

Whenever it becomes expedient to reduce the dues and fees provided for in Sections 1 and 2 of this Article, then the Worthy Grand Treasurer shall make such reduction as the majority of the Supreme Executive Committee shall direct.

Section 7. **Debts of Colonies.** A Colony shall pay its total indebtedness to the Fraternity prior to its installation.

Section 8. **Discipline Resulting from Non-payment.** A Chapter shall be subject to disciplinary action at the discretion of the Supreme Executive Committee for the failure to make the timely payment of dues, assessments or other charges, unless such failure is satisfactorily explained to the Worthy Grand Treasurer. The Supreme Executive Committee shall from time to time establish, and publish to the Undergraduate Chapters, appropriate guidelines and procedures regarding the timely payment of dues, assessments and other charges.

Section 9. **Payment of Obligations.** The failure of any Chapter to pay promptly obligations either to the Fraternity or to others shall, at the discretion of the Supreme Executive Committee, subject such Chapter to suspension or to such other disciplinary measures as shall by the

Supreme Executive Committee be determined.

Section 10. **Currency Exchange.** Where dues, fees, charges, fines or assessments of any kind or nature, except those for goods or services, are payable by a Canadian Chapter, a pledge or initiate of such Canadian Chapter or a Canadian Alumni Chapter, they may be remitted in Canadian currency at a rate of exchange of \$1 Canadian equals \$1 U.S.

ARTICLE X. PUBLICATIONS.

Section 1. **The Caduceus.** The name of the magazine of this Fraternity shall be *The Caduceus of Kappa Sigma*.

Section 2. **Publication.** The Editor, as designated by the Supreme Executive Committee, shall compile all matter intended for publication in the magazine and attend to the publication thereof.

Section 3. **Contracts.** It shall be the duty of the Editor, subject to the approval of the Supreme Executive Committee, to make all agreements and contracts for the publication and distribution of the magazine.

Section 4. **Editor's Expenses.** The Editor of *The Caduceus* shall be entitled to all reasonable expenses actually incurred by him in the discharge of his duties, including the expenses of attending the Grand Conclave.

Section 5. **Worthy Grand Treasurer Handles All Money.** All subscriptions to the magazine shall be payable to the Worthy Grand Treasurer; all monies derived by the Editor from advertisements or other sources of revenue shall be paid over to the Worthy Grand Treasurer; and all expenses attendant or incident to the publication of the magazine shall be paid out of the funds of the Fraternity in the hands of the Worthy Grand Treasurer.

Section 6. **Star and Crescent.** *The Star and Crescent* shall be the private magazine of the Fraternity, intended for no others than Kappa Sigmas. It shall be issued in such manner and form and under such direction as the Supreme Executive Committee shall from time to time determine.

Section 7. **Distribution Lists.** The Executive Director shall maintain distribution

lists for both *The Caduceus* and *The Star and Crescent*.

ARTICLE XI. GRAND CONCLAVE GUESTS.

Section 1. **Conclave Guests.** Retiring members of the Supreme Executive Committee shall be the guests of the Fraternity at the Grand Conclave next succeeding their retirement. The Supreme Executive Committee, by its unanimous vote, may invite any person to be the guest of the Fraternity at any Grand Conclave. Each such guest shall be paid by the Worthy Grand Treasurer out of the General Funds of the Fraternity such expenses or allowances as may be authorized by the Supreme Executive Committee.

Section 2. **Expenses.** The Supreme Executive Committee shall determine a Registration Fee as soon as practical prior to each Grand Conclave. Such Registration Fee may be different for undergraduates, alumni, and guests. Activity fees for special entertainment, tours, or functions will be in addition to the Registration Fee.

Section 3. **Attendance.** Each undergraduate delegate to the Grand Conclave shall, at each session thereof, report to the District Grand Master of his District. The roll shall be called by Districts, and any delegate absent from a session of the Grand Conclave, without excuse acceptable to the Worthy Grand Master, shall forfeit the right of his Chapter for any claim to the compensation allowed as its delegate. The Worthy Grand Scribe shall publish in the minutes of the Grand Conclave a list of Chapters not represented at each session.

ARTICLE XII. AMENDMENTS.

These By-Laws may be amended only in the manner provided in the Constitution of this Fraternity.

RULES of KAPPA SIGMA FRATERNITY

RULE 1. ALUMNUS ADVISORS.

1.1. **Alumnus Advisors Duties.** The Alumnus Advisor shall refer to the Alumnus Advisor Manual for all duties and responsibilities bestowed upon his office.

1.2. **Attendance At Chapter Meetings.** Alumnus Advisors should attend a reasonable number of Undergraduate Chapters meetings and Executive Committee meetings in connection with performing their duties.

1.3. **Taxes.** Each Alumnus Advisor should annually investigate the propriety of the taxes assessed against the Chapter and determine whether the assessments can be reduced, whether all valid exemptions have been secured and also whether all taxes have been paid.

1.4. **Certification of Undergraduate Reports.** The Alumnus Advisors of Kappa Sigma Fraternity, or a designated Assistant Alumnus Advisor, will certify that all reports required of the Undergraduate Chapter to the general fraternity have been accurately, timely, and properly completed and submitted to the International Headquarters each academic period.

RULE 2. UNDERGRADUATE CHAPTERS.

2.1. **Accounting and Finances.** Every chapter will adhere to sound and acceptable financial accounting principles and practices.

2.1.1. **Accounting System.** Each Chapter shall adopt an accounting system approved by the Worthy Grand Treasurer and operate the same pursuant to the Rules and Regulations for chapter accounting established from time-to-time by the Supreme Executive Committee and published to the chapters. [APPENDIX #1]

2.1.2. **Audit of Accounts.** The Grand Master of each Chapter shall have the books of the Grand Treasurer and House Manager satisfactorily audited whenever directed to do so by the Worthy Grand Treasurer, and he shall send a copy of the audit to the Worthy Grand Treasurer.

Such audit shall be made at the expense of the Chapter, and the Chapter may assess such cost against the Grand Treasurer.

2.1.3. **Officer Financial Reporting.** The Executive Director shall advise the Undergraduate Chapters that the Chapter officers, elected or appointed, are bonded through the Fraternity. The Grand Master will familiarize himself with the accounts of all such officers, and he, or any other officer or member shall report to the Executive Director, immediately upon discovery, any shortage or irregularity in the accounts of the Grand Treasurer or other such officers. Such notification must be prompt in order that collection may be made on the fidelity and/or performance bond provided by the Fraternity.

2.1.4. **Cashing of Checks.** No Chapter shall cash checks for, nor loan money to, anyone.

2.2. **Communications.** Every Chapter is expected to maintain an effective communication and public relations program consistent with the programs of Kappa Sigma Fraternity.

2.2.1. **Alumni Letters.** Unless excused by the Supreme Executive Committee, each Chapter shall issue at least one (1) circular letter or publication each academic period to its alumni to give information on the condition and state of the Chapter. One copy of each issue must be included as part of the reporting booklet and sent to the Executive Director. In addition, copies must be sent to the District Grand Master and Alumnus Advisor of the Chapter.

2.2.2. **Rushing Blanks.** Chapters shall send copies of rushing blanks with their alumni letters. Rushing blanks may be obtained from the Executive Director.

2.2.3. **Rushing Acknowledgements.** The Grand Scribe of each Chapter shall forthwith acknowledge receipt of all rushing recommendations from alumni and shall, within thirty (30) days after final action being taken by the Chapter on a man, advise the Brother recommending him of the action taken. Acknowledgement forms may be obtained from the Executive Director.

2.2.4. **Alumni Chairman.** Each Chapter should designate an Alumni Chairman who shall maintain an accurate mailing list of the

alumni of the Chapter and encourage activities between alumni and undergraduates. Mailing lists by area and/or by Chapters may be obtained from the Executive Director.

2.2.5. **Caduceus.** Undergraduate Chapters are encouraged to submit to the Editor of *The Caduceus of Kappa Sigma* any material that might be of value and interest to the entire Fraternity.

2.2.6. **Public Relations Officer.** Each Chapter should appoint a Public Relations Officer who shall organize and carry out an effective local public relations program consistent with the programs of the Kappa Sigma Fraternity.

2.3. **Houses.** Each Chapter is encouraged to acquire a suitable lodge or Chapter House where appropriate and to establish an Alumni Housing Corporation.

2.3.1. **House Corporation Reports.** Each House Corporation shall complete and file reports as are requested by the Supreme Executive Committee.

2.3.2. **Parents' Club.** Every Chapter should have a Parents' Club.

2.3.3. **House Funded Reserve.** Each Chapter House Corporation shall establish funded depreciation and maintenance reserves.

2.3.4. **Internal Revenue Reporting.** All Undergraduate Chapters and Chapter House Corporations within the United States shall maintain a June 1 to May 31 fiscal year so as to coincide with the fiscal year required by blanket exemptions granted by the Internal Revenue Service. All Undergraduate Chapters in the United States shall file a copy of the Internal Revenue Service 990 Form with the Executive Director and all recognized House Corporations shall file a copy of the 990 Form (or equivalent if operated for-profit) as directed by the Fraternity.

2.3.5. **Recognition.** Those corporations or other entities owning real property for the provision of housing or lodge facilities for any Undergraduate Chapter ("House Corporations") shall be recognized by the General Fraternity only in accordance with the policies of the Fraternity regarding recognition of House Corporations. [Appendix #6] Any House Corporation electing not to be so recognized shall in no way be limited from providing housing or other facilities to any Chapter, provided however, that the Fraternity

shall have no obligation to provide any services or other recognition to such House Corporation.

2.4. **Library.** The Grand Master of Ceremonies of each Chapter is responsible for maintaining a library of the Chapter including the *Constitution, By-Laws and Rules of the Kappa Sigma Fraternity*; the *Centennial History of Kappa Sigma*; bound issues of *The Caduceus of Kappa Sigma* and *The Star and Crescent*. The Grand Master of Ceremonies is strongly encouraged to have available in the Chapter Library the latest Kappa Sigma Fraternity manuals which are obtainable from the Executive Director.

2.5. **Observances.** Each Chapter of Kappa Sigma is expected to observe Founders' Day, S. A. Jackson Day and it's own anniversary.

2.5.1. **Founders' Day.** So long as the Fraternity shall endure in time, the Tenth Day of December in every year shall be kept and observed as Founders' Day. [Appendix #2]

2.5.2. **S. A. Jackson Day.** The fourth day of March each year is set apart as S. A. Jackson Day in memory of Stephen Alonzo Jackson, deceased, of Zeta Chapter, the man to whose zeal the Order owes its present existence, and the Chapters are directed to observe annually with appropriate exercises S. A. Jackson Day.

2.5.3. **Anniversaries of Chapters.** Each Chapter should observe its own anniversary annually and have special observances on their Twenty-Fifth, Fiftieth, Seventy-Fifth, One Hundredth, and One Hundred Twenty-Fifth Anniversaries.

2.6. **College Membership Regulations.** Unless otherwise directed by the Supreme Executive Committee, each Chapter shall obey all existing regulations of its host institution governing rushing, pledging, or initiating under penalty of having its Charter withdrawn.

2.7. **Scholarship.** The striving for academic excellence by every undergraduate member each academic period is the goal of the Fraternity. The Undergraduate Chapter is encouraged to maintain an effective and constructive scholarship program.

2.7.1. **Duties of Grand Procurator.** The Grand Procurator of each Chapter shall be responsible for the submission of the Scholarship Report as part of each reporting booklet.

2.7.2. **Academic Standards.** Every Chapter and undergraduate member of the Kappa Sigma Fraternity shall be bound by the Academic Standards. [Appendix #3]

2.8. **Ritual.** Each member of Kappa Sigma Fraternity is expected to adhere to the principles as outlined in our Ritual.

2.8.1. **Examinations.** The members of each Chapter, immediately after initiation, are strongly encouraged to familiarize themselves with the secret work of the Order, the laws and general organization of the Fraternity.

2.8.2. **Memorization.** The initiatory and other ceremonies shall be learned and exemplified by the officers without the use of the printed page as required in their oath of office. Each Chapter is also encouraged to organize teams perfected in the entire Ritual without the use of the printed page.

2.8.3. **Chapter Meetings.** All Undergraduate Chapter meetings shall be opened, conducted, and closed in Due Form as exemplified by the Ritual of Kappa Sigma. This shall not be construed to prohibit occasional or special meetings which the Chapter may elect to have without the Ritual ceremony in order to accommodate pledges or other non-initiates with whom the Chapter may desire to meet.

2.9. **Legal Name.** In all transactions of a Chapter, it shall use the name: The _____ Chapter of Kappa Sigma.

RULE 3.
POLICIES OF THE KAPPA SIGMA
FRATERNITY.

3.1. **Code of Conduct.** All Chapters and individual members shall abide by the Kappa Sigma Code of Conduct. [Appendix #4]

3.2. **Pledge Period.** All Chapters and individual members shall abide by the policy of the Fraternity with respect to the Pledge Period [Appendix #5]

3.3. **Charitable and Educational Foundation; Solicitations; Donations.** The Supreme Executive Committee, may, in its discretion, designate one or more qualified charitable and educational organizations recognized under Section 501(c)(3) of the Internal Revenue Code of the United States (and similar

laws within the Dominion of Canada) as organizations authorized to solicit and receive donations for and in the name of the Fraternity. Members of the Fraternity are directed to only provide donations in support of the charitable and educational activities of the Fraternity and its members to such organizations so designated by the Supreme Executive Committee. Any such designation shall be at the discretion of the Supreme Executive Committee and may be revoked at any time for any reason or no reason. Notwithstanding the generality of the foregoing, under this Rule (a) to the extent that members in good standing of the Fraternity create, or compose the entirety of the governing bodies of, alumni corporations, trusts, entities or other organizations to support the charitable and educational activities of any one chapter of the Fraternity or the members of any such chapter (such organizations, "Local Educational Foundations"), members of the Fraternity may permissibly support such organizations; (b) members may support the charitable and educational activities of any one chapter of the Fraternity or the members of any such chapter through donations to the host institution of such chapter; (c) members may provide support to one or more House Corporations; and (d) members may provide donations and support directly to the Fraternity or its Chapters. Except as provided under this Rule 3.3 no other organization is authorized to solicit or receive donations in the name of or for the benefit of the Fraternity or the chapters or members thereof.

3.4. **Miscellaneous Organizations.** No organization, unless authorized in writing by the Supreme Executive Committee, shall use the words, letters, logos or symbols of Kappa Sigma, or otherwise represent affiliation with the Fraternity.

3.5. **Disputes.** The Supreme Executive Committee shall be the final arbiter of the facts, substance and procedure of all disputes arising between, or among members, undergraduate Chapters, alumni Chapters or Related Entities and the Fraternity and/or its officers based on, or in any way involving, status, rights or benefits of membership in the Fraternity, appointed offices, or application or interpretation of the Constitution, By-Laws, Rules or Ritual of the

Fraternity. For purposes of this Rule, Related Entities are associations, corporations, or other entities, whether or not such entities shall be chartered by the Fraternity, that (i) hold property or funds, or lease, rent, provide or maintain facilities or property, on behalf of, in the name of, or for the benefit of, one or more chapters of the Fraternity; (ii) use the name, marks, insignias, or particular emblems of the Fraternity or any Chapter thereof in its name, marks, insignias or emblems; (iii) have received loans, grants or any other disbursement from the Fraternity, the Kappa Sigma Endowment Fund, or any entity, affiliate or fund thereof; or (iv) have solicited or received funds or other property from any member or Chapter of the Fraternity. Related Entities are subject to this Rule and all subsections hereof.

3.5.1. Petition to the Supreme Executive Committee. Any initiate, member, or chapter of the Fraternity, or any Related Entity (each, a "Petitioner") alleging the existence of a dispute between or among any member, Chapter or Related Entity and the Fraternity or its officers, on any matter, including, without limitation, the membership status of any initiate, must make a written petition to the Supreme Executive Committee (a "Petition"). The Petition must be submitted within thirty (30) days of the ruling, decision, action, event, or incident upon which the Petition is based. The Petition shall set forth clearly all applicable facts, the name and contact information of all persons involved in any way, the basis for dispute, the relief requested, and all provisions of authority to be relied upon. If the claim is based upon a decision or action by the Supreme Executive Committee, an officer of the Fraternity, or other authorized representative of the Fraternity, a copy of any writing communicating the decision or action must be attached to the Petition. The Supreme Executive Committee, in its discretion, may request additional information or material of the Petitioner. The Supreme Executive Committee shall set a hearing within ninety (90) days following the date upon which it determines, in its discretion, that all information and material requested has been submitted. Each initiate of the Fraternity shall be subject to this Rule with respect to disputes between such initiate and the Fraternity, or any officer thereof, even in the event

such initiate resigns or is otherwise no longer a member of the Fraternity at the time the filing of any Petition is required by this Rule.

3.5.2. Special Master. The Supreme Executive Committee may in its discretion appoint one or more Special Masters to make inquiries, conduct interviews, conduct hearings, and prepare summaries or proposed findings, and other similar tasks in connection with any Petition.

3.5.3. Exhaustion. The remedies and procedures provided in this Rule and all subsections hereof must be exhausted prior to the filing or commencement of any legal proceeding by any member, Chapter or Related Entity involving the Fraternity or any officer or employee thereof before a court having competent jurisdiction thereof.

3.5.4. Venue; Applicable Law. The sole venue for any legal proceeding brought by any member, former member, Chapter or Related Entity involving the Fraternity or any officer or employee thereof shall be in the state and federal courts of and for Albemarle County, Virginia, or at any other such place where the Supreme Executive Committee in its discretion may from time to time authorize and publish to the Fraternity. In all such matters, only the substantive laws of the Commonwealth of Virginia without regard to the conflicts of laws provisions thereof shall apply in any legal proceeding involving the Fraternity. In no event shall the substantive laws of any other jurisdiction have any application in any legal proceeding involving the Fraternity.

3.5.5. Failure to Comply. In the event that legal proceedings are threatened or commenced in violation of or without compliance with this Rule and all subsections hereof, the Supreme Executive Committee may in its discretion summarily order the member, Chapter, or Related Entity covered under this Rule to dismiss such legal action and comply with this Rule and all subsections hereof.

3.5.6. Sanctions. Failure or refusal to comply with this Rule and all subsections hereof, including, without limitation, an order by the Supreme Executive Committee made pursuant to Sub-Section 3.5.5 hereof, shall be grounds for disciplinary proceedings against such member,

chapter or Related Entity in accordance with the Constitution, By-Laws and Rules of the Fraternity. Individual members of the Fraternity serving as directors, trustees, or officers of any Related Entity may also be subject to disciplinary proceedings as provided in the Constitution, By-Laws and Rules of the Fraternity for their individual refusal, or the refusal of the Related Entity, to comply with this Rule and all subsections hereof.

3.6. New Chapter Installation Notification. Notification of the installation of new or rechartered Chapters shall be made to all undergraduate Chapters of Kappa Sigma by electronic mail or otherwise no less than seven (7) days prior to the date established for installation of the new or rechartered Chapter.

3.7. Pledge and Initiate Reporting. All new pledges and initiates shall be reported to International Headquarters no later than ten (10) days following the corresponding pledge or initiation ceremony. All pledge and initiate reports shall include full names, dates of birth, dates of pledging and/or initiation, and any other such information as required on the proper form as provided by the International Headquarters.

3.8. Supreme Executive Committee Trial Procedure. All trials conducted by the Supreme Executive Committee pursuant to Article VI, Section 6, Sub-Section 1 of the By-Laws shall be governed by the procedures set forth in that Sub-Section, supplemented by the procedures contained in this Rule 3.8.

3.8.1. Notification. Upon the receipt of charges by the Worthy Grand Procurator, the Worthy Grand Procurator shall direct the International Headquarters to send a letter to the accused in accordance with Article VI, Section 6, Sub-Section 1 of the By-Laws, notifying him of the charges against him and providing the necessary notice required by the By-Laws. This notification letter shall notice the date and time set for the accused's trial, which may establish different trial dates depending on whether the accused provides notice, pursuant to Article VI, Section 6, Sub-Section 1 of the By-Laws, of his intent to appear personally or by representation to defend the charges against him.

3.8.2. Personal Appearance. If the accused notifies the Supreme Executive

Committee, in care of the Executive Director, of his intent to appear personally or by representation to defend the charges against him, he must state whether he or his representative (if any) will present his defense, as only one member may present a defense on an accused member's behalf. Any written materials an accused wishes to have considered at the time of his trial must be submitted in accordance with the timelines established for submission of written defenses.

3.8.3. Written Defense. If the accused submits a written defense, or another member submits a written statement on the accused's behalf, the Supreme Executive Committee shall consider such written defense or statement at the date and time indicated in the notification letter sent to the accused. Because Article VI, Section 6, Sub-Section 1 of the By-Laws requires that each such written defense or statement be received at least seven (7) days in advance of the date set for the accused's trial, the Supreme Executive Committee will have ample opportunity to review any written defenses or statements submitted on the accused's behalf prior to the meeting.

3.8.4. No Defense Submitted. If the accused does not notify the Supreme Executive Committee, in care of the Executive Director, that he intends to appear personally or by representation to defend the charges against him, and if the accused does not submit a written defense to the charges against him, and if no other written statements are submitted on the accused's behalf in defense of the charges against him, the Supreme Executive Committee may make a summary determination of guilt or innocence based solely on the charges proffered against the accused.

3.8.5. Adjudication of Guilt or Innocence. At the date, time and place set for the accused's trial, the Supreme Executive Committee shall review the charges against the accused and any defenses submitted in accordance with the Constitution, By-Laws and Rules, and, following such review, the Supreme Executive Committee shall determine the guilt or innocence of the accused as prescribed by the Constitution, By-Laws and Rules. Such determination may be made on the basis of any

evidence deemed appropriate for consideration by the Supreme Executive Committee, including, but not limited to, the charges filed against the accused and any timely defenses or statements submitted by the accused or on the accused's behalf.

3.8.6. Imposition of Sanctions. Following a determination of each accused's guilt or innocence, the Supreme Executive Committee shall determine the appropriate sanction, if any, to be imposed upon the accused, and shall direct the Executive Director to issue the appropriate notification to each accused, informing him of the resolution of the charges against him and the sanction, if any, imposed upon him, should he be found guilty of the proffered charges. In determining the appropriate sanction, the Supreme Executive Committee may consider any and all applicable factors, including but not limited to the recommendations, if any, of the Brother(s) who filed charges against the accused and of the accused's District Grand Master.

3.8.7. Publication of Trial Verdicts. Verdicts of all trials by the Supreme Executive Committee, and any sanctions imposed following adjudication of such trials, shall be reported in the minutes of the Supreme Executive Committee meeting at which the trial occurred, published in *The Star and Crescent*.

3.9. Powers Non-Exclusively Delegated to District Grand Masters. District Grand Masters are empowered by the Supreme Executive Committee to conduct Membership Reviews, suspend all or part of an Undergraduate Chapter's operations, or require participation in or revision of educational programming, risk management programs, and by-laws, subject to the provisions of this Rule 3.9. Nothing in this Rule 3.9 limits the authority of the Supreme Executive Committee to undertake the same actions or make other delegations of the same powers.

3.9.1 Membership Reviews Conducted by District Grand Masters. A District Grand Master, on information that an Undergraduate Chapter in his district or any Undergraduate Members thereof may have violated the Code of Conduct, may order the Undergraduate Chapter to participate in a Membership Review, provided notice of the review time and location is given to

all Undergraduate Members of the Undergraduate Chapter in writing no later than five (5) days prior to the review.

3.9.2 Failure to Comply with Membership Review Order. A District Grand Master may, at his sole discretion, charge any Undergraduate Member with Failure to Comply, if said Undergraduate Member, after being given due notice under Rule 3.9.1, fails to appear for a Membership Review or provide adequate support for his inability to appear.

3.9.3 Suspension of Operations by District Grand Master. A District Grand Master may suspend all or part of the operations of an Undergraduate Chapter in his District, including chapter meetings, chapter social functions, intramurals, pledge and initiation activities, community service projects, and alumni events, by giving written notice to the Undergraduate Chapter Executive Officers, Alumnus Advisors, and the Worthy Grand Procurator or his delegate(s), which suspension shall remain in effect for thirty (30) days, unless lifted under Rule 3.9, lifted by the Supreme Executive Committee, or lifted or extended in accordance with the Constitution, By-Laws, and Rules.

3.9.4 Lifting of Suspension of Operations. A District Grand Master may lift any Suspension of Operations that he ordered by giving written notice to the Undergraduate Chapter Executive Committee, Alumnus Advisors, and the Worthy Grand Procurator or his delegate(s).

3.9.5 Educational Programming Required by District Grand Masters. District Grand Masters are empowered to review, require amendments of, or participation in, Undergraduate Chapter By-Laws, risk management programs, and other educational programs, of Undergraduate Chapters in their District, when such programs as undertaken by the Undergraduate Chapter in their current form are inconsistent with the values of the Kappa Sigma Fraternity, provided that, when requiring amendments to Undergraduate Chapter By-Laws, the District Grand Master provides written notice to the Worthy Grand Procurator or his delegate(s) of required changes.

3.9.6 Appeal on District Grand Master

Action. Any member may submit a written appeal to the Supreme Executive Committee of any action taken by a District Grand Master under Rule 3.9. The Supreme Executive Committee may, at their discretion, overrule the actions taken by the District Grand Master by a majority vote.

RULE 4. GENERAL FRATERNITY REPORTS & PUBLICATIONS.

4.1. **Minutes and Official Acts.** The Fraternity shall publish *The Star and Crescent* containing the minutes of each Grand Conclave, the minutes of each meeting of the Supreme Executive Committee, and any official acts of the Supreme Executive Committee in the interval between meetings that are not part of the minutes of the next succeeding meeting.

4.2. **Constitution, By-Laws and Rules.** The Fraternity shall print in booklet form the *Constitution, By-Laws and Rules* if such is revised by act of Grand Conclave.

4.3. **Expulsions, Suspensions, Resignations and Reinstatements.** The Fraternity shall print in *The Star and Crescent* all expulsions, suspensions, resignations or reinstatements of any member of Kappa Sigma.

4.4. **Fund Reports.** On the first day of June each year, the Supreme Executive Committee shall request all recognized affiliates of the Fraternity to provide the General Fraternity a full and complete report of the income, growth, character of investments or principal, and such other data as will show the exact condition and working of each fund of such affiliate, including a comparative statement with the preceding year, and so much of said report shall be published in *The Star and Crescent* as may deemed necessary by the Supreme Executive Committee.

4.5. **Schedule; Subscriptions.** The Supreme Executive Committee shall biennially establish and publish to the Fraternity (1) a schedule for Publications; and (2) forms for members to obtain their subscription to *The Caduceus of Kappa Sigma*. Under this Rule, Publications shall include all media, whether printed, electronic, digital or otherwise, designed to further support the communications objective of the Fraternity.

RULE 5. INTERNET USE OF MARKS.

5.1 No chapter or member shall register any domain name that contains any Insignias as defined by Rule 5.2 of the Constitution, By-Laws and Rules of Kappa Sigma Fraternity

5.2 Any chapter or member having registered any domain name using any of the Insignias of the Fraternity as of the date this Rule are adopted by the Supreme Executive Committee, makes such use of such Insignias pursuant to a nonexclusive license to use such Insignias consistent with Rule 5.2. Such license shall continue until earlier of the (1) end of the biennium following the initial adoption of this Rule or (2) assignment of such domain name to Kappa Sigma Fraternity otherwise in accordance with this Rule.

5.3 Upon any written request of Kappa Sigma Fraternity, any chapter or member having registered any domain name containing any Insignias of the Fraternity shall assign such domain name to the Fraternity at no cost to the Fraternity and shall not contest or oppose any effort by the Fraternity to recover any such domain name through applicable regulations and procedures following expiration or termination of any license contemplated by this Rule or the *Constitution, By-Laws and Rules of Kappa Sigma Fraternity*.

5.4 Any chapter or member registering a domain name in violation of this Rule shall assign such domain name to the Fraternity at no cost to the Fraternity upon demand and shall not contest or oppose any effort by the Fraternity to recover any such domain name through applicable regulations and procedures.

5.5 No chapter or member shall create a networking or social group on the internet using the name "Kappa Sigma" or any of the Insignias of the Fraternity without the written authorization of the Kappa Sigma Fraternity.

5.6 Where a chapter or member creates or maintains a networking or social group on the internet, if said group identifies itself with Kappa Sigma Fraternity or a chapter of Kappa Sigma Fraternity, membership in the group shall be limited only to members of Kappa Sigma

Fraternity, unless specifically authorized otherwise by the Fraternity.

5.7 Any group created or otherwise existing in violation of this Rule shall be disbanded and/or ownership, control and administration of such group shall be assigned to an authorized representative of Kappa Sigma Fraternity immediately upon demand.

5.8 Each chapter or member joining or participating in any social networking group, discussion board or similar website, webpage or other outlet on the internet that uses "Kappa Sigma" in its name, displays any other Insignias, or purports to present a forum for discussion of matters concerning Kappa Sigma Fraternity or its chapters, shall be responsible for the content posted to such group or site by its members or which is posted by such member. All such content shall be consistent with the Constitution, By-laws and Rules of Kappa Sigma Fraternity.

RULE 6. MISCELLANEOUS.

6.1. **Birthplace of Kappa Sigma.** The room at the University of Virginia wherein the Kappa Sigma Fraternity was founded, and commonly known as 46 East Lawn, may be rented and kept decorated by the Supreme Executive Committee at the expense of the Fraternity.

6.2. **Insignias.** The insignias of the Fraternity are historically and continue to be solely and exclusively owned by the Fraternity. All Chapters and members are encouraged to use the insignias of Kappa Sigma Fraternity in accordance with this Rule 6.2. For the purposes of this Rule 6.2 the term "insignias" means all trade and service marks of the Fraternity, whether or not registered under applicable state or federal law, or other such logos, brands, marks, insignias or similar materials developed and used from time-to-time by the Fraternity to identify itself as distinct among organizations.

6.2.1. **Manufacture and Sale of Badges.** All badges shall be manufactured and distributed under the supervision of the Supreme Executive Committee, who shall contract for the same with some responsible and reputable jeweler and shall resell the same to members of the

Fraternity on order. Such badges shall be of varied styles jewels, and prices and shall afford to the members the same latitude of selection as though made by a number of jewelers, but all badges shall conform in every respect to the provisions of the Constitution. Such badges shall be described in catalogs furnished under the direction of the Supreme Executive Committee and may be ordered by members through the office of the Executive Director.

6.2.2. **Sale of Badges.** It is conduct unbecoming a Kappa Sigma for a member of this Fraternity to offer for sale or to sell Kappa Sigma badges for any person, firm, or corporation other than the official jeweler of the Kappa Sigma Fraternity as the same may be designated from time to time by the Fraternity.

6.2.3. **Use of Star and Crescent.** The use of the Star and Crescent shall be restricted to duly initiated members of Kappa Sigma and may not be depicted in any form that does not reflect good taste and the values held by Kappa Sigma Fraternity.

6.2.4. **Wearing.** All initiates of Kappa Sigma are encouraged to display the appropriate emblems of the Fraternity.

6.2.4.1. **Badge.** The badge of Kappa Sigma shall only be worn by Kappa Sigma initiates or mothers, sisters, daughters, girlfriends, fiancées or wives of members.

6.2.4.2. **Letters/Crest.** Pledges of the Fraternity may wear the letters "KΣ" and the words "Kappa Sigma," but may not wear any other marks of the Fraternity, including, but not limited to the crest, "A.E.K.Δ.B.," the badge or anything pertaining to the mystic work of the Order.

6.2.5. **Use of Insignias.** Each member and Chapter is granted a license to use the insignias of the Fraternity provided such Chapters or members shall be in good standing and use the insignias of the Fraternity in a manner consistent with this Rule 6.2. Chapters and members of the Fraternity shall purchase products bearing the insignias of the Fraternity solely from the Fraternity or other persons, firms, corporations or entities authorized from time-to-time by the Supreme Executive Committee on behalf of the Fraternity and shall not authorize, permit or allow

any other person, firm, corporation or other entity to produce or sell any product bearing the insignias of the Fraternity without the prior consent of the Supreme Executive Committee.

6.2.6. Local Educational Foundations; House Corporations; Alumni Clubs and Associations; Parents Clubs. Each Local Educational Foundation, House Corporation, Alumni Club or Association, and Parents Club using the insignias of the Fraternity as of the date of adoption of this Rule 6.2.6 is making use of the insignias of the Fraternity pursuant to a non-exclusive license to use the insignias of the Fraternity consistent with Rule 6.2. Such license shall continue until the date two (2) years following the date of adoption of this Rule 6.2.6 at which time such license shall expire, provided, however, that the Supreme Executive Committee, in its direction, may extend such license upon the written request of any affected Local Educational Foundation, House Corporation, Alumni Club or Association, or Parents Club, or the chapter with which such organization is affiliated, subject to such additional requirements, agreements or documentation which the Supreme Executive Committee, may, from time-to-time, in its discretion require.

6.2.7. License; Guidelines for Use. Each license described under this Rule 5.2 shall be non-exclusive in nature unless otherwise specified by the Supreme Executive Committee in its discretion. Use of the insignias of the Fraternity under any license described in this Rule 6.2 shall be strictly in accordance with the guidelines published from time-to-time by the Fraternity. [APPENDIX #8].

6.3. Indemnification. As required by the Constitution of the Fraternity, the Fraternity shall indemnify the members of the Supreme Executive Committee and the officers of the Fraternity as set forth in this Rule.

6.3.1. In General. Subject to the limitations on indemnification set forth in this Rule, or otherwise imposed by applicable law, the Fraternity shall indemnify, to the fullest extent permitted by applicable law, now or hereafter in effect, any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding,

whether civil, criminal, administrative or investigative by reason of the fact that he is or was an officer of the Fraternity, or is or was an officer of the Fraternity serving at the request of the Fraternity as a director, trustee, or officer of another corporation, partnership, joint venture, trust, employee benefit plan or other enterprise, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit or proceeding if he acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the Fraternity, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his conduct was unlawful; provided, however, the Fraternity shall be required to indemnify an officer in connection with an action, suit or proceeding initiated by such person only if such action, suit or proceeding was authorized by the Supreme Executive Committee. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea or nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he reasonably believed to be in or not opposed to the best interests of the Fraternity, and, with respect to any criminal action or proceeding, had reasonable cause to believe that his conduct was unlawful.

6.3.2. No Indemnification Where Found Liable. Subject to the limitations on indemnification set forth in this Rule, or otherwise imposed by applicable law, the Fraternity shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the Fraternity to procure a judgment in its favor by reason of the fact that he is or was an officer of the Fraternity, or is or was an officer of the Fraternity serving at the request of the Fraternity as a director, trustee, or officer of another corporation, partnership, joint venture, trust, employee benefit plan or other enterprise against expenses (including attorneys' fees) actually reasonably incurred by him in connection with the defense or settlement or such action or suit if he acted in good faith and in a manner he reasonably believed to be in or not opposed to the

best interests of the Fraternity; except that no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable to the Fraternity unless and only to the extent that the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses which such court shall deem proper.

6.3.3. Determination by Supreme Executive Committee. Any indemnification under this Rule (unless ordered by a court) shall be made by the Fraternity only as authorized in the specific case upon a determination that indemnification of officer is proper in the circumstances because he has met the applicable standard of conduct set forth in this Rule. Such determination shall be made (i) by the Supreme Executive Committee by a majority vote of such officers who were not parties to such action, suit or proceeding (even if such majority vote constitutes less than a quorum), or (ii) if the majority vote of such officers so directs (even if such majority vote constitutes less than a quorum), upon receipt from independent legal counsel of a written opinion that such indemnification is reasonable, or (iii) by the members of the Fraternity by resolution of the Grand Conclave. To the extent however, that an officer of the Fraternity has been successful on the merits or otherwise in defense of any action, suit or proceeding described above, or in defense of any claim, issue or matter therein, he shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by him in connection therewith, without the necessity of authorization in the specific case.

6.3.4. Good Faith Defined. For purpose of any determination under this Rule, a person shall be deemed to have acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the Fraternity, or, with respect to any criminal action or proceeding, to have had no reasonable cause to believe his conduct was unlawful, if his action is based on the records or books of account of the Fraternity or another enterprise, or on information supplied to him by the officers of the Fraternity or

another enterprise in the course of their duties, or on the advice of legal counsel for the Fraternity or another enterprise or on information or records given or reports made to the Fraternity or another enterprise by an independent certified public accountant or by an appraiser or other expert selected with reasonable care by the Fraternity or another enterprise. The term "another enterprise" as used in this Rule shall mean any corporation or any partnership, joint venture, trust, employee benefit plan or other enterprise of which such person is or was serving at the request of the Fraternity as a director or officer. The provisions of this Rule shall not be deemed to be exclusive or to limit in any way the circumstances in which a person may be deemed to have met the applicable standard of conduct set forth in this Rule, except however, that a resolution of the Grand Conclave shall be conclusive of whether or not such person acted in a manner which is or was opposed to the best interests of the Fraternity.

6.3.5. Expenses Payable in Advance. Expenses (including attorneys' fees) incurred by the officer in defending any civil, criminal, administrative or investigative action, suit or proceeding shall be paid by the Fraternity in advance of the final disposition of such action, suit or proceeding upon receipt of an undertaking by or on behalf of such officer to repay such amount if it shall ultimately be determined that he is not entitled to be indemnified by the Fraternity as authorized in this Rule.

6.3.6. Nonexclusivity of Indemnification and Advancement of Expenses. The indemnification and advancement of expenses provided by or granted pursuant to this Rule shall not be deemed exclusive of any other rights to which those seeking indemnification or advancement of expenses may be entitled under agreement, contract, vote of members, resolution of the Grand Conclave, or the Supreme Executive Committee or pursuant to the direction (howsoever embodied) of any court of competent jurisdiction or otherwise, both as to action in his official capacity and as to action in another capacity while holding such office, it being the policy of the Fraternity that indemnification of the persons specified in this Rule shall be made to the fullest extent permitted by law. The provisions of this Rule shall not be

deemed to preclude the indemnification of any person who is not specified in this Rule but whom the Fraternity has the power or obligation to indemnify.

6.3.7. Certain Definitions. For purposes of this Rule, references to “the Fraternity” shall include, in addition to the unincorporated association domiciled in the Commonwealth of Virginia which is generally the Fraternity, any resulting corporation or successor unincorporated association wherever incorporated or domiciled, any constituent entity thereof (including any constituent of a constituent) absorbed in a consolidation or merger which, if its separate existence had continued, would have had power and authority to indemnify its directors or officers, so that any person who is or was a director or officer of such constituent entity, or is or was a director or officer of such constituent entity serving at the request of such constituent entity serving at the request of such constituent entity as a director or officer of a corporation, partnership, joint venture, trust, employee benefit plan or other enterprise, shall stand in the same position under the provisions of this Rule with respect to the resulting or surviving corporation as he would have with respect to such constituent corporation if its separate existence had continued. For purposes of this Rule, references to “fines” shall include any excise taxes assessed on a person with respect to an employee benefit plan; and references to “serving at the request of the Fraternity” shall include any service as a director or officer of the Fraternity which imposes duties on, or involves services by, such director or officer with respect to an employee benefit plan, its participants or beneficiaries; and a person who acted in good faith and in a manner he reasonably believed to be in the interest of the participants and beneficiaries of an employee benefit plan shall be deemed to have acted in a manner “not opposed to the best interests of the Fraternity” as referred to in this Rule. For the purposes of this Rule, an “officer” of the Fraternity, including without limitation an “executive officer” or “director” of the Fraternity, shall include, by way of example but without limitation, all advisors, commissioners or other volunteer positions appointed from time-to-time by the Supreme Executive Committee, including

those full-time employees of the Fraternity described as “directors” or “managers” in their job title. “Executive officers” and “directors” shall each include by way of example but without limitation, the elected officers of the Fraternity incumbent in the offices of the Supreme Executive Committee.

6.3.8. Survival of Indemnification and Advancement of Expenses. The indemnification and advancement of expenses provided by, or granted pursuant to, this Rule shall, unless otherwise provided when authorized or ratified, continue as to a person who has ceased to be a director or executive officer and shall inure to the benefit of the heirs, executors and administrators of such a person.

6.3.9. Limitation on Indemnification. Notwithstanding anything contained in this Rule to the contrary, except for proceedings to enforce rights to indemnification (which shall be governed by the applicable provisions of this Rule and generally by the Rules with respect to Disputes), the Fraternity shall not be obligated to indemnify any director or officer in connection with a proceeding (or part thereof) initiated by such person unless such proceeding (or part thereof) was authorized or consented to by the Supreme Executive Committee of the Fraternity. Without limiting the generality of the foregoing, any indemnification under this Rule shall be subordinate to the policies of insurance applicable to the defense of any acts or omissions giving rise to any claim resulting in possible indemnification under this Rule.

RULE 7. INTERPRETATION OF CONSTITUTION, BY-LAWS AND RULES.

Where “Chapter” or “Chapters” is used in any provision of the Constitution, By-Laws or Rules to refer to Undergraduate Chapters generally and in a context of rights or privileges that are not retained exclusively by Chapters or initiates of Kappa Sigma Fraternity, “Chapter” or “Chapters” shall be taken to mean “Chapter or Colony” or “Chapters and Colonies” as may be determined by the Supreme Executive Committee in its sole and absolute discretion.

RULE 8.
AMENDMENTS.

These Rules may be amended or supplemented as provided for in the Constitution.

Appendix #1
Chapter Accounting System

From time to time, the Supreme Executive Committee may establish such rules and regulations regarding chapter accounting systems, policies and procedures and shall publish the same to the chapters. This Appendix is reserved for the publication of such rules and regulations

Appendix #2
Founders' Day Resolution

Whereas, The gratitude and respect of all who shall ever become true and lawful Kappa Sigmas are justly due to those men who were the founders of the Fraternity.

Whereas, It is fitting that proper and adequate expression be given from time of the feeling of Kappa Sigmas toward the founders and toward Kappa Sigma as an institution, and

Whereas, The founding of Kappa Sigma in America was achieved at the University of Virginia, on the Tenth Day of December, in the Year of our Lord One Thousand Eight Hundred and Sixty-Nine.

Therefore, BE IT RESOLVED:

That so long as the Fraternity shall endure in time, the Tenth Day of December in every year shall be kept and observed as Founders' Day;

That the day so known and set aside be regarded as above all other days a time for the individual members and the separate Chapters of the Fraternity to recognize the bonds of their unity and the strength of their mutual obligation;

That the same day shall be signalized wherever possible, by each Undergraduate Chapter and Alumni Chapter, or other organization of Brothers of the Fraternity, by special meeting, reunions, banquets and whatever observations can make men feel that cement of Brotherly love which unites a band of Brothers;

That wherever two or three Brothers may be gathered together upon the day named they be likewise enjoined to such observations as their circumstances suggest and allow;

All of the end that Kappa Sigma Fraternity and the members thereof may continually realize more and more fully the blessings of their Fraternal union; not for a day, nor an hour, nor a college term only, but for life.

Appendix #3
Academic Standards

From time-to-time, the Supreme Executive Committee shall establish such academic standards applicable to the individual undergraduate members and Chapters of the Fraternity consistent with the Fraternity's rules, regulations, policies and procedures concerning scholarship, recruitment, pledge education, eligibility for initiation, Chapter operations, and individual academic performance and shall publish the same to the Chapters. This Appendix is reserved for the publication of such rules and regulations.

Appendix #4

**KAPPA SIGMA FRATERNITY
CODE OF CONDUCT**

Membership in Kappa Sigma is a privilege. Each member, pledge or initiate, undergraduate and alumnus, is bound by this Code of Conduct.

Each member of Kappa Sigma Fraternity is responsible for seeing that he: acts as a gentleman, setting an example of moral behavior; conducts himself as a good student, good neighbor, and good citizen; and obeys the laws, rules and regulations of his country, state or province, city and county, and college or university.

I. Hazing

Hazing is contrary to the principles and teachings of Kappa Sigma Fraternity and against the law in all jurisdictions in which Kappa Sigma has chapters.

A. Definition

1. Hazing is any action, behavior or situation created by any Kappa Sigma chapter or by any member – undergraduate, or alumnus – to produce or result in mental or physical discomfort, embarrassment, harassment or ridicule as a prerequisite to or as a requirement for membership or initiation in the Fraternity, or which is otherwise prohibited by federal, state, provincial, local or host institution policies, rules, regulations, statutes or ordinances.
2. Prohibited actions, behaviors and situations constituting hazing include, without limitation, the following in any form or of any kind:
 - a. paddling, branding, or physical abuse in any form;
 - b. calisthenics or other exercises;
 - c. creation of fatigue including sleep deprivation;
 - d. physical or psychological shocks;
 - e. kidnapping;
 - f. scavenger hunts;
 - g. personal servitude, including required driving, errands, cleaning, event setup and takedown, or any other activity required of a pledge but not an initiated member,
 - h. verbal abuse;
 - i. required uniforms or costumes;
 - j. degrading, humiliating or harassing games and activities;
 - k. lineups;
 - l. “Hell Week” or any other pre-initiation or intensive or condensed programming prior to, following, or in connection with any Kappa Sigma ceremony;
 - m. the use of pledge requirements such as signatures or interviews as a means of harassment;
 - n. activities a prerequisite to or as a requirement for membership or initiation in the Fraternity which exposes any initiate(s) or pledge(s) to any type of physical danger regardless of degree;
 - o. activities involving the required consumption of any beverage or food;
 - p. chapters performing programming or activities not included in their documented Pledge Education, Membership Development or Brothers In Action Programs shall be in violation of these Standards. This includes variances from any program submitted in the Chapter’s biannual report, unless those variances are approved by the District Grand Master.
 - q. activities which would disrupt public order or tend to bring the Fraternity into disrepute in the local community; and,
 - r. other activities not consistent with Kappa Sigma Fraternity principles, or otherwise not in accordance with federal, state, provincial or local laws, ordinances or the regulations or policies of the host college or university.

II. *Alcohol & Controlled Substances.*

Each member of the Fraternity is responsible for seeing that he abides by the letter and spirit of applicable laws governing use and possession of alcohol and controlled substances. Where local laws may permit certain conduct, but federal, provincial or state laws prohibit that conduct, the applicable federal, provincial or state law shall govern individual conduct.

In addition to abiding by applicable federal, provincial, state, and local laws governing or regulating the use, possession and distribution of alcohol and controlled substances, and complying with the rules, regulations, policies and standards set by its host institution, the following standards apply:

A. Additional Standards Pertaining to Alcohol and Controlled Substances

1. Chapters shall take reasonable steps to prevent the unlawful use, possession, or consumption of alcohol or controlled substances, including underage consumption of alcohol, by any person, member or non-member, undergraduate or alumnus, at any chapter house, lodge, or similar facility or location occupied by or used for or on behalf of the chapter for any of its activities.
2. No chapter of the Fraternity is authorized to apply for or hold any license for the sale, distribution, pouring or dispensing of alcoholic beverages or other controlled substances.
3. No member shall use or possess any controlled substance or any paraphernalia for the consumption, delivery or administration of any controlled substance in any form at any Kappa Sigma function or at any facility occupied or used by a Kappa Sigma chapter. A member having a valid prescription is not in violation of this Standard.
4. Members using recreational or medicinal marijuana in jurisdictions where such use is legal shall not be in violation of these Standards providing such use does not occur before, during, or after a chapter event, at a chapter house or anywhere that the chapter members gather.
5. No chapter funds may be used to purchase alcohol directly or indirectly. "Passing the hat," taking up a collection, charging admission or accepting donations to purchase alcohol is a violation of these Standards.
6. No member may possess hard liquor, defined as distilled beverages exceeding 30% alcohol by volume, at a Social Event (as defined by the Code of Conduct), or at a chapter house or anywhere that the chapter members gather, with exception of hard liquor purchased by a member at a Social Event hosted at a third party venue (e.g. a bar, restaurant, hotel, or similar), which venue is fully licensed and insured for the distribution of hard liquor.
7. No member may possess kegs or oversized containers of alcohol.
8. No member shall permit or participate in binge drinking, rapid consumption of alcohol, or activities which involve duress or encouragement related to the consumption of alcohol.
9. No alcohol may be present at any activity, function or event when rushees or prospective members are present. All rush and recruitment events shall be alcohol-free.
10. No alcohol may be present preceding, at, or following any activity that is part of the Pledge Education Program, including initiations, bid day functions and big brother/little brother events.
11. A chapter may not fundraise with, or profit from, the sale of alcohol. A Chapter or a number of its members may receive compensation for working at an event, unassociated with the Chapter, at which alcohol is present, to support Chapter operations or raise funds for a bona fide charitable organization (e.g., working concession stands at a sporting event or concert venue). A Chapter may participate in such activity only upon the prior authorization by that Chapter's District Grand Master or the Supreme Executive Committee.

B. Additional Standards Pertaining to Social Events

1. A Social Event is a party or any other gathering approved, sponsored, hosted, or arranged by a chapter or its members, in the name of the chapter, or perceived to be in the name of the chapter, where alcohol is present.
2. No chapter is authorized to sell tickets, sell cups, collect cover charges, charge admission, vend alcohol from machines, or engage in any other activity that is, or creates the impression that

-
- the chapter is, selling alcohol or permitting access to alcohol in a manner inconsistent with these Standards.
3. Chapters shall take reasonable steps to prevent the unlawful consumption of alcohol at Social Events.
 4. "Open parties" are a violation of these Standards.
 5. The number of guests (including dates) at any Social Event shall not exceed two guests for each member in attendance. Alumni, spouses and parents invited by the Chapter are not counted as guests for purposes of this Standard.
 6. A Social Event consisting of a mixer or exchange with a maximum of three additional national men's or women's fraternity or sorority chapter may occur without regard for the limitation of Standard II.B.5 of these Standards when attendance is limited to members and pledges of all chapters and hosted at a third party venue, licensed and insured for the distribution of alcohol.

III. Little Sisters and Auxiliary Organizations

The Kappa Sigma Fraternity does not recognize or approve the existence of "Little Sister/Starduster" or similar chapter programs or organizations, or approve chapter affiliation with like auxiliary organizations not authorized in writing by the Supreme Executive Committee.

No organization, unless authorized in writing by the Supreme Executive Committee or as otherwise permitted by the Constitution, By-Laws and Rules of Kappa Sigma Fraternity, shall use the words, letters, logos or symbols of Kappa Sigma, or otherwise represent affiliation with the Fraternity.

IV. Internet Use

Internet Use, through media including, among others, email, websites, and social networking or discussion groups, is a valuable tool for education and communication. All members of the Kappa Sigma Fraternity are responsible using these media in an appropriate and lawful manner.

A. Definition

Internet Use includes any communications on the internet (as generally defined and understood from time- to-time by the general public), whether through establishment or maintenance of a website, discussion board, social networking group, page, or site, or chat room or the submission of any data, whether in graphic, video, audio or written form to any site on the internet, or the linking to any site on the internet that contains such data.

B. Standards of Conduct

1. No chapter or member shall host, sponsor, post, or link to any inappropriate content on the internet. This includes any explicit or implicit reference to or promotion of illegal alcohol use or alcohol abuse, the unlawful use of controlled substances, possession of drug paraphernalia, Hazing or any other illegal behavior.
2. Each chapter or member shall delete inappropriate content upon demand by the Kappa Sigma Fraternity or its authorized representatives, including the chapter in which any undergraduate member is initiated or affiliated.

V. Assault and Harassment

No chapter or member shall permit or participate in any form of sexist or sexually abusive behavior, whether physical, mental or emotional. This is to include any actions, activities or events, whether on chapter premises or an off-site location, which are demeaning, including but not limited to verbal harassment and sexual assault, by individuals or members acting together.

VI. Enforcement

A. Reporting Procedure

1. Any member of the Fraternity who receives information regarding a potential violation of the Code of Conduct must immediately report the alleged activity and all available information to the

chapter's Alumnus Advisor and District Grand Master or the Supreme Executive Committee or Executive Director;

2. If the allegations warrant, the member disclosing the violation, Alumnus Advisor and District Grand Master (or officer of the General Fraternity designated by the Supreme Executive Committee) must ensure charges are proffered against the offending chapter and member(s) in accordance with these Standards, the Code of Conduct generally, and the *Constitution, By-Laws and Rules of Kappa Sigma Fraternity*.

3. During any investigation of alleged chapter violations of the Code of Conduct, all chapter activities shall cease until the investigation is complete, the results reported to the SEC, and the Chapter authorized by the Supreme Executive Committee, or their designee, to resume such activities.

B. Violations

Any member or chapter found to have violated any standard in the Code of Conduct may be subject to penalties.

1. Any chapter Executive Committee member actively or passively involved in or having knowledge of any violation of these Standards, shall be in violation of the Code of Conduct generally and shall cause the chapter to be in violation of the Code of Conduct and to be subject to the same penalties as a chapter found in violation of the Code of Conduct.
2. Any member who interferes or fails to cooperate in any manner with any investigation of possible violations of the Code of Conduct or advocates or encourages the non-compliance or interference with any such investigation shall be deemed in violation of the Code of Conduct.
3. Any member witnessing or having knowledge of violations or potential violations of the Code of Conduct who does not report said violations to an Alumnus Advisor or District Grand Master of the chapter or to the Supreme Executive Committee or Executive Director shall be in violation of the Code of Conduct and shall be subject to the same penalties as those members actively involved in the violation of the Code of Conduct.
4. Any chapter found not upholding any individual penalty or other sanction imposed on any member or members for violation of the Code of Conduct shall be in violation of the Code of Conduct.

C. Penalties

1. Chapter. Upon violation of the Code of Conduct deemed by the Supreme Executive Committee, or their designees appointed for inquiry, to be chapter-wide, sponsored or tolerated by the chapter or its membership, such chapter and its members may be subject to one or more penalties deemed appropriate by the Supreme Executive Committee, in accordance with the *Constitution, By-Laws and Rules of Kappa Sigma Fraternity*.

2. Individual. Any individual member participating in any activity in violation of the Code of Conduct may be subject to immediate suspension by the Worthy Grand Procurator as authorized by the *Constitution, By-Laws and Rules of Kappa Sigma Fraternity*, and subject to charges for discipline, suspension, or expulsion in accordance with *Constitution, By-Laws and Rules of Kappa Sigma Fraternity*.

3. Other Penalties. The Kappa Sigma Fraternity may seek civil or criminal actions against members violating the Code of Conduct.

Appendix #5
Pledge Period

The Pledge Period for any individual pledge (defined as an individual otherwise eligible for membership in the Fraternity under Article V of the Constitution but not yet eligible for initiation under Article V of the Constitution) shall commence on the date such pledge is conducted through the Ceremony of Pledging as set forth in the Ritual and required by Article V, Section 2, Sub-Section 2(A) of the Constitution (the “Pledging Date”). Unless otherwise authorized by the Supreme Executive Committee, such pledge shall be initiated by the chapter into which he was pledged on or before date sixty (60) calendar days following the Pledging Date, provided however, that such pledge shall have met the requirements for election and initiation set forth in the Constitution.

Without limitation to the general powers of the Supreme Executive Committee, the Supreme Executive Committee, may in its sole and absolute discretion following any request from any chapter that such 60-day period be extended due to conditions at or policies of the host institution limiting the permissibility of such chapter’s compliance with such 60-day period, extend such 60-day period so as to permit compliance with the policies of the host institution. Any such request by any chapter shall include documentation from the host institution setting forth the applicable policy of the host institution.

In the event that any pledge is not initiated within such 60-day (or other permissibly extended) period, and has not been otherwise released from his pledge by a vote of the chapter in accordance with the by-laws of such chapter or otherwise in accordance with applicable parliamentary procedure, the chapter shall file with the Supreme Executive Committee the petition described in Article V, Section 2, Sub-Section 4 of the Constitution (the “Exception Petition”) on or before the date seventy (70) days after the Pledging Date (or in the case of any permissibly extended period, within ten (10) days following the latest date such pledge could have been initiated) requesting the Supreme Executive Committee order the initiation of such pledge under the applicable provisions of the Constitution.

Should the Supreme Executive Committee grant the Exception Petition, the chapter shall immediately initiate such pledge. In the event the Supreme Executive Committee should deny such Exception Petition, or the chapter shall have failed to timely file the Exception Petition, the chapter shall immediately take the required action to release such pledge from his pledge.

In accordance with Article V, Section 2, Sub-Section 3(D) of the Constitution, no pledge shall be released from his pledge solely by reason of being ineligible for initiation at any time due to not having received a sufficient vote to elect him to membership as required by the Constitution. A pledge may be released from his pledge only by his resignation, a proper vote of the chapter in accordance with its by-laws or applicable parliamentary procedure, or as set forth in the Constitution, By-Laws and Rules, or as otherwise directed or ordered by the Supreme Executive Committee.

Any pledge released from his pledge for any reason may at any time thereafter again become a pledge of the Fraternity at any chapter at any institution where he is eligible upon the invitation of such chapter. Upon any future Pledging Date, such pledge shall again be required to pay all applicable Pledge Fees set forth in the Constitution, By-Laws and Rules

Appendix #6
Recognition of House Corporations

Entities or organizations owned or controlled by alumni of the Fraternity which provide housing or other facilities to any one chapter of the Fraternity, whether or not organized in the form a corporation (“House Corporations”) shall be eligible for recognition by the Fraternity upon the completion of an appropriate application and the submission of all required information to the Fraternity.

The Supreme Executive Committee shall have the authority to recognize eligible House Corporations from time-to-time and to thereafter continue or terminate that recognition in its sole and absolute discretion. The benefits and obligations of recognition shall be as determined from time-to-time by the Supreme Executive Committee, subject to the minimum requirements of House Corporations otherwise set forth in the Constitution, By-Laws and Rules.

Appendix #7
Undergraduate Advisory Committee Elections Procedure

1. Undergraduate Advisory Committee (“UAC”) elections shall be conducted by the current UAC Delegate for his own particular Area. If the UAC Delegate is unable to attend for any reason, he is responsible for appointing a representative to conduct the meeting in his absence (the appointee is not eligible to stand for the election). In the event that there is no UAC Delegate or appointed representative to conduct such election, the Supreme Executive Committee, in its direction, may appoint an Undergraduate Brother to conduct the affected election (the appointee is not eligible to stand for the election). Any appointed representative shall perform all requirements of the UAC set forth in this Rule. All parts of the election shall follow parliamentary procedure.
2. The UAC Delegate will begin by explaining his role and the requirements of the position. The UAC Delegate will open the floor to take nominations.
3. Once nominations are made, a motion to close nominations may be entertained, or if no more nominations are made from the floor the UAC Delegate will declare nominations closed.
4. The nominees shall then leave the room. The nominees shall come in individually to give their speech (the other nominees shall remain outside the room). Speeches shall be in the order of which the nominees were nominated.
5. Following the speeches, all nominees will leave the room and the UAC Delegate will open the floor for discussion about each nominee. If it appears there are a lot of members who wish to speak, the UAC Delegate will make a speakers list. At the end of the list, the UAC Delegate will make a last call for those who wish to speak.
6. Following the discussion, each CHAPTER in attendance will be allotted ONE vote for their choice of the new UAC Delegate.
7. After the tallying of the votes, the nominees shall be readmitted to the room. The UAC Delegate shall then announce the results. A majority vote of the Chapters present must be obtained for a nominee to be elected as the new UAC Delegate. If any nominee does not achieve a majority, the nominee with the lowest amount of votes shall be dropped from the election and a revote shall occur.
8. In the occurrence of a revote, the nominees will once again leave the room and the floor shall be open for discussion. When discussion has ended, the vote again will be taken and after tallying the votes, the nominees shall be allowed back into the room.
9. If a majority is still not obtained the same process as outlined above shall be followed until there are only two nominees left in the final vote. If in the final vote a tie results, one more vote shall occur. If in the second vote a tie occurs again, the UAC Delegate shall cast the deciding vote for the nominee of his choice. The nominees shall be admitted into the room and the name of the newly elected UAC Delegate announced.
10. The newly elected UAC Delegate shall take office following the conclusion of the Grand Conclave or Leadership Conference where the election took place and shall serve thereafter in accordance with the Constitution, By-Laws and Rules of Kappa Sigma Fraternity. In the event that a delegate is removed or resigns or becomes ineligible to serve as delegate and the alternate provided in the Constitution, By-Laws and Rules is unable, unwilling or not qualified to serve, or is subsequently removed or resigns from office, the Supreme Executive Committee may, in its discretion, appoint an Undergraduate Brother otherwise eligible to serve on the Undergraduate Advisory Committee from the affected Area to serve the remainder of the applicable term.
11. Chapters otherwise not eligible to vote in Grand Conclave or Leadership Conference are disqualified from voting.

Appendix #8
Guidelines for Use of Insignias

This Appendix is reserved for the publication from time-to-time of the guidelines for use of the insignias of the Fraternity as determined by the Supreme Executive Committee in accordance with the Rules.

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