

KAPPA ALPHA LAWS

**2023 EDITION
CONSTITUTION AND BYLAWS CURRENT TO AUGUST 12, 2023
REGULATIONS CURRENT TO MAY 16, 2024**

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QUICK REFERENCE

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FOREWORD TO THE 2023 EDITION

Kappa Alpha Order held its 80th Convention in Orlando, Florida, from August 10–12, 2023, at the JW Marriott Orlando Grand Lakes. It was the inaugural Session of the Convention in Orlando.

I am proud to have been elected as the 42nd Knight Commander, and I greatly appreciate the leadership and guidance provided by Former Knight Commander C. Douglas Simmons III.

The assembled delegates amended the Constitution and Bylaws resulting in 66 sections being amended, repealed, or renumbered.

Constitutional amendments included updating language for readability, clarification, and correction to the process of electing a Senior Councilor between Conventions, rearrangement of some language, and the modernization of requirement for insuring our national and local officers who might handle funds. These changes affected Sections 122, 216, 231, 232, and 515.

With respect to the Senior Councilor amendments, the Convention eliminated the term “acting” from “acting Senior Councilor,” because no General Office serves in an “acting” capacity. Additionally, the language outlining the eligibility of a Councilor, elected by the Executive Council between Conventions, was clarified. The Constitution was amended to be aligned with the current indemnification by those who handle the Order’s funds. The practice is to obtain fidelity and crime insurance policies, rather than bonds.

The Bylaws also were amended for style and language to be consistent with Constitutional language, readability, and to be reflective of current best practices. The following Bylaws were amended, renumbered, or repealed: Article 2, Sections 214, 215, 216, 232, 233, Article 3, Section 121, 122, Article 4, Sections 211, 212, Article 5, Sections 112, 114, 122, Article 6, Sections 114, 116, 119, 221, 223, Article 7, Sections 111, 112, 121, 225, Article 8, Sections, 113, 114, 134, 217, 218, Article 9, Sections 111, 112, 124, 125, 222, 224, 225, 229, 231, 232, 233, 234, 235, 236, 241, 242, 253, 263, 271, 313, 314, 315, Article 10, Sections, 111, 131, 132, Article 11, 125, 127, 213, 221, 222, 225, 226, 228, Sections, Article 12, Sections, 114, Article 13, Sections, 111, 112, 113, 212, and Article 15, Section 112.

A small number of changes were separate from those addressing corrections, style and readability, duplicative language, and alignment with operations. Of note, the term “Adviser” was universally updated in style to the more common spelling “Advisor.” Article 2, Section 214 was an antiquated provision which is not conducted as a matter of operations regarding Convention pre-registration. During the election of National Undergraduate Chairman, the time to drop the candidate receiving the fewest number of votes was changed from the second round to the first round. The Scholarship Officer and additional officers, already authorized to be appointed by the Knight Commander were renumbered to Title 3, The Knight Commander. Article 9, Section 263, a provision dealing with the different state’s laws regarding concealed weapons was repealed. The Order’s Risk Management Policy prohibits weapons on chapter property, regardless of concealment or open-carry. Article 11, Section 125 dealt with “other alumni organizations.” Groups of members may generally organize but defining them as undefined entities is inconsistent with the Bylaws. Finally, and probably most relevant to Active Chapters, the maximum fine a I may assess for a minor offense was raised from \$100 to \$250. The 1937 Constitution instituted the first fine for a minor offense at \$10. The \$100 amount had been in place since 1991. This new maximum fine amount is relatively similar to the inflation-adjusted amount of \$10 from 1937.

The Executive Council Regulations are reviewed and amended regularly and are not part of the official

Convention agenda. The Regulations, along with the Constitution and Bylaws, are regularly reviewed to enhance clarity and promote accurate interpretation.

The 80th Convention undertook and accomplished a far larger than average workload with regard to Constitutional and Bylaw amendments. This task would not have been possible without countless hours of preparation by Former Knight Commander David M. Warren, who served as chairman of the legislative committee, and Assistant Executive Director for Advancement Jesse S. Lyons. These brothers have, for many years, scrutinized our legislation and identified opportunities for efficiency and consistency.

Fraternally,

King V. Aiken, Jr.
Knight Commander

KAPPA ALPHA LAWS
2023 EDITION

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PREAMBLE

KAPPA ALPHA ORDER was founded at Washington College in Lexington, Virginia, on December 21, 1865, and was chartered with that name and title as a non-stock organization by the Commonwealth of Virginia on March 18, 1907. It may properly be referred to as “the Order.” The Order has issued Charters to Active Chapters, in accordance with its Constitution and Bylaws on campuses of colleges and universities in the United States. It is hierarchical in nature, and all Active Chapters and members are expected to comply with the Constitution and Bylaws. The Order is religious in feeling, dedicated to the principles of the Judaeo-Christian tradition, and pledged to the preservation of the highest ideals of gentlemanly conduct among its members.

In pursuit of its concept and dedication, duly constituted representatives of Kappa Alpha Order in Convention assembled do hereby and herein ordain and establish this Constitution, which together with the Bylaws, shall constitute the corporate Bylaws and be known as the Kappa Alpha Laws.

Title 1 CONSTITUTION OF KAPPA ALPHA ORDER

ARTICLE 1-1 SOVEREIGNTY AND LEGISLATIVE AUTHORITY

Part 1. The Convention

1-111. Plenary powers of the Convention. The sovereignty and legislative authority of Kappa Alpha Order shall be and is vested in the Convention.

Part 2. Convention composition, quorum and delegates

1-121. Composition and voting. The Convention shall be composed of the Former Knight Commanders, the General Officers, the Province Commanders, the National Undergraduate Chairman, and one delegate from each qualified Active Chapter, Alumni Chapter and Commission in attendance. Each member of the Convention shall vote in person and shall be entitled to one vote only. An employee shall not be qualified to vote in any capacity. *Amended by the 69th Convention, 2001, the 73rd Convention, 2009, and the 79th Convention, 2021.*

1-122. Constitutional quorum. Delegates representing at least two-thirds of the Active Chapters shall constitute a quorum for the Convention to conduct any business, including, but not limited to voting on any matter coming before the body. *Amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

1-123. Chapter and Commission delegates. Delegates to the Convention shall be enrolled members of the Active Chapter, Alumni Chapter, or Commission they represent. Each delegate to the Convention from an Active Chapter, Alumni Chapter, or Commission shall be entitled to have one or more alternate delegates named in the order of their priority, and alternate delegates shall have the same qualifications as those of the principal delegate. An alternate delegate shall only be entitled to act at the Convention in the absence of the principal, or a prior alternate delegate, of the Active Chapter, Alumni Chapter, or Commission which he alternately represents. *Amended by the 73rd Convention, 2009, and the 79th Convention, 2021.*

Part 3. Sessions of Convention

1-131. Regular Sessions. The Convention shall meet in regular session biennially in the odd-numbered calendar years at the place and upon the date selected and designated by the Executive Council. *Amended by the 79th Convention, 2021.*

1-132. Special Sessions. The Convention may also be convened in special session by the Executive Council, or within sixty days after written demand of a majority of the Active Chapters, at a time and place designated by the Knight Commander. *Amended by 67th Convention, 1997*

1-133. Cancellation or postponement and holdover of General Officers. The Executive Council may, with no more

than two dissenting votes, cancel or postpone a regular or special session of the Convention by written notice to the Province Commanders and to the Active Chapters, Alumni Chapters and Commissions not more than thirty days after its decision thereon. In the event that a regular session of the Convention is so canceled or postponed, the incumbent General Officers shall remain in office until the conclusion of the next succeeding regular session of the Convention. *Amended by the 73th Convention, 2009, and the 79th Convention, 2021*

Part 4. Credentials and voting at Convention

1-141. Credentials Committee. The Executive Council shall serve as the Credentials Committee of the Convention and shall make a formal report at each meeting of the Convention for inclusion in its Minutes, setting forth the enrolled members of the Convention for the meeting.

1-142. Convention voting requirements. A majority of the enrolled members of the Convention, including the constitutional quorum of Active Chapter delegates specified in Section 1-122, shall be in attendance at any meeting of the Convention. The voting requirements for the transaction of business shall be a majority vote of those present and voting except that

- (a) a three-fourths vote of those present and voting shall be required by roll call for adoption of an amendment of or to the Constitution and
- (b) a two-thirds vote of those present and voting shall be required
 - (1) to amend the Bylaws when the proposed amendment was presented at a meeting of the Convention less than twenty-four hours prior to the date and time of the vote thereon,
 - (2) to appropriate unobligated funds of the Order or
 - (3) to rescind or set aside action taken by the Executive Council. *Amended by the 69th Convention, 2001, and the 79th Convention, 2021.*

ARTICLE 1-2 OFFICERS AND OPERATIONS

Part 1. General Officers

1-211. Designation. The General Officers shall be the Knight Commander, the Senior Councilor and five Councilors. *Amended by 67th Convention, 1997, and the 79th Convention, 2021.*

1-212. Election of General Officers. The General Officers shall be elected at a regular session of the Convention. A majority vote of those present and voting at the meeting of the Convention at which the election of General Officers takes place, exclusive of the incumbent Senior Councilor and Councilors, who shall abstain in all balloting in the election, shall be required for election, and, subject to the limitations hereof, the election shall be conducted in the manner prescribed in the Bylaws. The Knight Commander shall be elected by majority vote; thereafter, the Senior Councilor shall be elected by majority vote; finally, the remaining Councilors shall be elected by majority vote. *Amended by the 69th Convention, 2001.*

1-213. Qualifications for election. Each candidate proposed at the Convention for election as a General Officer shall have been a member of Kappa Alpha Order for at least five years and shall be twenty-five years of age or older. A member who has been elected to, and served in the office of Knight Commander, shall not be eligible to serve thereafter as a General Officer. A Knight Commander may be elected to a second term by a majority vote of the Convention on a motion to retain him in office. A Senior Councilor may be elected to a second term by a majority vote of the Convention on a motion to retain him in office. A member who has been a part- or full-time employee of the Order shall not be eligible to be a candidate for office until three years have elapsed after his employment has terminated. *Amended by the 69th Convention, 2001, the 70th Convention, 2003, and the 79th Convention, 2021.*

1-214. Installation of General Officers. The General Officers may be sworn in at the closing meeting of the

Convention at which they were elected or at a later designated time and place and shall take office within thirty days following the session of the Convention at which the election was conducted unless some other date be fixed by majority vote of the Convention. The General Officers so installed shall hold office until their successors are elected and have been qualified. *Amended by the 79th Convention, 2021.*

1-215. Duties of the Knight Commander. The Knight Commander shall preside at all meetings of the Executive and Advisory Councils and at the Convention except that he may designate a voting member of the Convention to preside in his place for the period of time designated by him. He shall interpret the provisions of this Constitution, the Bylaws and resolutions and enactments of the Convention when it is not in session, and he shall oversee implementation of the policies, rulings and directions of the Executive Council. The Knight Commander may delegate his authority to the Executive Director or to any other officer of the Order to act in his place and stead in specified duties. *Amended by the 70th Convention, 2003, the Advisory Council and Active Chapters, 2019, and the 79th Convention, 2021.*

1-216. Replacement of Senior Councilor. In case of a vacancy in the office of Senior Councilor for any reason, the Executive Council shall elect, as soon as practicable, a Senior Councilor from among its current members. *Amended by the 69th Convention, 2001, the 70th Convention, 2003, the 71st Convention, 2005, the 79th Convention, 2021, and the 80th Convention, 2023.*

1-217. Duties of Senior Councilor. The Senior Councilor shall be the second officer of the Order, and in the event of a vacancy in the office of Knight Commander the Senior Councilor shall forthwith be and become the Knight Commander. *Amended by the 79th Convention, 2021.*

1-218. Resignation or removal of a General Officer. A General Officer may resign by submitting his resignation in writing to the Executive Council. Any General Officer may be removed from office for cause by a three-fourths vote of the Advisory Council, exclusive of the vote of the General Officer whose removal has been requested, in accordance with the Bylaws.

1-219. Replacement of Councilor. Any vacancy among the Councilors created by death, resignation, removal or the Senior Councilor acceding to the office of Knight Commander because of a vacancy in that office shall be filled by majority vote of the Advisory Council. The Executive Director shall conduct the balloting among the members of the Advisory Council in the manner prescribed in the Bylaws. *Amended by 64th Convention, 1991 and the 69th Convention, 2001.*

Part 2. The National Undergraduate Chairman

1-221. Election. A National Undergraduate Chairman, and a National Undergraduate Vice Chairman, shall be elected annually by representatives of the Active Chapters as provided in the Bylaws. *Amended by the 76th Convention, 2015.*

Part 3. Province Officers

1-231. Designation. The Province Officers shall be a Province Commander and may include other officers as provided for in the Bylaws. *Amended by the 69th Convention, 1997, the 74th Convention, 2011, and, the Advisory Council and Active Chapters, 2019, and the 80th Convention, 2023.*

1-232. Term and qualifications of Province Commander. The Province Commander shall be appointed by the Knight Commander as provided in the Bylaws. The Province Commander shall serve for the term of the Knight Commander by whom he is appointed and until his successor is appointed and qualified. A member who has been a part- or full-time employee of the Order shall not be eligible to become a Province Commander until three full years have elapsed after his employment has terminated. A Province Commander shall not serve as an Alumnus Advisor or on an Alumni Advisory Committee during the term of his appointment. *Amended by the 66th Convention, 1995 (final sentence added), the 67th Convention, 1997, the 74th Convention, 2011, the 75th Convention, 2013, the 76th Convention, 2015, the 79th Convention, 2021, and the 80th Convention, 2023.*

1-233. Duties of Province Commander. A Province Commander shall advise the Active Chapters in his Province and shall perform such other duties as may be prescribed in this Constitution or the Bylaws. *Amended by the 61st Convention, 1985, and the 79th Convention, 2021.*

1-234. Resignation or removal of a Province Commander. A Province Commander may resign by submitting his resignation in writing to the Knight Commander. Any Province Commander may be removed from office by the Knight Commander for cause with the consent of the majority of the Executive Council. Any Province Commander removed for cause may not thereafter be a candidate for Province Commander. *Amended by the 70th Convention, 2003 and the 74th Convention, 2011.*

1-235. Replacement of a Province Commander. Any vacancy in any office of Province Commander created by removal shall be filled as provided for in the Bylaws. *Amended by the 74th Convention, 2011.*

Part 4. The Executive Council

1-241. Constituency. The General Officers as a body shall constitute the Executive Council and it shall be the Board of Directors under the Articles of Incorporation. The Knight Commander shall be the Chairman of the Board of Directors and the President of the corporation, the Senior Councilor shall be the Vice Chairman of the Board and the Vice President of the corporation. The Executive Director shall be the Secretary and Treasurer of the corporation and shall serve as the Secretary of the Executive Council. The National Undergraduate Chairman shall regularly attend meetings of the Executive Council, with full authority to participate in its discussions, as a non-voting member. *Amended by the 79th Convention, 2021, and the 79th Convention, 2021.*

1-242. Functions. The Executive Council shall consult with and advise the Knight Commander in the performance and discharge of the duties of his office. It may pass policies for operation of the Order and expects all Active Chapters to comply. It shall have authority to act in any matter for which there is no provision in this Constitution, the Bylaws or the actions of the Convention, including the appropriation, upon a five-sevenths vote, of available monies in the general fund of the Order, and action so taken shall have indefinite continuance unless or until canceled or rescinded by the Convention. *Amended by the Advisory Council and Active Chapters, 2019, and the 79th Convention, 2021.*

Part 5. The Advisory Council

1-251. Constituency and functions. The General Officers, the Province Commanders, and the National Undergraduate Chairman shall constitute the Advisory Council. It shall perform the functions and duties prescribed for it by this Constitution, the Bylaws, and the Convention and shall act upon matters referred to it by the Executive Council or by the Convention. The Advisory Council shall meet at least once each year. *Amended by 63rd Convention, 1989, and the 79th Convention, 2021.*

Part 6. The Executive Director

1-261. Appointment, service and compensation. The Executive Council shall appoint a member of the Order as the Executive Director for such period and compensation as fixed by it. The Executive Director shall be the principal operation, executive, administrative and management officer of the Order serving full time directly under the supervision and direction of the Executive Council. He shall serve as Clerk of the Appellate Council and Secretary of the Advisory Council, as well as those offices designated by the Constitution, but shall hold no other office in the Order. *Amended by the 79th Convention, 2021.*

1-262. Delegation of duties by the Executive Director. The Executive Director may delegate any of his duties to another employee, or any of his assistants, for stipulated or indefinite periods of time. *Amended by the 79th Convention, 2021.*

Part 7. [Repealed]

1-271. [Repealed]. *Adopted by the 63rd Convention, 1989; amended by the 76th Convention, 2015; repealed by the 79th Convention, 2021.*

1-272. [Repealed]. *Adopted by the 63rd Convention, 1989; amended by 66th Convention, 1995, the 67th Convention, 1997, and the 73rd Convention, 2009; repealed by the 76th Convention, 2015.*

ARTICLE 1-3 CONSTITUENCY OF THE ORDER

Part 1. Provinces

1-311. Composition. The Active Chapters, Alumni Chapters, and Commissions, shall be divided into geographical areas designated as provinces composed of those provinces in existence at the date of the adoption of this Constitution and those thereafter created. An Alumni Chapter or Commission existing outside the boundaries of a province shall be assigned to the province closest to it by the Knight Commander. Provinces may be created or reconstituted by the Advisory Council, as appropriate, except that additional provinces may not be created or reconstituted in the calendar year in which a regular session of Convention is scheduled. The names of new or reconstituted provinces shall be assigned by the Knight Commander. *Amended by 67th Convention, 1997, the 76th Convention, 2015, and the 79th Convention, 2021.*

1-312. Province Councils. A Province Council, composed of the Province Officers and representatives from each qualified Active Chapter, Alumni Chapter, and Commission in a province shall be held at a time and place designated by the Knight Commander during each calendar year. A Province Council shall have no power to legislate or act with binding effect upon the Order or any chapter thereof. Upon failure of the Province Commander to hold the regular Province Council at the designated time and place, the Knight Commander shall call and fix the date and place for the Province Council and designate a Councilor to preside at and conduct its sessions. *Amended by the 70th Convention, 2003, the 71st Convention, 2005, and the 79th Convention, 2021.*

Part 2. Active and Alumni Chapters

1-321. Active Chapters. An Active Chapter shall be comprised of a group of students of a particular college or university who are members named in the charter issued to the group by the Knight Commander and those students who have successively become members through affiliation with the original group or their successors. An Active Chapter shall be classified as in good standing or not in good standing. *Amended by the Advisory Council and Active Chapters, 2014, and the 79th Convention, 2021.*

1-322. Operation of Active Chapters. Active Chapters are expected to conduct their operations, activities, and business affairs in accordance with the Charter, Constitution, Bylaws, Regulations, oaths, obligations, policies and their bylaws. An Active Chapter's bylaws shall not be inconsistent with this section. An Active Chapter and its members shall not sell, assign, dispose of or transfer substantially all of its assets, accounts or property without prior written approval by the Executive Council. *Amended by the 70th Convention, 2003, the Advisory Council and Active Chapters, 2014, and the 79th Convention, 2021.*

1-323. Order relationship to Active Chapters. The Knight Commander, the Executive Council, the Advisory Council, the Province Commander or the Executive Director expects an Active Chapter, or individual officers thereof, to perform any duty which is necessary to the successful performance of any officer's duties or in the interest of the Order. *Amended by the 61st Convention, 1985, and the Advisory Council and Active Chapters, 2019.*

1-324. Suspension or withdrawal of Active Chapter charters, imposition of fines and appeals, financial delinquency of Active Chapter. For failure to comply with the expectations set forth in this Constitution, an Active Chapter may be fined, placed on probation, or have its Charter suspended by the Knight Commander, the Province Commander or the Executive Director, and it is expected that the Active Chapter will accept those sanctions. If the Active Chapter and members chose not to comply with those sanctions, ultimately the Charter can be withdrawn and revoked by the Knight Commander with the consent of the Advisory Council and members may be expelled. A suspension shall be for a specified period of time and a fine, probation or a suspension may be canceled, extended or reduced by the Executive Council upon appeal by the Active Chapter. *Amended by the 67th Convention, 1997, the Advisory Council and Active Chapters, 2014, the Advisory Council and Active Chapters, 2019, and the 79th Convention, 2021.*

1-325. Effect of suspension or withdrawal of Active Chapter Charter. An Active Chapter that has had its Charter suspended or withdrawn and revoked shall be classified as not in good standing and shall be expected to conduct no business or operations as an Active Chapter. Upon suspension or withdrawal of the charter, or if an attempt is made by

a chapter to withdraw from the Order, the Knight Commander or his designee shall immediately be vested with the sole right of possession, custody, and control of all assets of the Active Chapter, including, without limitation, personal property, regalia, real property, cash, deposit accounts, and other investment property. These assets shall be held in trust for the use and benefit of the Active Chapter. The Knight Commander or his designee shall manage the Active Chapter's assets and property until its return to good standing. Immediately upon suspension or withdrawal and revocation of an Active Chapter's Charter, the officers and members of the Active Chapter shall transfer to the Knight Commander, or his designee, all assets and property of the Active Chapter. *Adopted by the Advisory Council and Active Chapters, 2014, the Advisory Council and Active Chapters, 2019, and the 79th Convention, 2021.*

1-326. Establishment of Active Chapters. Unless otherwise limited in the Bylaws, Active Chapters may be established or reestablished by the Knight Commander upon the recommendation of two-thirds of the Active Chapters in the Province embracing or nearest to the proposed new chapter and with the approval of three-fourths of the Advisory Council.

1-327. Alumni Chapters and other alumni groups. Alumni Chapters and other alumni groups may be established as provided in the Bylaws. For failure to meet financial obligations to the Order, an Alumni Chapter shall automatically cease to be in good standing and may not vote at a Convention. *Amended by 67th Convention, 1997, and the 79th Convention, 2021.*

1-328. Commissions. The Knight Commander may, with not more than one dissenting vote of the Advisory Council, commission a group of not less than five alumni to operate as a Commission at a four-year military service academy such as the United States Military Academy, United States Air Force Academy, United States Naval Academy, United States Coast Guard Academy, United States Merchant Marine Academy, or at an academic institution where the Order previously had a chapter. *Amended by the 73rd Convention, 2009.*

ARTICLE 1-4 MEMBERSHIP

Part 1. Qualifications and election

1-411. Members. Members shall be (a) those who have been initiated, and (b) those who have been elected to membership and are awaiting initiation. Initiated members shall be in good standing or not in good standing. Membership of those initiated is for life except that a member may be expelled for cause. All members who are not in good standing or former members who have been expelled, shall have no right to use or enjoy any real or personal property of any Active Chapter, Alumni Chapter, chapter housing corporation, or the Order. *Amended by the 75th Convention, 2013, the Advisory Council and Active Chapters, 2014, and the 79th Convention, 2021.*

1-412. Qualifications for membership. Members shall be elected solely on the basis of each individual's moral, educational and personal attributes except that no person under the age of fifteen, no female and no person who is or has ever been an initiated member of a rival organization shall be eligible for membership. *Amended by the 67th Convention, 1997, and the 79th Convention, 2021.*

1-413. Election to membership in the Order. Membership in the Order may be obtained by (a) election by an Active Chapter; (b) election by a Commission; or (c) being named in the charter of an Active Chapter. A student or member of the faculty, staff, or administration of a college or university upon the campus of which an Active Chapter exists, or may be installed, or the father, step-father, or grandfather of an Active Member may be elected to membership by the particular chapter upon the unanimous approval of all of the initiated members of that Active Chapter. Individuals so elected to membership shall be entitled to initiation by the electing Active Chapter after a period of qualification for initiation during which they shall enjoy all of the privileges of Active Chapter affiliation except participation in business and restricted activities of Active Chapter operations. Students of institutions for which there is a Commission established under this Constitution hereof who are current year graduates, prior graduates, and members of the faculty, staff, or administration for which there is a Commission established, may be elected to membership by the particular Commission. Other individuals who enjoy a meritorious relationship with the Order, provided those persons are otherwise eligible for membership, may be elected to membership by an Active Chapter or a Commission and shall be initiated as prescribed by regulations of the Executive Council. No other group or entity shall have the privilege of

electing any person to membership in the Order. *Amended by the 70th Convention, 2003; the 74th Convention, 2011; the 75th Convention 2013; the Advisory Council and Active Chapters, 2019, and the 79th Convention, 2021.*

1-414. Exception to unanimous election rule. In any instance in which any one or more of the rules, regulations, policies or requirements of a particular college or university upon the campus of which a duly chartered Active Chapter exists, or may be installed, are in conflict with the unanimous approval requirement for election to membership in this Constitution, the Active Chapter may, upon a three-fourths vote of its duly enrolled members who are eligible to vote, apply to the Executive Council for authority to be exempted from the provisions of requiring unanimous approval of all members of the Active Chapter for election to membership. The Executive Council, upon approval of the application by a five-sevenths vote, may authorize the Active Chapter to elect new members for the ensuing twelve months by a vote of not less than eighty percent of the duly enrolled members of the chapter in accordance with the directions of the Executive Council. Any Active Chapter receiving authorization to be exempted from the unanimous vote requirement remains subject to all other duties, obligations, responsibilities and requirements prescribed by this Constitution and the Bylaws. *Amended by the 79th Convention, 2021.*

1-415. [Repealed]. *Repealed by the 74th Convention, 2011. (Combined with 1-413).*

Part 2. Expulsion and Suspension

1-421. Expulsion from membership. A member may be expelled for cause, as specified in the Bylaws, by a three-fourths vote of all initiated members of an Active Chapter or by a five-sevenths vote of the Executive Council. Cause sufficient for expulsion shall be determined in a trial, by a majority vote of the Active Chapter or the Executive Council, as the case may be, or a trial may be dispensed with if the accused admits the charges against him or pleads no contest of the offense with which he is charged. *Amended by the 59th Convention, 1981, the 67th Convention, 1997, and the 79th Convention, 2021.*

1-422. Appeal from expulsion. An individual who has been expelled from membership shall have the right of appeal to the Knight Commander by filing such appeal in writing with the Executive Director within 90 days of the date of his being sent notice of his expulsion to his last known address. The Knight Commander shall submit the appeal to a Board of Review consisting of three consenting Former Knight Commanders. In the event there be fewer than three consenting Former Knight Commanders, he shall designate consenting former General Officers as the remaining members. *Amended by the 61st Convention, 1985, the 67th Convention, 1997, the 69th Convention, 2001, and the 73rd Convention, 2009.*

1-423. Suspension of Members. Membership may be temporarily suspended as provided in the Bylaws. *Amended by the 75th Convention, 2013.*

1-424. Non-participation in trial. A member on trial for any reason shall not vote as a member of the trial body. *Amended by the 79th Convention, 2021.*

1-425. Reinstatement. An individual who has been expelled from membership may be reinstated, upon application to the Executive Director, by the unanimous vote of the Advisory Council.

ARTICLE 1-5 FINANCES AND PUBLICATIONS

Part 1. Finances

1-511. Income and funds. The income of the Order shall consist of dues, fees, fines, penalties and assessments paid by members and chapters in accordance with provisions in the Bylaws or as required by direction of the Executive Council or the Convention. The Order may also receive and collect bequests, devises, legacies and contributions, together with income on its investments. All monies and receipts paid or received shall be used for payment of operating and related expenses not inconsistent with the directives of the Convention or the Executive Council. *Amended by the 69th Convention, 2001, and the 79th Convention, 2021.*

1-512. Management of funds. The management and control of all funds shall be vested in the Executive Council

subject to the directions and uses thereof by the Convention. *Amended by the 79th Convention, 2021.*

1-513. [Repealed]. *Repealed by the 71st Convention, 2005.*

1-514. Limit of financial responsibility of the Order. Except as authorized by the Executive Council, the Order shall, under no circumstances, be responsible or liable for the debts or obligations of any affiliates, including, but not limited to, individual Active Chapters, Alumni Chapters, Commissions, or Chapter House Corporations, and no Active Chapter, Alumni Chapter, Commission, or Chapter House Corporation, member, officer, other person or individual, or group, except the Executive Council, may or shall be authorized to obligate the Order for the disbursement or payment of any monies or funds whatsoever except as provided in this Constitution. *Amended by the 76th Convention, 2015, and the 79th Convention, 2021.*

1-515. Fidelity and Crime Insurance. The Order shall obtain fidelity and crime insurance in an amount determined by the Executive Council for any Officers and employees of the Order who handle funds or monies and the I, II, III and VI of each Active Chapter. *Amended by 58th Convention, 1979, the 79th Convention, 2021, and the 80th Convention, 2023.*

1-516. Service of officers without compensation. General Officers and Province Commanders shall not be paid any salaries or other remuneration except traveling and other expenses incurred in the performance of official duties.

Part 2. Publications

1-521. Publications Prescribed by Executive Council. The Executive Council shall prescribe publications and make changes therein from time to time as it deems appropriate, subject to the directions of the Convention. *Amended by 67th Convention, 1997, and the 79th Convention, 2021.*

ARTICLE 1-6 INTERPRETATIONS AND APPEALS

Part 1. Interpretations

1-611. General. The headings and captions used in the Constitution and Bylaws are for convenience only and do not necessarily describe the content thereof and, therefore, shall not be given any significance whatever in the interpretation of the Constitution and the Bylaws. References to those provisions shall be by section number only.

1-612. Interpretations by Knight Commander. The Knight Commander shall interpret the provisions of this Constitution, the Bylaws, the resolutions and enactments of the Convention and the rules and regulations, during the period between sessions of the Convention. An interpretation by the Knight Commander shall be recorded officially in the office of the Executive Director and shall promptly be mailed by that officer to the members of the Advisory Council, the Active Chapters, Alumni Chapters, Commissions, and the Former Knight Commanders. *Amended by the 74th Convention, 2011, and the 79th Convention, 2021.*

Part 2. Appeals

1-621. Appeals from interpretations by the Knight Commander. An interpretation by the Knight Commander may be appealed by an affected officer, member, or Active Chapter, Alumni Chapter, or Commission to the Appellate Council within ten days after mailing of the decision by the Executive Director, except that a ruling made by any presiding officer of the Convention shall be subject forthwith to appeal to the Convention and failure to so appeal precludes any later appeal or review. *Amended by the 79th Convention, 2021.*

1-622. Procedure. An appeal from an interpretation by the Knight Commander shall be filed with the Executive Director, who shall serve it upon the Chairman of the Appellate Council, as provided in the Bylaws. *Amended by the 79th Convention, 2021.*

1-623. The Appellate Council. The Appellate Council shall hear appeals from interpretations by the Knight Commander. It shall consist of three Former Knight Commanders and the Executive Director shall serve as its Clerk. The consenting Former Knight Commander last holding that office shall be the Chairman of the Appellate Council. In

the event there be no consenting Former Knight Commander, the Chairman shall be a consenting Former General Officer designated by the Knight Commander. The Chairman shall, when an appeal is served upon him by the Executive Director, designate two other Former Knight Commanders to serve with him as members of the Appellate Council in the determination of the particular appeal. In the event there be no consenting Former Knight Commanders, the remaining members shall be consenting former General Officers designated by the Chairman. *Amended by the 79th Convention, 2021.*

1-624. Action on an appeal. An appeal may be sustained by unanimous vote of the Appellate Council or the decision of the Knight Commander may be modified by majority vote of the Appellate Council as it may decide in its own discretion. The Appellate Council shall limit its decision to questions of interpretations only and shall not interfere with decisions of the Knight Commander which are primarily and principally the exercise of proper authority or discretion within the powers or duties of the Knight Commander. The decision of the Appellate Council shall be final.

ARTICLE 1-7 AMENDMENTS

Part 1. Proposals for and action upon amendments

1-711. Proposed amendments. A proposal to be presented to the Convention to amend this Constitution shall be filed with the Executive Director at least sixty days prior to the opening date fixed for the Convention. The Executive Director shall transmit copies of properly filed proposed amendments to the Former Knight Commanders, the General Officers, the Province Commanders, the National Undergraduate Chairman, and the Active Chapters, Alumni Chapters, and Commissions at least thirty days prior to the opening date fixed for the Convention. In any year in which the Convention is to be held during the month of June, July, August or September a proposed amendment to this Constitution shall be filed with the Executive Director not later than March 15 of that year and he shall, not later than April 15 of that year, transmit copies of properly filed proposed amendments to the recipients enumerated herein. *Amended by the 67th Convention, 1997, the 72nd Convention, 2007, the 73rd Convention, 2009, and the 79th Convention, 2021.*

1-712. Action upon proposed amendments. The Convention, before acting upon any amendment, shall have the right to make amendments to the submitted proposal not inconsistent with the purposes of the proposal. This Constitution may also be amended by unanimous vote of the Advisory Council at a meeting thereof especially called by the Executive Council for the purpose of consideration of a proposed amendment, and the subsequent ratification within six months by three-fourths of the Active Chapters. *Amended by the 79th Convention, 2021.*

Title 2 THE CONVENTION

ARTICLE 2-1 LEGISLATIVE AUTHORITY

Part 1. General authority

2-111. Plenary powers. The Convention may, under the plenary authority vested in it by the Constitution, act for the Order in all matters including, but not limited to, all appropriation of funds necessary for operation of the Order.

ARTICLE 2-2 ORGANIZATION AND PROCEDURE

Part 1. Convention organization

2-211. Membership. The Convention shall be composed of the officers and delegates specified in the Constitution. An initiated member in good standing who is not a delegate to the Convention shall be entitled to all privileges of the Convention except the right to vote. *Amended by the 79th Convention, 2021.*

2-212. Delegates and alternates. Delegates and alternate delegates from each Active and Alumni Chapter shall be elected at a meeting of the chapter. *Amended by 72nd Convention, 2007.*

2-213. Credentials. Upon the election or designation of delegates and alternate delegates to any Convention, the I and III of each Active Chapter, any two officers of an Alumni Chapter, and any two appointed members of a Commission, shall execute Convention credentials provided by the Executive Director. For Active Chapters such credentials shall be filed prior to the opening meeting of the Convention. For Alumni Chapters and Commissions such credentials shall be filed at least 10 days prior to the opening meeting of the Convention. The Executive Director shall present a copy of the credentials of each delegate and alternate to the Credentials Committee. *Amended by the 69th Convention, 2001, the 74th Convention, 2011, and the 79th Convention, 2021.*

2-214. Registration of other Convention members. *Repealed by the 80th Convention, 2023.*

2-215. Voting membership of the Convention. The Executive Council shall be the Credentials Committee, and a report shall be made to the Convention at each meeting stating (a) the enrolled members entitled to vote at the meeting to which the report is made and (b) those members of the Convention who were excused therefrom by the presiding officer at or after its last meeting. The roll of the members of the Convention reported shall be called by the Secretary and be recorded in the minutes of the Convention. All voting members of the Convention shall attend all meetings thereof unless excused by the presiding officer. *Amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

2-216. Officers of the Convention. The Knight Commander shall preside at the Convention in the capacity only as a presiding officer, except that he may appoint any other voting member of the Convention to preside in his place for such length of time as he may designate. In the case of an unavoidable absence of the Knight Commander from the Convention, the Senior Councilor, or some other voting member of the Convention as the Executive Council may designate in the absence of the Senior Councilor, shall preside at the meeting. Any voting member of the Convention sitting as a presiding officer shall have the same power and authority to appoint another voting member of the Convention to preside. The presiding officer shall not take part in debate while presiding, and he shall maintain order and decorum in the Convention at all times. He may appoint a sergeant-at-arms, a parliamentarian, tellers, and other assistants. The Executive Director or a voting member of the Convention designated by the presiding officer shall serve as secretary of the Convention performing the usual duties of that office and shall cause a verbatim account of the proceedings of the Convention to be taken except those conducted in executive session. A summary of the affirmative actions of the Convention shall be transmitted to the Former Knight Commanders, General Officers, the Province Commanders, the National Undergraduate Chairman, and the Active Chapters, Alumni Chapters, and Commissions. *Amended by the 63rd Convention, 1989, the 74th Convention, 2011, the 79th Convention, 2021, and the 80th Convention, 2023.*

2-217. Committees of the Convention. The committees of the Convention shall be the Legislative Committee, the Finance Committee, the Resolutions Committee and other special committees which the Convention may authorize by

majority vote. The Knight Commander shall appoint the members of each committee and shall designate the chairmen, all of whom shall be voting members of the Convention or alternate delegates. All proposals by motion, resolution, or otherwise made to the Convention, unless made by any committee of or authorized by the Convention, shall be referred by the presiding officer to appropriate committees for recommendation to the Convention. Upon a two-thirds vote of the Convention, any matter in committee may be considered without committee report or be referred to another committee. Committees shall meet only while the Convention is in recess unless otherwise authorized by the Convention. Members of any committee meeting during a Convention meeting shall be notified of any vote about to be taken by the Convention and be given an opportunity to cast their votes.

2-218. Determination of quorum. When a constitutional quorum for a meeting is challenged, the presiding officer shall cause all absent voting members to be called to the Convention floor. The presiding officer may order a roll call at any time to determine the presence of a quorum.

Part 2. Convention procedure

2-221. Order of business. The order of business of the Convention shall be as follows:

- (a) call to order and introductory remarks;
- (b) roll call;
- (c) report of the Credentials Committee;
- (d) reports of officers;
- (e) the appointment of committees;
- (f) the presentation of legislation and other proposals and the referral of matters to committees;
- (g) committee meetings;
- (h) Undergraduate Conference;
- (i) Alumni Conference;
- (j) reports of committees and Undergraduate Conference;
- (k) Convention business, including action on committee reports;
- (l) election of officers; and
- (m) adjournment.

The Convention may proceed, out of order, to any order of business by a majority vote. *Amended by 56th Convention, 1975 and 64th Convention, 1991.*

2-222. Control of parliamentary procedure. Robert's Rules of Order shall govern as to parliamentary procedure at the Convention except as otherwise provided in the Constitution, Bylaws, or the rules of the Convention. An appeal from any decision of a presiding officer concerning parliamentary procedure at a Convention shall forthwith be made to the Convention and may be overruled only by a two-thirds vote of the Convention. Unless so made, an appeal from the decision shall not thereafter be valid or timely. *Amended by the 79th Convention, 2021.*

2-223. Voting procedure for Convention action. All questions voted upon by the Convention shall, unless otherwise provided in this Constitution or Bylaws, be by voice vote unless five or more voting members of the Convention request, or the presiding officer orders, a roll call vote with recorded "yeas" and "nays." The order of polling in roll call votes shall be, Active Chapter delegates, Alumni Chapter delegates, Commission delegates, the National Undergraduate Chairman, the Province Commanders, the Former Knight Commanders, and General Officers, and if necessary the Knight Commander. *Amended by the 73rd Convention, 2009, the 74th Convention, 2011, the 79th Convention, 2021, and the 79th Convention, 2021.*

Part 3. Election of General Officers

2-231. Election of the Knight Commander and Senior Councilor. The Knight Commander shall be elected by majority vote upon nomination from the floor. Upon a vacancy in the office of Knight Commander (for any reason, including the expiration of his term) the Senior Councilor shall be deemed elected and will automatically ascend to the position of Knight Commander. The election of the Knight Commander among the General Officers shall be first conducted separately by secret ballot upon nominations made from the floor. Thereafter, the election of the Senior

Councilor shall be conducted in the same manner. *Amended by the 69th Convention, 2001 and the 70th Convention 2003.*

2-232. Election of Councilors. The Councilors shall be elected by a secret single ballot upon nominations from the floor. The candidates receiving the largest number of votes constituting the required majority for election shall be elected according to the number of Councilors to be elected. *Amended by the 80th Convention, 2023.*

2-233. General rules in the elections. When there is a single nominee for the election of any General Officer, the election may be by acclamation. When a vote is required each voting member shall personally cast his vote by secret ballot. When votes are cast for three or more persons for any office, and no one has a majority, the name of the candidate having the fewest number of votes shall be dropped after the second and each succeeding ballot and the votes thereafter cast for that candidate shall not be counted. *Amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

2-234. Term of office of General Officers. The term of office of each General Officer elected at a Convention shall commence upon the adjournment of the Convention and shall continue until a successor has been elected, unless the term shall be terminated because of death, resignation, removal from office or otherwise. The term of office of a Councilor elected by the Advisory Council to fill a vacancy shall commence upon his election and shall continue as if he had been elected at a Convention. *Adopted by the 69th Convention, 2001 and amended by the 74th Convention, 2011.*

Title 3
THE KNIGHT COMMANDER

ARTICLE 3-1 GENERAL DUTIES AND RESPONSIBILITIES

Part 1. Duties and responsibilities

3-111. Primary duty. The Knight Commander shall engage the several groups officers and members of the Order, advising them with respect to their operations and activities and assisting them in development and cultivation of the intentions and purposes of the Order. *Amended by the 78th Convention, 2019.*

3-112. Promotion of cooperation within the Order. The Knight Commander shall take all steps as necessary to promote and develop cooperation and cordial relations within the Order and with authorities of colleges and universities on the campuses of which its Active Chapters are located.

3-113. Enforcement. The Knight Commander shall enforce the Constitution, Bylaws, Regulations, and Convention enactments and resolutions. *Amended by the 79th Convention, 2021.*

3-114. Protection of property. The Knight Commander shall be responsible for the care and protection of the property of the Order. He shall take all necessary and timely action and follow appropriate legal and other steps and procedures to protect and preserve the badge, coat-of-arms and other insignia of the Order through patents, copyrights and other governmental laws and regulations and from improper, illegal or unlawful use or abuse thereof.

3-115. Execution of documents and contracts. The Knight Commander, with the approval of the Executive Council, may enter into and execute contracts or other documents on behalf of the Order including those pertaining to the purchase, sale or lease of real property for and on behalf of the Order. Such authority may be delegated with the approval of the Executive Council to the Executive Director. *Amended by the 68th Convention, 2001 and the 74th Convention, 2011.*

3-116. Biennial report. The Knight Commander shall make a biennial report and shall cause his report to be published as he deems appropriate. *Amended by the 68th Convention, 2001.*

3-117. Representation in interfraternity relations. The Knight Commander shall encourage and promote a spirit of cooperation for advancement of the fraternity system in general and shall cooperate with other recognized college fraternities and sororities to that end. The Knight Commander and such other members as he may designate are authorized to represent the Order in representative organizations of college fraternities and sororities, provided that those representatives of the Order shall have no authority to bind the Order to any compact or other agreement in connection therewith without the approval or ratification of the Executive Council. *Amended by the 79th Convention, 2021.*

Part 2. Appointment of Other Officers

3-121. Scholarship Officer. The Knight Commander, with the advice and consent of the Executive Council, is authorized to appoint a Scholarship Officer, and deputies, to stimulate superior scholarship among the Active Chapters and their members. *Amended by the 79th Convention, 2021; renumbered by the 80th Convention, 2023.*

3-122. Additional Officers. The Knight Commander shall appoint such other officers and committees as may be authorized and created by resolution of the Executive Council. *Adopted by 67th Convention, 1997; renumbered by the 80th Convention, 2023.*

Title 4 UNDERGRADUATE CONFERENCE AND NATIONAL UNDERGRADUATE CHAIRMAN

ARTICLE 4-1 UNDERGRADUATE CONFERENCE

Part 1. Purpose and organization

4-111. Call of Conference. The Knight Commander shall call an Undergraduate Conference composed of all Active Members and members awaiting initiation during each Convention and P's Leadership Institute for the purpose of discussing the operations and activities of the Order. The Undergraduate Conference shall conduct its discussions and proceedings under Robert's Rules of Order. *Amended by the 71st Convention, 2005, and the 79th Convention, 2021.*

4-112. Organization. The Conference shall be organized by the National Undergraduate Chairman who shall preside. He shall be entitled to participate in discussion from the chair but he may designate other members of the Conference to preside in his place. The Chairman may, upon majority vote of all members of the Conference, invite other members or non-members to participate at the Conference, but such invitees shall not be entitled to voting privileges. *Amended by the 79th Convention, 2021.*

4-113. Minutes of the Conference. The Executive Director shall cause a verbatim record of the proceedings of the Undergraduate Conference to be kept under the direction of the Chairman of the Conference. *Amended by the 79th Convention, 2021.*

4-114. [Repealed]. *Adopted by the 67th Convention, 1997; amended by the 68th Convention, 2001; and, repealed by the 78th Convention, 2019.*

ARTICLE 4-2 NATIONAL UNDERGRADUATE CHAIRMAN

Part 1. Elections, qualifications and successors

4-211. Election and term of National Undergraduate Chairman. The National Undergraduate Chairman shall be elected at the Undergraduate Conference held at the P's Leadership Institute and shall hold the office for the ensuing twelve months, or until his successor is elected. The Undergraduate Conference shall also elect the National Undergraduate Vice Chairman who shall, in the event of a vacancy in the office of National Undergraduate Chairman, hold that office and complete the unexpired term under the provisions of these Bylaws. Election of the National Undergraduate Chairman shall first be conducted followed by the election of the National Undergraduate Vice Chairman. When there is a single nominee for either office, the election may be by acclamation. When a roll call ballot is required, the roll of voting members eligible to vote shall be called, and each voting member shall cast his vote by secret ballot. When votes are cast for three or more persons and no one has a majority, the name of the candidate having the fewest number of votes shall be dropped after the first and each succeeding ballot, and the votes thereafter cast for that candidate shall not be counted. *Amended by the 62nd Convention, 1987, the 71st Convention, 2005, the 72nd Convention, 2007, the 74th Convention, 2011, the 79th Convention, 2021, and the 80th Convention, 2023.*

4-212. Qualifications. Both the National Undergraduate Chairman and the National Undergraduate Vice Chairman shall be Active Members who at the time of their election, have not received a bachelor's degree and intend to continue to be Active Members for at least one calendar year. Each candidate shall be present at the Undergraduate Conference held at the P's Leadership Institute. The National Undergraduate Chairman or the National Undergraduate Vice Chairman shall immediately vacate his office if he fails to continue as a full-time undergraduate student in any regular term of the institution at which he is a student. The National Undergraduate Chairman and National Undergraduate Vice Chairman shall meet the qualifications specified for an elected Active Chapter officer. *Amended by the 67th Convention, 1997, the 68th Convention, 1999, the 68th Convention, 2001, the 70th Convention, 2003, the 71st Convention, 2005, the 72nd Convention, 2007, the 79th Convention, 2021, and the 80th Convention, 2023.*

4-213. Vacancy. In the event of a vacancy in the office of National Undergraduate Vice-Chairman, the Knight Commander shall appoint a successor to complete the unexpired term. *Amended by the 68th Convention, 2001, the 71st Convention, 2005, and the 80th Convention, 2023.*

4-214. Resignation or Removal. A National Undergraduate Chairman or National Undergraduate Vice Chairman may resign by submitting his resignation in writing to the Knight Commander. A National Undergraduate Chairman or National Undergraduate Vice Chairman may be removed from office by the Knight Commander for cause with the consent of a majority of the Executive Council. Any National Undergraduate Chairman or National Undergraduate Vice Chairman removed for cause may not thereafter be a candidate for re-election as National Undergraduate Chairman or National Undergraduate Vice Chairman. *Adopted by the 72nd Convention, 2007.*

ARTICLE 4-3 [REPEALED]

Part 1. [Repealed].

4-311. [Repealed]. *Amended by the 67th Convention, 1997, and the 73rd Convention, 2009; and, repealed by the 79th Convention, 2021.*

4-312. [Repealed]. *Repealed by the 79th Convention, 2021.*

4-313. [Repealed]. *Adopted by the 64th Convention, 1991; and, repealed by the 79th Convention, 2021.*

4-314. [Repealed]. *Adopted by the 67th Convention, 1997; amended by the 78th Convention, 2019; and, repealed by the 79th Convention, 2021.*

4-315. [Repealed]. *Adopted by the 67th Convention, 1997; amended by the 78th Convention, 2019; and, repealed by the 79th Convention, 2021.*

4-316. [Repealed]. *Adopted by the 67th Convention, 1997; and, repealed by the 78th Convention, 2019.*

4-317. [Repealed]. *Adopted by the 67th Convention, 1997; amended by the 78th Convention, 2019; and, repealed by the 79th Convention, 2021.*

Title 5
EXECUTIVE AND ADVISORY COUNCILS

ARTICLE 5-1 PROCEDURES AND OPERATIONS

Part 1. Procedure

5-111. Meetings. Meetings of the Executive and Advisory Councils shall be held upon the call of the Knight Commander at such time and place as may be designated by that officer. A quorum for the meeting of either council shall be a majority of members called into meeting. A majority of that quorum shall be necessary to transact any business.

5-112. Non-assembled meetings. Provided that a majority of the members of each are present and participate, the Executive or Advisory Council shall have authority to transact business by mail, telephonic or video conference, or electronic mail or in other similar manner as the Knight Commander may decide, except as the Constitution may otherwise provide. *Amended by the 74th Convention, 2011, and the 80th Convention, 2023.*

5-113. Unanimous written consent. Action taken by the Executive Council without a meeting is nevertheless Executive Council action if written consent to the action in question is approved in writing by each of the General Officers, whether done before or after the action so taken. Such approval may be evidenced by signature or electronic indicia of assent, and shall be filed with the minutes of the proceedings of the Executive Council. *Adopted by the 74th Convention, 2011.*

5-114. Officers. The Knight Commander shall preside at all meetings of the Executive or Advisory Council, act as chairman of all deliberations, and certify transaction of any business in non-assembled meetings. *Renumbered by the 74th Convention; amended by the 80th Convention, 2023.*

Part 2. Specific Council action

5-121. Notice of Executive Council Regulations. The Executive Director, as soon as practicable, shall send notice of any Regulations adopted or amended to each Active Chapter, Alumni Chapter, and Commission, each Province Commander, and each Former Knight Commander. Such action shall be effective 10 days after the date of the notice. *Amended by the 68th Convention, 2001, the 74th Convention, 2011, and the 79th Convention, 2021.*

5-122. Election by Advisory Council to replace a Councilor. In any instance in which a Councilor is to be elected by the Advisory Council, the Executive Director shall notify each member of the Advisory Council of the vacancy. The members of the Advisory Council shall have 10 days from the date of the notice of vacancy to make nominations for replacement to the Executive Director. The Executive Director shall within five days after the expiration of the time allowed for nominations advise the members of the Advisory Council of the nominations timely made to him. Each member of the Advisory Council shall transmit his vote for election to the Executive Director within 10 days after the date of the notice of nominations. A majority of the members of the Advisory Council shall be required to elect. When votes are cast for three or more persons and no one has a majority, the name of the candidate having the fewest number of votes shall be dropped after the first and each succeeding ballot and the votes thereafter cast for that candidate shall not be counted. The Executive Director shall certify the election result to the Executive Council for notification to the selected candidate and the Advisory Council. *Amended by 67th Convention, 1997, the 79th Convention, 2021, and the 80th Convention, 2023.*

5-123. Jewels for officers, insignia and seals of the Order. The Executive Council shall adopt, revise, modify or change:

- (a) Jewels for General Officers, Province Commanders, the Executive Director and his assistants, as appropriate, Active Chapter Officers, other officers and members of the Order, including specifically those who have previously served in designated offices. The Executive Council shall designate the form of jewels adopted by it and prescribe rules governing the wearing and use of jewels by members;
- (b) Insignia of the Order including badges, coat-of-arms and other devices and symbolic paraphernalia used in or by the Order; and

(c) Seals of the Order for official use in or by the Order.

The jewels, insignia, symbolic paraphernalia and seals, as hereinabove described, adopted and in use in and by the Order prior to the effective date of this section of the Bylaws are hereby adopted as the jewels for the designated officers and members of the Order, the insignia and other devices and symbolic paraphernalia for use in or by the Order, and the seals of the Order and are as reproduced or described in the Appendix. *Amended by 67th Convention, 1997, and the 79th Convention, 2021.*

5-124. Service by Members of Advisory Council to Chapter House Corporations and as Advisors. No member of the Advisory Council and no employee of the Order shall serve as an officer, director or trustee of a chapter house corporation, an Alumnus Advisor, member of Alumni Advisory Committee or faculty advisor, unless approved annually by the Knight Commander. *Adopted by 67th Convention, 1997; amended by the 68th Convention, 2001, and the 80th Convention, 2023.*

Title 6
EXECUTIVE DIRECTOR AND OTHER OFFICERS AND EMPLOYEES OF THE ORDER

ARTICLE 6-1 THE EXECUTIVE DIRECTOR

Part 1. Authority, powers and duties

6-111. General. The Executive Director shall, in the performance of his executive, administrative and management duties, have full power and authority to originate and formulate operations, activities, functions and programs which he, in the exercise of independent and informed judgment, considers appropriate and necessary or advantageous to the Order, to its purposes or to its various groups. That power and authority shall be exercised to expedite operation and business affairs of the Order, except that the Executive Director shall have individual authority to consult with the Knight Commander or the Executive Council in any matters he may deem appropriate and shall do so in novel, unusual or extraordinary matters where the determination of executive policy shall be of prime continuing importance in service of the best interests of the Order. *Amended by the 78th Convention, 2019.*

6-112. General management functions. The Executive Director shall have complete authority to manage, direct, supervise and execute the business operations and activities of the National Administrative Office and, with approval of the Executive Council, shall engage and employ secretarial, clerical and other assistants as may be necessary to implement and effectuate those operations and activities. Employees so engaged by the Executive Director may be dismissed by that officer. *Amended by the 67th Convention, 1997, and the 79th Convention, 2021.*

6-113. Records, publications and archives. The Executive Director shall maintain in the National Administrative Office records, archives and files of the Order, including individual records of its members and historical data pertaining to the Order. That officer shall have available in the National Administrative Office or under his supervision miscellaneous supplies, forms and reports that may be needed by Active or Alumni Chapters or officers of the Order, or aid them in the maintenance of those records or data. Publications of the Order, including periodic magazines, laws and esoteric and other material, shall be published under the supervision and direction of the Executive Director. The Executive Director is authorized to request, obtain and receive periodic or special reports and data from Active and Alumni Chapters, Commissions, Chapter House Corporations, and from Order officers and to compile data therefrom incident to the Order's activities and the maintenance of its archives. The Executive Director shall collect books, records, historical data and miscellaneous property of extinct chapters for preservation, as appropriate in the Order's archives. The records and archives of the Order shall be kept in a safe, permanent place except that written reports, printed matter and correspondence that ceases to be useful or of any value may be destroyed by that officer with the approval of the Knight Commander. *Amended by the 67th Convention, 1997, the 74th Convention, 2011, and, the 78th Convention, 2019, and the 79th Convention, 2021.*

6-114. Principal fiscal officer of the Order. The Executive Director shall be the principal fiscal officer of the Order and shall collect, deposit and disburse funds of the Order in accordance with the Constitution, Bylaws, and Regulations and shall make periodic reports as directed by the Executive Council. The Executive Director shall, prior to the beginning of each fiscal year, prepare and submit to the Executive Council a budget setting forth the income and expenses needed for the operation and conduct of the business of the Order for the next succeeding fiscal year and shall be governed and controlled in his function and duties by the budget approved by the Executive Council. *Amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

6-115. Active Chapter financial matters. The Executive Director shall consult with and advise Province Commanders regarding the financial operation of Active Chapters, as necessary. *Amended by the 78th Convention, 2019.*

6-116. Annual report. The Executive Director shall file a written report with the Executive Council by December 31 of each year setting forth financial and other matters relating to his operations and those of the Active Chapters and will apprise that body of the general condition of the Order for the preceding fiscal year. *Amended by the 70th Convention, 2003, and the 80th Convention, 2023.*

6-117. General powers with respect to Active Chapters; approval of Active Chapter contracts. The Executive

Director shall possess, and exercise as appropriate, all of the powers and authority with regard to Active Chapters as are vested in and exercised by a Province Commander, including the power and authority to remove Active Chapter officers and to delegate such powers and authority to his assistants who are initiated members, under his supervision when and as necessary in his judgment, subject, however, to veto by the particular Province Commander of the exercise of any such power by the Executive Director or his delegate after inquiry to and consultation with the Executive Director. The Executive Director shall not approve any contract submitted to him relating to housing for an Active Chapter unless the contract complies with all provisions of the Constitution, Bylaws, and Regulations and the contract affirmatively provides that under no circumstances shall the Order be liable thereunder. *Amended by the 67th Convention, 1997, the 72nd Convention, 2007, the 78th Convention, 2019, and the 79th Convention, 2021.*

6-118. Secretary and Treasurer of the Corporation. The Executive Director, as the Secretary and Treasurer of the corporation under its charter, shall discharge and fulfill in that capacity the duties and responsibilities, and the requirements of law, incident to or arising out of that office. He shall also prepare and properly and timely file such reports and other documents for the corporation as are required by pertinent laws of the Commonwealth of Virginia. The Executive Director shall be the keeper of the seal of the corporation and the seal and other official insignia of the Order. He shall supply insignia, as appropriate, to officers of the Order.

6-119. Clerk of the Appellate Council. The Executive Director shall serve as the Clerk of the Appellate Council, and shall enforce compliance with the rules of procedures in appeals. *Amended by the 79 Convention, 2021, and the 80th Convention, 2023.*

ARTICLE 6-2 OTHER OFFICERS AND EMPLOYEES

Part 1. [Repealed]. *Repealed by the 70th Convention, 2003.*

6-211. [Repealed]. *Repealed by the 70th Convention, 2003.*

6-212. [Repealed]. *Repealed by the 70th Convention, 2003.*

6-213. [Repealed]. *Repealed by 67th Convention, 1997.*

Part 2. Other officers.

6-221. [Renumbered] *Amended by the 79th Convention, 2021; renumbered by the 80th Convention, 2023.*

6-222. [Repealed]. *Repealed by the 74th Convention, 2011.*

6-223. [Renumbered] *Adopted by 67th Convention, 1997; renumbered by the 80th Convention, 2023.*

Title 7
PROVINCE OFFICERS AND PROVINCE COUNCILS

ARTICLE 7-1 PROVINCE OFFICERS

Part 1. Province Commanders

7-111. Duties and responsibilities. Province Commanders shall perform such duties as are directed by the Knight Commander, the Executive Council or the Convention. *Amended by the 64th Convention, 1991, the 78th Convention, 2019, and the 80th Convention, 2023.*

7-112. Active Chapter visits. A Province Commander or a deputy may visit the Active Chapters in his province and may require that a chapter meeting be held. *Amended by the 73rd Convention, 2009, the 78th Convention, 2019, and the 80th Convention, 2023.*

7-113. Reports of Province Commanders. Each Province Commander shall report to the Knight Commander, the Executive Council, or the Executive Director regarding the activities in his province. *Amended by the 78th Convention, 2019.*

7-114. Delegation of duties by the Province Commander. The Province Commander may delegate any of his duties to any other province officer.

7-115. Qualifications for appointment. A Province Commander shall be an initiated member of the Order and shall not be an Active Member. *Adopted by the 56th Convention, 1975; amended by the 74th Convention, 2011; and, the 78th Convention, 2019.*

7-116. Appointment. Upon any vacancy in the office of Province Commander, including the expiration of his term of service, the Knight Commander shall appoint a successor. The Knight Commander shall select an appointment for Province Commander from nominations submitted to the Executive Director by the qualified Active and Alumni Chapters within the province for which the successor shall serve. The Knight Commander's appointee may be rejected by two-thirds of the qualified Active Chapters by filing written notice to the Executive Director within thirty days. If rejected, the appointment process shall restart. *Adopted by the 74th Convention, 2011; and, amended by the 78th Convention, 2019.*

Part 2. Other province officers

7-121. Deputy Province Commander. One or more Deputy Province Commanders may be appointed by the Province Commander and shall serve at his pleasure except that the term of service of a Deputy Province Commander shall terminate with that of the Province Commander by whom he was appointed. *Amended by 67th Convention, 1997, the 78th Convention, 2019, and the 80th Convention, 2023.*

7-122. [Repealed]. *Amended by the 57th Convention, 1977, the 60th Convention, 1983, the 74th Convention, 2011, the 78th Convention, 2019; and, repealed by the 79th Convention, 2021.*

7-123. Additional Province Officers. Each Province Commander may appoint additional province officers. Such additional province officers shall serve at the pleasure of the Province Commander.

ARTICLE 7-2 PROVINCE COUNCILS

Part 1. Purpose and organization

7-211. Purpose. Each Province Council shall discuss the state of the province and of its chapters, the affairs of the Order, and shall promote uniformity, cooperation, and good feeling among the chapters within the province. It shall act upon matters referred to it by the Convention, the Executive Council, the Knight Commander, and the Executive Director. A Province Council may make recommendations to its chapters, to the Convention, and to officers of the Order. *Amended by the 79th Convention, 2021.*

7-212. Composition. Each Province Council shall be composed of the province officers, representatives from each qualified Active Chapter and Alumni Chapter as specified in the Constitution, and any Active Member or member awaiting initiation in attendance. *Amended by the 57th Convention, 1977, the 75th Convention, 2013, and the 79th Convention, 2021.*

7-213. [Repealed]. *Amended by the 70th Convention, 2003, the 75th Convention, 2013; and, repealed by the 79th Convention, 2021.*

7-214. Officers. The Province Commander or his designee shall preside at Province Council. The Province Commander shall appoint a Secretary of the Province Council who shall keep minutes of the Council.

7-215. Attendance Requirement. If an Active Chapter is not represented at a Province Council, without prior excuse by the Province Commander, the Chapter may be fined or placed on probation, or both. The I shall encourage the members of his Chapter to attend and participate in the Province Council. *Adopted by 67th Convention, 1997; amended by the 70th Convention, 2003, the 71st Convention, 2005, and the 79th Convention, 2021.*

Part 2. Province Council procedure

7-221. Call and notice. The National Administrative Office shall notify each Active and Alumni Chapter in the province of the date, time and place set for the Province Council by the Knight Commander. *Amended by the 68th Convention, 2001, and the 79th Convention, 2021.*

7-222. Parliamentary procedure. The business of the Council shall be conducted in accordance with Robert's Rules of Order.

7-223. Program. The program for the Province Council shall be arranged by the Province Commander, or as ordered by the Executive Council.

7-224. [Repealed]. *Repealed by the 74th Convention, 2011.*

7-225. [Repealed]. *Amended at the 74th Convention, 2011, the 75th Convention, 2013, and the 79th Convention, 2021; repealed by the 80th Convention, 2023.*

Title 8 MEMBERSHIP

ARTICLE 8-1 NEW MEMBERS

Part 1. Election of new members

8-111. Chapter duty to elect new members. Each Active Chapter has a duty to elect to membership persons who appear to be worthy of membership in the Order to preserve its continued successful existence, operation and reputation.

8-112. Investigation of new members. An Active Chapter, through designated officers or members, shall contact all possible sources of information regarding the eligibility of any individual for membership prior to presentation of his name to the Active Chapter for consideration. It shall acknowledge all recommendations made by Alumni Members and contact every individual so recommended for purposes of his consideration by the chapter. An Active Chapter shall, in considering an individual who has attended another institution where there is an Active Chapter, make appropriate inquiries of that chapter as to his eligibility. *Amended by the 67th Convention, 1997, and the 79th Convention, 2021.*

8-113. Balloting. Election of new members shall be by unanimous secret ballot of all the Active Members of an Active Chapter and shall be conducted in the manner prescribed by the Active Chapter. An Active Member who anticipates that he may be absent from a meeting at which balloting upon candidates for membership may be conducted may privately request the I to cast his ballot at the meeting. The I, by private individual conference, shall receive the ballots of all Active Members who were absent from a meeting at which the chapter favorably considered candidates for membership. The I shall not disclose to any person the vote of any absent Active Member on any candidate. He shall report and record any negative vote to the chapter. The vote of an Active Member shall be recorded as voting in the affirmative if he had adequate prior notice of a meeting of an Active Chapter at which the election of new members occurred, was absent at that meeting and fails, within 24 hours after the adjournment of the meeting, to indicate his vote to the I on each candidate previously approved for membership, subject to compliance with any applicable recruitment regulations. *Amended by the 58th Convention 1979, the 79th Convention, 2021, and the 80th Convention, 2023.*

8-114. Reconsideration of a candidate. Except as may be further limited in the Active Chapter bylaws, any candidate for membership who is not elected may be reconsidered by the Active Chapter. No candidate may be considered more than four times in any period of 24 hours, unless upon unanimous consent of the Active Chapter. *Amended by the 80th Convention, 2023.*

8-115. Opposition to chapter growth and open ballots thereon. No member of an Active Chapter may lawfully oppose the necessary growth of his chapter acting upon his individual opinion as to its limit in membership. Whenever it may appear that any member is obstructing the growth of the chapter, in an Active Chapter in which election to membership is by unanimous vote, the chapter may, by a three-fourths vote of its Active Members, order an open ballot upon any candidate for membership apparently rejected without valid reason. Upon any open ballot, reasons for opposition to any candidate by any member shall be stated privately to the I, and if, in the opinion of the I, the reasons be insufficient, the ballot in opposition to the candidate shall be declared to be a favorable ballot. The opposing member may then appeal, and state his reason, to the chapter and if either more than five Active Members or more than one-fourth of the Active Members of the chapter, whichever is lesser, shall sustain the sufficiency of the reason, the I shall be overruled and the ballot shall be considered to be in opposition to the candidate as originally cast. If the I be the objector, the II shall determine the sufficiency of the reason. Should the candidate be an old acquaintance known to be unfriendly or offensive to the objecting member, the objection shall be deemed valid and sufficient. When the existence of an Active Chapter is threatened by the capricious and willful inertia of its members, such members or chapter shall be dealt with by the Knight Commander for activity detrimental to the best interest of the Order. *Amended by the 79th Convention, 2021.*

8-116. Invitation to membership and acceptance. The I of the chapter shall designate a member or members of the chapter to extend an invitation to membership to a candidate who has been elected to membership. An individual who accepts an invitation to membership shall be inducted as a member awaiting initiation by the Induction Ceremony in

the Appendix and shall be presented with and shall wear the insignia of the Order manifesting his acceptance of the membership invitation extended to him. *Amended by the 72nd Convention, 2007, and the 79th Convention, 2021.*

Part 2. Preparation for initiation

8-121. Initial preparation. A member awaiting initiation shall familiarize himself with the manners, principles, history, tradition, organization and institutions of the Order, as well as the general history and present status of the American College Fraternity System and the relation of the Order to other college fraternities. *Amended by the 79th Convention, 2021.*

8-122. Pre-initiation education. The I of each Active Chapter shall designate one or more Active Members to organize pre-initiation education. During the period of education and at its conclusion, those designated are expected to report regularly on the development, interest, activities and conduct of the members awaiting initiation to the Active Chapter and make appropriate recommendations. *Amended by 72nd Convention, 2007, the 78th Convention, 2019, and the 79th Convention, 2021.*

8-123. Conclusion of pre-initiation education. At the conclusion of pre-initiation education, each member awaiting initiation shall be given an examination covering his familiarity with the manners, principles, history, tradition, organization and institutions of the Order, as well as his familiarity with the American College Fraternity System. No member may be initiated unless he shall pass such examination. *Amended by the 79th Convention, 2021.*

8-124. Report for initiation. A report that a member awaiting initiation has met all of the requirements prescribed by the Constitution, Bylaws, or Regulations, the Executive Council, the Active Chapter bylaws and the rules and regulations of the institution upon the campus of which the chapter exists shall entitle that member to be initiated at the next regular initiation meeting of the Active Chapter unless his initiation is deferred or his membership is terminated. *Amended by the 79th Convention, 2021.*

Part 3. Deferral of initiation and termination of membership

8-131. Deferral of initiation. The initiation of any member otherwise eligible for initiation may, upon a one-third vote of all of the Active Members of the Active Chapter, be deferred until such time as the Active Chapter shall determine his initiation is in order for any cause the Active Members of the chapter may at that time determine to be sufficient for that action. *Amended by the 79th Convention, 2021.*

8-132. Involuntary termination of membership. The Active Members of an Active Chapter or the members awaiting initiation of a provisional chapter may terminate the membership of a member awaiting initiation at any time by a vote of two-thirds of the Active Members of the active chapter or by a vote of two-thirds of the members of the provisional chapter. Additionally, the Knight Commander or his designee, in the exercise of his discretion, may terminate the membership of a member awaiting initiation, having found that the continuance of such association is undesirable to the member or to the Order. *Amended by the 68th Convention, 2001, and the 79th Convention, 2021.*

8-133. Automatic termination of membership. When a member awaiting initiation

- (a) shall cease to be a student at the institution at which is located the Active Chapter by which he was elected to membership; or
- (b) shall have remained unqualified for initiation for one year after the date he accepted the invitation to membership, by reason of
 - (1) failure to meet the requirements of the pre-initiation examination, or
 - (2) failure to meet the financial requirements for initiation,

his membership shall be automatically terminated. Any member awaiting initiation whose membership is terminated for reasons stated in (b) above may be forthwith re-elected to membership. Nothing herein, however, shall prohibit any Active Chapter, at its option, from initiating any person whose membership terminates pursuant to (a) above, provided (i) such person otherwise meets all of the requirements for initiation and (ii) the Province Commander consents to such initiation. *Amended by 57th Convention, 1977, the 72nd Convention, 2007, the 74th Convention, 2011, and the 79th Convention, 2021.*

8-134. Voluntary termination of membership. Any member awaiting initiation may voluntarily relinquish his

membership by written notice to the I of his Active Chapter or by any other method reasonably calculated to indicate his intention to terminate his membership. *Amended by the 72nd Convention, 2007, and the 80th Convention, 2023.*

Part 4. Academic requirements for initiation.

8-141. [Repealed]. *Adopted by 67th Convention, 1997; repealed by 68th Convention, 1999.*

8-142. Provisional Chapter. *Adopted by 67th Convention, 1997; repealed by the 68th Convention, 2001.*

ARTICLE 8-2 INITIATED MEMBERS

Part 1. Active Members.

8-211. Chapter association. Active Members are those initiated members who are associated with an Active Chapter. *Amended by the 79th Convention, 2021.*

8-212. Obligation of Active Membership. An initiated member is obligated to remain an Active Member of an Active Chapter for at least seven regular semesters or eleven regular quarters, or the equivalent, whether or not consecutive, not including the term during which he was inducted. *Amended by 65th Convention, 1993, the 78th Convention, 2019, and the 79th Convention, 2021.*

8-213. Termination of Active Membership. A member shall cease to be an Active Member upon the termination of his association with an Active Chapter. The association of an Active Member with an Active Chapter shall terminate and except as otherwise indicated, he shall become an Alumnus Member in good standing as follows:

- (a) he ceases to be a student at the institution where the Active Chapter is located, or
- (b) at the election of the member, he is graduated and continues to be a student at the institution where the Active Chapter is located, or
- (c) at the election of the member and the consent of two-thirds of the Active Chapter, he has been an Active Member for seven regular semesters or eleven regular quarters, not including the term during which he was inducted, or the equivalent, whether or not consecutive, or
- (d) the Knight Commander or his designee, in the exercise of his discretion, directs that such association shall terminate, having found that the continuance of such association is undesirable to the member, the Active Chapter, or to the Order. Termination of Active Membership under this sub-section may result in the member becoming an Alumnus Member not in good standing.

Amended by 60th Convention, 1983, the 61st Convention, 1985, the 65th Convention, 1993, the Advisory Council and Active Chapters, 2014, the 77th Convention, 2017, and the 79th Convention, 2021.

8-214. Report upon termination of Active Membership. Upon the termination of Active Membership for any reason, the Active Chapter shall transfer the name of the member to its alumni roll and promptly notify the Executive Director of the transfer, giving the name of the member, his membership record and his permanent address insofar as it is known. If the Knight Commander or his designee terminates Active Membership, he shall promptly notify the Executive Director. *Amended by the 70th Convention, 2003, and the 79th Convention, 2021.*

8-215. Reinstatement to Active Membership. A member whose Active Membership has been terminated may be reinstated in the Active Chapter from which his membership was terminated by a majority vote of that chapter. If his membership was terminated by the Knight Commander or his designee, that officer must consent to his reinstatement. *Amended by the 79th Convention, 2021.*

8-216. Transfer of an Active Member. A member whose Active Membership in an Active Chapter has terminated under the provisions of these Bylaws may become an Active Member of another Active Chapter by transfer. A transfer of Active Membership may be accomplished if

- (a) the transferring member enrolls in an institution at which an Active Chapter is located, and
- (b) that transferring member applies to that chapter for membership, and
- (c) that Active Chapter consents to the transfer by a majority vote of its Active Members, and
- (d) the Knight Commander, or his designee, consents to the transfer in an instance when membership in an Active Chapter was terminated by that officer

The transfer shall not, however, be accomplished, and the transferring member shall enjoy none of the privileges of membership in the chapter to which he has applied for transfer, until that chapter ascertains from the prior chapter that all of the transferring member's financial obligations have been satisfied. The Active Chapter to which transfer is made shall thereupon notify the Executive Director of the transfer. *Amended by the 64th Convention, 1991, and the 79th Convention, 2021.*

8-217. Inability of Active Member to meet financial obligations to Active Chapter. An Active Chapter, after thorough investigation to determine the inability of a member to meet his financial obligations to the Active Chapter, may, upon a two-thirds vote of all the Active Members of the Active Chapter, excuse that member from all or any part of his financial obligations to the chapter for such a period of time as it deems appropriate. No chapter shall have the authority to alter a member's financial obligation to the Order. *Amended by 58th Convention, 1979, the 79th Convention, 2021, and the 80th Convention, 2023.*

8-218. Active Members not in good standing. An Active Member shall cease to be in good standing with his Active Chapter and with the Order when:

- (a) his associated Active Chapter has its Charter suspended or withdrawn and revoked;
- (b) he is not current in all financial obligations to the Active Chapter and to the Order, as defined as thirty or more days delinquent in the payment of any amount owed to his Active Chapter or the Order, except an Active Member who has entered into and is in compliance with a deferred payment plan approved by the Prudential Committee of his Active Chapter ;
- (c) he fails to meet the Scholarship Standards as set forth by the Executive Council for the immediate preceding college semester or quarter; an Active Member not meeting those standards may enter into and fully execute a detailed personal scholarship improvement plan with the III and/or chapter scholarship committee in order to retain the rights suspended in 8-219 (a), (b), (e), and (f); or,
- (d) he is suspended.

Adopted by 67th Convention, 1997; amended by the 70th Convention, 2003, the 73rd Convention, 2009, the Advisory Council and Active Chapters, 2014, the 79th Convention, 2021, and the 80th Convention, 2023.

8-219. Restrictions of Active Members not in good standing. An Active member who is not in good standing shall not have the following rights and privileges:

- (a) to propose new members nor to vote on the proposal of new members;
- (b) to be counted to determine the absence or presence of a quorum for any meeting of his Active Chapter;
- (c) to serve or continue to serve as an officer or committee chairman of his Active Chapter;
- (d) to serve as national undergraduate chairman;
- (e) not have the right to vote on any matter related to the Order or the Active Chapter including, without limitation, with respect to any business or operation of the Active Chapter, and in the trial of any major offense, nor in the appeal of any minor offense;
- (f) to become an Active Member of any other Active Chapter by transfer so long as he remains not in good standing. With the exception of social events, an Active Member not in good standing may attend Active Chapter functions at the discretion of the I of his Active Chapter if his Active Chapter is in good standing, and the member's lack of good standing shall not cause him to be excused therefrom; and,
- (g) to serve as a delegate or alternate delegate to a Convention.

Adopted by 67th Convention, 1997, the 75th Convention, 2013, the Advisory Council and Active Chapters, 2014, and the 79th Convention, 2021.

Part 2. Alumni members

8-221. Alumni members. Alumni Members of the Order are those members who have been initiated and who are not associated with an Active Chapter. *Amended by the 79th Convention, 2021.*

8-222. Relations between Active Chapters and alumni members. Alumni Members at an Active Chapter meeting, chapter house, other chapter premises, or at any event involving an Active Chapter shall comply with the Constitution, Bylaws, Regulations, and Active Chapter bylaws, with respect to their conduct and shall be subject to all of the duties of active members of that chapter in all respects within their knowledge. The Knight Commander or his designee or the Executive Council may prescribe rules governing the relationship of an Active Chapter with an Alumnus Member who is attending an institution where there is located an Active Chapter. *Amended by the 73rd Convention, 2009, and the 79th Convention, 2021.*

Title 9 ACTIVE CHAPTERS

ARTICLE 9-1 ACTIVE CHAPTER OFFICERS

Part 1. Designation, election and appointment

9-111. Designation of chapter officers. The officers of an Active Chapter, ranking in the following order, shall be the I, II, III, IV, V, VI, VII, VIII and IX. Additional officers may be established by the Executive Council or by each Active Chapter according to its needs. The I, II and III shall be elected by the Active Members of the Active Chapter, and the I shall appoint all other Active Chapter officers. If an Active Chapter has fewer than nine Active Members, the I shall designate the combining of officers below III within the chapter. The absence of any officer or upon his inability to act, the I shall designate an Active Member of the chapter to perform the duties of such officer temporarily. All Active Chapter officers shall be Active Members of that chapter. *Amended by 67th Convention, 1997, the 79th Convention, 2021, and the 80th Convention, 2023.*

9-112. Election of I, II and III. The I, II and III shall be elected annually between November 1 and December 1 or at such interval in time as the Executive Director may approve in writing. Election for each office shall be by secret ballot without nominations. Four-fifths of the Active Members of the Active Chapter must be present for an election, and a majority of all of the Active Members of the Active Chapter is required to elect. After each ballot, if no candidate receives the requisite majority, the names of all Active Members receiving votes shall be announced, but the number of votes received by each shall not be announced. When votes are cast for three or more candidates and no one has the requisite majority, the name of the candidate or candidates having the fewest number of votes shall be dropped after the third and each succeeding ballot. Any votes cast for a candidate (a) whose name has been dropped or (b) who did not receive any votes on the first, second or third ballot shall not be counted. *Amended by the 70th Convention, 2003, the 79th Convention, 2021, and the 80th Convention, 2023.*

9-113. Ineligibility for chapter office. A member is ineligible for the office of I, II or III if he is indebted to the Order or one of its chapters. A member is ineligible for the office of I if he has prior knowledge that he will be unavailable for the I's Leadership Institute. *Amended by the 70th Convention, 2003, the 71st Convention, 2005, the 72nd Convention, 2007, and the 79th Convention, 2021.*

9-114. [Repealed]. *Repealed by the 70th Convention, 2003.*

Part 2. Term of office and vacancies

9-121. Term of office. Active Chapter officers shall serve terms of one year or until their successors are elected or appointed and have qualified, and shall take office not later than 30 days after the I, II and III are elected. An officer may be re-elected or reappointed for any number of terms.

9-122. Resignation. An elected Active Chapter officer may resign by submitting his resignation to the chapter. An appointed Active Chapter officer may resign with the consent of the I.

9-123. Automatic vacancy in Active Chapter office. The suspension of any officer of an Active Chapter for a period of 30 days or more or the neglect of any Active Chapter officer to meet his financial obligations to the Order or to the chapter during a period of three months automatically vacates his office.

9-124. Removal from office. For cause, the I, II or III of an Active Chapter may be removed by a three-fourths vote of all of the Active Members of the Active Chapter or by the Knight Commander, the Province Commander or the Executive Director. For cause, any appointed officer in an Active Chapter may be removed by the I, the Executive Director, the Province Commander or the Knight Commander. Any elected Active Chapter officer removed from office shall not be eligible to hold office in that chapter without the approval of the officer who removed him, or upon three-fourths vote of the Active Members of the Active Chapter. *Amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

9-125. Vacancy in Active Chapter office. If any Active Chapter office becomes vacant, a successor shall be elected by the Active Chapter or appointed by the I for the unexpired term in the same manner provided for original elections and appointments. *Amended by the 80th Convention, 2023.*

Part 3. Duties of Active Chapter officers

9-131. The I - President. The I shall cause the chapter to obey the Constitution, Bylaws, Regulations, or policies of the Order; and the lawful requirements of its officers; preside at all meetings of the chapter; maintain good order and decorum; secure in discussion the observance of parliamentary rules; submit questions to vote at the proper stage; cause meetings to be held as prescribed; privately counsel with and advise the chapter officers concerning the discharge of their duties; require respect for and compliance with the customs of the Order; and exercise, in a fraternal spirit, leadership over all of the business and workings of the Active Chapter. The I shall be responsible for all of the property of his chapter of whatever nature and shall provide for its safekeeping during all vacations. *Amended by the 78th Convention, 2019, and the 79th Convention, 2021.*

9-132. The II - Vice President. The II shall perform any of the duties of the I in his absence or inability to act and generally assist the I in the discharge of his duties; count the votes on questions submitted to the chapter; report to the chapter violations of the Constitution, Bylaws, Regulations, or policies of the Order when the same are not reported by the VII; and privately counsel with and advise the I concerning the discharge of his duties. The II shall become the I if the office of the I becomes vacant, or due to the I's ineligibility to hold office, until an election can be held at a chapter meeting. *Amended by the 73rd Convention, 2009 to take effect December 1, 2009, and the 79th Convention, 2021.*

9-133. The III – Recording Secretary. The III shall keep full minutes of the chapter proceedings in a permanent minute book; call the roll at the opening and closing of each meeting of the chapter or the Active Members thereof; furnish the VII during the progress of each meeting with a list of absentees upon all roll calls not theretofore presented to him; read the minutes of the previous meeting; submit his minutes to the I for his approval and signature; supervise the IV in keeping the files of chapter correspondence; and be responsible to the I for the minute book and other records of the chapter used directly in connection with chapter meetings. He shall also serve as the scholarship officer for the Active Chapter. *Amended by the 72nd Convention, 2007 to take effect on December 1, 2007, and the 79th Convention, 2021.*

9-134. The IV - Corresponding Secretary. The IV shall have charge of and be responsible to the I for the safekeeping of all of the files and correspondence of the chapter and shall write or supervise the writing of all correspondence in behalf of the chapter as the I or the chapter shall direct. He may also serve as the membership recruitment officer for the Active Chapter. *Amended by the 72nd Convention, 2007 to take effect on December 1, 2007, and the 79th Convention, 2021.*

9-135. The V - Historian. The V shall accumulate material for the history of the chapter and its members, past and present; keep the prescribed chapter register up to date; act as contact officer between the chapter and its alumni, performing such duties in this regard as may be required of him by the chapter or by the Executive Director; and be responsible to the I for the safekeeping of the chapter register, records of historical data, chapter library, pictures and other properties of a historical nature.

9-136. The VI - Purser. The VI shall collect all fees, dues, fines and assessments; keep the financial records of the chapter; have custody of the funds of the chapter; be responsible to the I for the safekeeping of all property of the chapter for which another officer of the chapter, exclusive of the I, is not responsible; and report to the chapter as often and in such detail as may be required by the chapter or the I, at least once a month, the status of each member's account with the chapter or with the Order, the accounts of the chapter, and such other matters as may be disclosed from the chapter's financial records.

9-137. The VII - Parliamentarian. The VII shall master the laws of the Order and the chapter with respect to duties of officers and members; report to the chapter the failure of any officer of the chapter to perform any duty required of him; and report to the chapter all violations of or failure to comply with the laws or the customs of the Order or the chapter for appropriate action to be taken.

9-138. The VIII - Sergeant-at-Arms. The VIII shall act as the sergeant-at-arms for all chapter meetings and shall admit

only persons lawfully permitted to be present at a chapter meeting. He shall also serve as the primary risk management officer for the Active Chapter. In this capacity he shall be responsible for education and expectations regarding the Order's Risk Management Policy. *Amended by the 70th Convention, 2003, and the 79th Convention, 2021.*

9-139. The IX - Marshal. The IX shall be responsible to the I for the safekeeping and preservation of the paraphernalia and chapter room properties of the chapter and shall introduce to the chapter at each chapter meeting any alumni or other visiting brothers present.

ARTICLE 9-2 CHAPTER OPERATIONS

Part 1. Chapter bylaws and meetings

9-211. Chapter bylaws. Each Active Chapter shall prescribe for its own government a set of bylaws which shall not conflict with the Constitution, Bylaws, Regulations or policies of the Order or customs of the Order. *Amended by the 79th Convention, 2021.*

9-212. Regular Active Chapter meetings. Regular meetings of the Active Members of each Active Chapter shall be held at least once in each two weeks of each college or university term or session, at a regular time and place designated by the chapter. *Amended by the 79th Convention, 2021.*

9-213. Special Active Chapter meetings. Special meetings of the Active Members of an Active Chapter may be held without notice if ordered by a majority vote of the chapter at any regular meeting or upon call of the I by posting a notice thereof at the regular meeting place at least 24 hours, or such lesser time which may be prescribed by the chapter bylaws, prior to the holding of such special meetings. *Amended by the 79th Convention, 2021.*

9-214. Quorum. A majority of the Active Members of an Active Chapter shall constitute a quorum, and a quorum must be present for the transaction of business. *Amended by the 79th Convention, 2021.*

9-215. Order of Business. The order of business for any Active Chapter meeting shall be as follows:

- (a) Call to Order;
- (b) Roll Call and Reading of the Minutes;
- (c) Reading from the ritual;
- (d) Report of Correspondence;
- (e) Report of Officers;
- (f) Reports of Committees;
- (g) Special Orders of Business;
- (h) Unfinished Business;
- (i) New Business;
- (j) Voluntary Remarks;
- (k) Parliamentary Report and Decision;
- (l) Closing Ceremony;
- (1) Reading from the Constitution, Bylaws, or Regulations; and,
- (m) Adjournment.

Amended by the 79th Convention, 2021.

9-216. Records of Active Chapters. Each Active Chapter shall keep a minute book, chapter register, and financial records in such form as may be prescribed by the Executive Director. *Adopted by 67th Convention, 1997.*

Part 2. Chapter Finances

9-221. Chapter revenue. The revenue of an Active Chapter shall be derived from dues, initiation fees, fines, assessments, gifts and such other income as may be obtained.

9-222. Chapter initiation fees, dues and assessments. In addition to dues and fees prescribed by the Executive Council, each Active Chapter may collect from each member a chapter initiation fee prior to his initiation. Each Active Chapter shall prescribe dues and assessments of its members. A majority vote of all of the Active Members of the Active Chapter is required for establishing chapter initiation fees, dues, and assessments. *Amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

9-223. Chapter depositories and disbursements. The funds of an Active Chapter shall be deposited by the VI in such depositories as may be determined by the chapter, and shall be disbursed by the VI in accord with such procedures as may be prescribed by the chapter. All drafts and checks drawn on the deposited funds of an Active Chapter shall be signed by the VI or his assistant and countersigned by the I, II or III.

9-224. Funds of the Order. The Active Chapter officers shall be responsible for the collection and transmittal of member dues, initiation fees, or other fees and assessments prescribed by the Executive Council from each member and shall forward those fees immediately to the Executive Director. All funds of the Order shall be held by the chapter and its officers as trustees for the benefit of the Order. In any case where an Active Chapter is delinquent by more than 60 days in the remittance of any payment due to the Order, the Executive Director shall notify such Active Chapter in writing directed to the I that the matter of the delinquency in payment will be referred to the Executive Council for action against the appropriate chapter member or against the Active Chapter itself 30 days from the date of the communication. *Amended by 67th Convention, 1997, the 68th Convention, 2001, the 73rd Convention, 2009, the 79th Convention, 2021, and the 80th Convention, 2023.*

9-225. Prudential Committee. Each Active Chapter of more than five members shall have a Prudential Committee composed of Active Members of the Active Chapter excluding the VI. The I shall appoint the members and serve as chairman. The Prudential Committee shall supervise the financial affairs of the chapter so that expenditures shall not exceed income, prepare an annual chapter budget, consult with the VI and inspect his books, and advise the chapter on all financial matters. The Prudential Committee shall procure from each member at the end of each school year written evidence, as in its discretion may be necessary and proper, of his indebtedness to the chapter or to the Order. *Amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

9-226. Excessive financial obligations. Upon complaint of any member or officer of an Active Chapter, or of any officer of the Order, or upon his own motion, the Knight Commander may declare void the action of any Active Chapter which he determines places an unreasonably high financial obligation upon the individual members of the chapter or which may tend to the insolvency of the chapter.

9-227. Monthly billing of members. On or before the first day of each calendar month of the school year, the VI of each Active Chapter shall render a statement to each member thereof showing his indebtedness to the chapter. Each statement shall show accurately the balance due at the beginning of the previous month, an itemized list of charges for the current month, the dates and amounts of all payments made during the previous month and the balance due as of the first day of the calendar month for which the statement is prepared. The VI may further cause a copy of each such statement to be sent to the parent, guardian, scholarship committee or other person primarily furnishing the funds in support of any member named in a statement who is 30 days in arrears. *Amended by the 79th Convention, 2021.*

9-228. Delinquencies of alumni. The VI shall report to the Executive Director any delinquent financial obligations of any member who becomes an Alumnus Member. The Executive Director shall advise any Alumnus Member so reported of the authority of the Active Chapter under the Constitution, Bylaws, and Regulations, to require payment of his account. *Amended by the 79th Convention, 2021.*

9-229. Insolvency of Active Chapter. Provided an Active Chapter is solvent and not in arrears on all obligations to the Order, it shall have full powers to manage its financial affairs. When an Active Chapter becomes insolvent or is in arrears on its obligations to the Order, the Executive Council, acting through or upon the recommendation of the Province Commander for that chapter, shall have full power to direct, control and adjust the financial affairs of that chapter, including but not limited to, setting the amount of dues and assessments upon members for all purposes, establishing the expenditures for all purposes, and the conditions of operating the chapter, the chapter house, or the dining room with a goal of returning to solvency. Except in cases of gross negligence or willful mismanagement, the Executive

Council shall first give reasonable advance notice to the offending chapter and its Province Commander before executing this direction and control. *Adopted by 67th Convention, 1997; Amended by the 80th Convention, 2023.*

Part 3. Alumnus Adviser and Alumni Advisory Committee

9-231. Appointment. Each Province Commander shall appoint for each Active Chapter in his province an Alumnus Member to be Alumnus Adviser. The Alumnus Adviser shall periodically attend the meetings of the chapter and advise the chapter officers and members upon matters of chapter affairs when he deems such advice to be in the best interest of the chapter or the Order, or when requested to do so by the chapter, the Province Commander or by a General Officer. *Amended by the 80th Convention, 2023.*

9-232. Visits and reports. The Alumnus Adviser shall report from time to time, in his discretion or upon request, to the Province Commander who appointed him with respect to the affairs of the chapter, its officers, its members or its activities. *Amended by the 80th Convention, 2023.*

9-233. Call of special meetings. The Alumnus Adviser shall have the authority to call special meetings of the Active Chapter or of its Prudential Committee. *Amended by the 80th Convention, 2023.*

9-234. Audit of chapter books. The Alumnus Adviser shall have authority to audit the chapter books monthly or at any time he deems such action is necessary. *Amended by the 80th Convention, 2023.*

9-235. Province Commander's representative. The Alumnus Adviser shall be the Province Commander's personal representative and may exercise such of the Province Commander's authority over the chapter as the Province Commander may expressly delegate to him in writing. A copy of the writing delegating such authority shall be filed with the Executive Director and given to the chapter. *Amended by the 80th Convention, 2023.*

9-236. Alumni Advisory Committee. The Province Commander shall biennially appoint for each Active Chapter in his province an Alumni Advisory Committee consisting of not less than three (3) Alumni Members. Members of the Alumni Advisory Committee shall periodically attend the meetings of the chapter and advise the chapter officers and members upon matters of chapter affairs when they deem such advice to be in the best interest of the chapter or the Order, or when requested by the chapter, the Province Commander, Executive Director, or by a General Officer. The Alumnus Adviser shall serve as chairman of this Alumni Advisory Committee. *Adopted by 67th Convention, 1997; amended by the 68th Convention, 2001, the 70th Convention, 2003, the 78th Convention, 2019, and the 80th Convention, 2023.*

Part 4. Chapter residence facilities

9-241. Chapter House Corporation. Each Active Chapter that occupies a chapter house or other property for which any contract for purchase, mortgage, or lease is required must be represented by a chapter house corporation, and under no circumstances shall a chapter enter into a housing contract in the name of the Order. Chapter housing corporations shall be organized as a non-stock, non-profit organization under the laws of the particular state where the Active Chapter is located and shall have a slate of directors and officers who are Alumni Members in good standing. The I and VI of the Active Chapter may serve as non-voting, non-office holding directors of the chapter house corporation. Each chapter house corporation shall file its bylaws and articles of incorporation with the Executive Director. *Original section repealed and new section adopted by the 61st Convention, 1985 (the original section revived in substance as R9-241, 1985); amended by the 64th Convention, 1991, the 67th Convention, 1997, the 71st Convention, 2005, and the 80th Convention, 2023.*

9-242. Approval of Housing Contracts. No Active Chapter shall enter into any contract involving a consideration in excess of \$5,000 for the purchase, mortgage, lease, ownership, use, occupancy, improvement or repair of a chapter house, real estate or other premises unless such contract and all of the terms thereof shall be approved in writing by its Province Commander and by the Executive Director. *Adopted by 67th Convention, 1997; Amended by the 80th Convention, 2023.*

Part 5. Community relations

9-251. College or university relationships. Each Active Chapter shall comply with the rules and regulations of the

institution in which it exists relative to its conduct, rushing, initiation of new members, entertainment and other activities as a chapter.

9-252. Interfraternity matters. Where an Active Chapter is a member of a local interfraternity council or other similar organization of campus fraternities, it shall abide by all rules and regulations established by such organization. Every Active Chapter is charged with the duty of cooperating with other fraternities on its campus for the betterment of fraternities in general.

9-253. Conflict. The Active Chapter shall consult with its Province Commander and the Executive Director before proceeding in any matter involving an apparent or perceived conflict between the Constitution, Bylaws, and Regulations, and the applicable rules and regulations of any host institution, or the rules and regulations of any interfraternity council of that host institution. *Amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

Part 6. Prohibitions in chapter operations

9-261. Prohibition against hazing. The practice of hazing in any form is forbidden. Hazing is any conduct, activities or action by any members, performed or carried out on or off chapter premises which

- (a) causes, is likely to cause or is intended to cause physical or mental discomfort, chagrin, embarrassment, ridicule or personal displeasure to another person upon imposed or
- (b) is otherwise prohibited by any applicable governmental or institutional law or regulation. *Amended under Section 15-212, February 3, 1981, and the 79th Convention, 2021.*

9-262. Penalties for Violation of Hazing Prohibition. The charter of a chapter which participates in or condones hazing may be suspended or be withdrawn under the Constitution. A member who is guilty of hazing, or of condoning or otherwise disregarding the prohibition, shall be penalized by expulsion or by suspension for more than three months. *Amended by the 60th Convention, 1983, and the 79th Convention, 2021.*

9-263. [Repealed]. *Adopted by 67th Convention, 1997; repealed by the 80th Convention, 2023.*

9-264. (Prohibition of) Display of Confederate Battle Flag. The display of the Confederate Battle Flag shall be prohibited from any chapter house, lodge, or meeting place: a “display” shall mean a visible presence from the exterior of said property and from the common areas within. The Confederate Battle Flag shall not be displayed at any fraternity function or gathering, on or off property associated with Kappa Alpha Order. The Confederate Battle Flag shall not be associated with Kappa Alpha Order by any medium including, but not limited to, fabric pattern, printed material, painted or stenciled surfaces, or computer Web sites. The Confederate Battle Flag shall not be incorporated into the design of clothing or any other items bearing symbolism of Kappa Alpha Order. *Adopted by the 68th Convention, 2001, from the substance of then Regulation 16-113 (a), originally adopted June 8, 1972; amended November 5, 1978, and April 6, 2001; and, rescinded October 20, 2001.*

Part 7. Maintenance of scholarship standards by Active Chapters

9-271. Scholarship standards. Each Active Chapter is expected to and shall maintain the highest possible scholarship standards. An Active Chapter that does not pursue appropriate efforts to preserve acceptable scholarship standards and falls below the scholarship standards of the Order may be placed on probation as provided by the Constitution and these Bylaws. *Adopted by the 67th Convention, 1997; amended by the 70th Convention, 2003, and the 80th Convention, 2023.*

ARTICLE 9-3 PROBATION, SUSPENSION, WITHDRAWAL, AND REINSTATEMENT OF CHARTER OF ACTIVE CHAPTER

Part 1. In general

9-311. Probation of Active Chapter. An Active Chapter may be placed on probation, with or without restrictions, by the Knight Commander, the Province Commander or the Executive Director for failure to perform its duties and obligations. *Adopted by 67th Convention, 1997, and the 79th Convention, 2021.*

9-312. Alumni receivership. The Knight Commander or his designee may place full authority of the Charter of an Active Chapter in the hands of a receivership committee composed of Alumni Members in good standing for deficiency in chapter operations or a violation of the Constitution, Bylaws, Regulations or policies. That committee shall manage and govern an Active Chapter until the Knight Commander or his designee determines the deficiencies are corrected. *Adopted by 67th Convention, 1997; amended by the 70th Convention, 2003; and, the 78th Convention, 2019.*

9-313. Term of suspension of Active Chapter Charter. Suspension of an Active Chapter charter shall be for a period not longer than one year, but a charter suspension may be extended for an additional year when recommended by the institution where the chapter is located. All charter suspensions shall be reviewed annually by the Executive Council, and withdrawal of the charter of any Active Chapter not in good standing, may be recommended to the Knight Commander. *Adopted by 67th Convention, 1997, and the 79th Convention, 2021.*

9-314. Status of Active Chapter not in good standing. Property of the Order, including but not limited to, the ritual, charter, chapter register, officer jewels held by an Active Chapter not in good standing shall be returned to the National Administrative Office. The initiation regalia and other properties may be placed in the custody of the Alumni Advisory Committee as may be determined to be in the best interests of that chapter. An Active Chapter not in good standing may not, during the period of its charter's suspension, elect or initiate members or otherwise participate as a unit in the affairs of the Order, except as may be recommended by the institution where that chapter is chartered. *Adopted by 67th Convention, 1997; amended by the 68th Convention, 2001, the 74th Convention, 2011, and the 79th Convention, 2021.*

9-313. Term of suspension of Active Chapter Charter. Suspension of an Active Chapter charter shall be for a period not longer than one year, but that suspension may be extended for an additional year upon recommendation by the host institution. All charter suspensions shall be reviewed annually by the Executive Council, who may recommend to the Knight Commander the withdrawal and revocation of the charter of any Active Chapter not in good standing. *Adopted by 67th Convention, 1997, the 79th Convention, 2021, and the 80th Convention, 2023.*

9-314. Status of Active Chapter not in good standing. Property of the Order, including but not limited to, the ritual, charter, chapter register, and officer jewels held by an Active Chapter not in good standing shall be returned to the National Administrative Office. The initiation regalia and other properties may be placed in the custody of the Alumni Advisory Committee as may be determined to be in the best interests of that chapter. An Active Chapter not in good standing may not, during the period of its charter's suspension, elect or initiate members or otherwise participate in the affairs of the Order, except as may be recommended by the institution where that chapter was chartered. *Adopted by 67th Convention, 1997; amended by the 68th Convention, 2001, the 74th Convention, 2011, the 79th Convention, 2021, and the 80th Convention, 2023.*

9-315. Reinstatement of suspended charter. A suspended charter of an Active Chapter may be reinstated at any time within one year or the extended period of suspension. At the conclusion of the period, the charter of that chapter shall automatically be reinstated unless charter withdrawal has been recommended to the Knight Commander. When the charter of an Active Chapter has been withdrawn and revoked, it may be reissued as provided by the Constitution and Bylaws regarding the establishment of Active Chapters. *Adopted by 67th Convention, 1997; amended by the 76th Convention, 2015, the 79th Convention, 2021, and the 80th Convention, 2023.*

ARTICLE 9-4 I'S LEADERSHIP INSTITUTE

Part 1. In general

9-411. I's Leadership Institute. The I's Leadership Institute shall meet at least once each year. *Adopted by 67th Convention, 1997; amended by the 68th Convention, 2001, the 70th Convention, 2003, and the 71st Convention, 2005.*

9-412. Attendance requirement. The I of each Active Chapter shall attend and participate in the I's Leadership Institute and shall satisfactorily complete the prescribed examination. In the event the I is unable to attend the I's Leadership Institute for acceptable reasons, the II, III, or VI, in that order, may be approved by the Executive Director as his chapter's representative. The Knight Commander may, in his discretion, and with the approval of the Executive Council, require an additional officer or officers from any Active Chapter to attend the I's Leadership Institute. *Adopted by 67th*

Convention, 1997; amended by 68th Convention, 1999, the 70th Convention, 2003, and the 71st Convention, 2005.

9-413. Failure of I to attend. Any I failing to attend the I's Leadership Institute without an excuse approved in advance by the Executive Director may be removed by the Knight Commander. Any I who is excused from attending the I s Leadership Institute shall satisfactorily complete the prescribed examination within 30 days after the I s Leadership Institute, or the Knight Commander shall remove him from office. *Adopted by 67th Convention, 1997. Amended by the 70th Convention, 2003, the 71st Convention, 2005, and the 72nd Convention, 2007.*

9-414. [Repealed]. *Adopted by 67th Convention, 1997, and the 70th Convention, 2003. Repealed by the 71st Convention, 2005.*

Title 10
ESTABLISHMENT OF ACTIVE CHAPTERS

ARTICLE 10-1 PROVISIONAL CHAPTERS

Part 1. Creation of Provisional Chapters.

10-111. Process. Establishment of an Active Chapter shall be accomplished by a two-step process. The first step shall be the creation of a Provisional Chapter and the second shall be the installation and chartering of the provisional chapter as an Active Chapter. *Adopted by 67th Convention, 1997; amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

10-112. Application for issuance of a provisional certificate. A provisional certificate may be issued to a group of students at a college or university upon their petition to the Executive Council, filed with the Executive Director. Such a group shall consist of not less than 15 individuals, provided, however, the Executive Council by unanimous vote may authorize the issuance of a provisional certificate to a lesser number of qualified students. *Adopted by 67th Convention, 1997; amended by the 79th Convention, 2021.*

10-113. Issuance. A provisional certificate authorizing a group of petitioning students at a college or university to operate as a Provisional Chapter may be issued and signed by the Executive Director at any time pursuant to the provisions of the Constitution regarding establishment. If the Advisory Council votes on the issuance of a provisional certificate by mail, any member of the Advisory Council who does not respond and cast his ballot after two notices, with receipt of notice being confirmed, shall be deemed to have resigned his office, unless he is excused for his dereliction by the Knight Commander. *Adopted by the 67th Convention, 1997; amended by the 70th Convention, 2003, and the 79th Convention 2021.*

10-114. Withdrawal or suspension. The provisional certificate may be withdrawn or suspended by the Executive Director or upon a two-thirds vote of the Active Chapters in the province embracing or nearest to the provisional chapter at any time, with or without cause or notice, providing such action is taken at least thirty days prior to the Provisional Chapter's scheduled chartering. *Adopted by the 67th Convention, 1997, and the 79th Convention, 2021.*

Part 2. Operation under a provisional certificate.

10-121. Limitation of provisional certificate. A provisional certificate shall expire after two years. The Executive Council may for cause, by a five-sevenths vote, extend the provisional certificate for a term not exceeding one year. *Adopted by the 67th Convention, 1997, and the 79th Convention, 2021.*

10-122. Operation pursuant to provisional certificate. A Provisional Chapter shall operate under its own name which shall include the words a "Provisional Chapter of Kappa Alpha Order." A Provisional Chapter shall elect its own members and officers, conduct its business in accord with its bylaws, and is expected to follow the applicable provisions of the Constitution, Bylaws, and Regulations. A Provisional Chapter shall be represented at Convention, Province Council and I's Leadership Institute, but it shall have no vote at any of them. *Adopted by the 67th Convention, 1997; amended by the 72nd Convention, 2007, and the 79th Convention, 2021.*

Part 3. Creation of Active Chapter.

10-131. Approval by Advisory Council and Active Chapters. A Provisional Chapter may apply for the issuance of a charter of an Active Chapter if it has operated under a provisional certificate for an appropriate period of time and complied with all requirements of the Executive Council. The charter shall be issued after a majority of the members of the Advisory Council vote certifying that the Provisional Chapter has complied with all requirements. Approval shall be in the form of written certification to the Executive Director prior to a deadline he establishes. If the Advisory Council votes on the granting of a charter by mail, any member of the Advisory Council who does not respond and cast his ballot after two notices, receipt of notice being confirmed, shall be deemed to have resigned his office, unless he is excused for his dereliction by the Knight Commander. *Adopted by 67th Convention, 1997; amended by the 70th Convention, 2003, the 79th Convention, 2021, and the 80th Convention, 2023.*

10-132. Charter Fee. Any Active Chapter established pursuant hereto shall pay a charter fee as prescribed by the Executive Council. *Adopted by 67th Convention, 1997; amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

ARTICLE 10-2 ACTIVE CHAPTER CHARTERS AND INSTALLATION

Part 1. Official requirement

10-211. Issuance or replacement. No Active Chapter may exist without a charter. Upon the establishment of a new Active Chapter a charter in the form regularly prescribed shall be issued to that chapter by the Knight Commander and shall be signed by that officer and bear the seal of that office. Upon satisfactory proof of the loss or destruction of a charter for any Active Chapter, the Knight Commander may issue a new charter which shall be a duplicate of the original. It shall be marked as reissued and carry the date of the reissuance and the signature and seal of the officiating Knight Commander. *Amended by the 79th Convention, 2021.*

10-212. Installation of new Active Chapter. When a petition for a new Active Chapter shall have been approved as provided in the Constitution, Bylaws, and Regulations, the Knight Commander may cause the new Active Chapter to be installed in accordance with the official ceremony approved by the Executive Council. In the event the petitioners have been a well-established local fraternity, the Knight Commander, in his discretion, may permit the new Active Chapter to initiate any of the alumni members of the local fraternity in accordance with any arrangements or procedure the Executive Council may approve. *Amended by the 79th Convention, 2021.*

Title 11
ALUMNI OF THE ORDER AND ALUMNI CHAPTERS

ARTICLE 11-1 IDENTIFICATION WITH THE ORDER

Part 1. Cooperation with the Order

11-111. Duties of alumni members. Alumni Members are expected to collaborate with the Order, and its Active Chapters, to further its objectives, intention and purposes and to preserve and maintain its traditions and national reputation, and are urged to participate as much as possible in chapter activities to manifest their continuing interest in the Order. They are also expected to furnish to Active Chapters for their consideration the names of young men they deem eligible for membership who are matriculating in colleges and universities at which the Order has Active Chapters and otherwise to assist them in recruitment activities. *Amended by the 79th Convention, 2021.*

11-112. Maintenance of personal records. All members of the Order are charged with the continuing duty of keeping the Executive Director informed of changes of address, occupation and other personal data of value for the archives of the Order and in reporting to that officer information and data coming to their knowledge regarding other members. *Amended by the 79th Convention, 2021.*

Part 2. Alumni Chapters and other alumni organizations

11-121. Alumni Chapters. Alumni Chapters may be established upon satisfactory application by 10 or more Alumni Members in good standing and the issuance of a charter of an Alumni Chapter by the Knight Commander. Alumni Chapters shall have no power or authority to elect or initiate new members. *Amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

11-122. Qualification for Convention representation. Every Alumni Chapter to be recognized as a unit of the Order and to be qualified for representation at Convention, shall from year to year comply with requirements as follows:

- (1) Hold at least one meeting in each calendar year,
- (2) Elect officers annually and report their election to National Administrative Office,
- (3) File an Annual Report of the activities of the Alumni Chapter in the prescribed form, on or before June 1, which Annual Report shall contain the names and current addresses of the officers of the Alumni Chapter and the names and current mailing addresses of all enrolled members of the Alumni Chapter,
- (4) Pay Biennial Alumni Chapter dues in the amount set by the Executive Council, which dues shall be assessed due and payable between May 1 and June 1, the payment of which shall commence a biennium of recognition for the Alumni Chapter,
- (5) Maintain a membership of at least ten enrolled members who have currently paid dues to the chapter, and
- (6) Comply annually with all IRS, federal, and state guidelines regarding non-profit organizations.

An Alumni Chapter which has accomplished all of the foregoing requirements by June 1 shall be entitled to representation at Convention during its biennium of recognition. An Alumnus Member may be a member of more than one Alumni Chapter, but only one Alumni Chapter may count him as an enrolled member for the purpose of meeting the requirements in these Bylaws. *Amended by the 62nd Convention, 1987, the 67th Convention, 1997, the 68th Convention, 1999, the 69th Convention, 2001, the 73rd Convention, 2009, and the 79th Convention, 2021.*

11-123. Officers and operations. The officers of an Alumni Chapter shall be a President and a Secretary and such other officers as the chapter may prescribe. The Officers shall perform such duties as may be prescribed by the chapter except that the Secretary shall review all bulletins and communications from the National Administrative Office in at least one meeting each year. Alumni Chapters may enact such bylaws and rules for their own internal government as are not in

conflict with the Constitution, Bylaws, Regulations, and customs of the Order and may engage in social and other activities and in general in matters of business as they may decide. Any bylaws or rules so enacted shall be filed with the Executive Director. Alumni Chapters are expected to collaborate with Province Commanders as requested and Province Commanders and their deputies shall cooperate with the Alumni Chapters within their provinces as may be appropriate or as requested. *Amended by the 71st Convention, 2005, and the 79th Convention, 2021.*

11-124. Withdrawal and reactivation of charter. For cause, the Knight Commander may withdraw the charter of an Alumni Chapter with the consent of the Executive Council. Alumni Chapters which have been inactive for a period of one year or more may petition for reactivation of their charter by remitting the regular charter fee to the Executive Director.

11-125. [Repealed]. *Amended by the 79th Convention, 2021; repealed by the 80th Convention, 2023.*

11-126. Commissions. Any group of not less than five alumni desiring to be a Commission may file a petition, in duplicate, for that purpose with the Executive Director to be forwarded to the Knight Commander. The approval of the petition pursuant to the Constitution shall enable the Knight Commander to issue a letter of authorization to the petitioning group. *Amended by the 73rd Convention, 2009, the 75th Convention, 2013, and the 79th Convention, 2021.*

11-127. Convention and Alumni Conference. A conference of representatives of the Alumni Chapters shall be held at each regular Convention for the purpose of discussing the operations and activities of the Order affecting Alumni Members and may make recommendations to the Convention. *Adopted by the 63rd Convention, 1989; amended by the 67th Convention, 1997, the 79th Convention, 2021, and the 80th Convention, 2023.*

11-128. [Repealed]. *Adopted by the 63rd Convention, 1989; amended by 67th Convention, 1997, and the 72nd Convention, 2007; and, repealed by the 79th Convention, 2021.*

11-129. [Repealed]. *Adopted by the 73rd Convention, 2009; and, repealed by the 79th Convention, 2021.*

ARTICLE 11-2 COURTS OF HONOR

Part 1. Establishment.

11-211. Creation. The Commander of each province may petition the Executive Council to establish a Court of Honor in their respective province. Any Court heretofore existing in any province may continue to exist, but it may not use the designation “Court of Honor” of such province of Kappa Alpha Order, or words of similar import, unless it conforms to the provisions of this Article. *Adopted by 67th Convention, 1997; amended by the 79th Convention, 2021.*

11-212. Purpose. The purpose of the Court of Honor is to recognize and honor alumni for their continuing interest, support and participation in the Order, in its Active Chapters, Alumni Chapters, and Commissions, and to stimulate the growth and strength of the Order, its chapters and members. *Adopted by 67th Convention, 1997; and by the 77th Convention, 2017.*

11-213. Qualification for Membership. The members of the Court of Honor shall be loyal, interested Alumni Members who for more than three years shall have been unaffiliated with an Active Chapter. The members shall have distinguished themselves by continuing service to and interest in the Order, its Active Chapters, Alumni Chapters, or Commissions, or who have brought credit to themselves and to the Order in their public or private life. *Adopted by 67th Convention, 1997, the 77th Convention, 2017, the 79th Convention, 2021, and the 80th Convention, 2023.*

Part 2. Operation and Officers.

11-221. Preceptor. The Preceptor shall be the executive officer of the Court of Honor and preside at all meetings and functions of the Court. The Province Commander shall be primarily responsible to the Knight Commander for proper and effective functioning of the Court. The Preceptor shall be appointed by the Province Commander or elected by the Court, according to Court’s bylaws or by custom and tradition. *Adopted by 67th Convention, 1997; amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

11-222. Registrar. The Registrar shall be appointed by the Preceptor and he shall keep the records of the Court of Honor and assist the Preceptor in the discharge of his duties. *Adopted by 67th Convention, 1997; amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

11-223. Election to Membership. A Court of Honor may elect new members annually. The number of new members elected in any year shall be set by the active members of the Court. *Adopted by 67th Convention, 1997.*

11-224. Nominations. Each member of the Court of Honor, and each Active Chapter, qualified Alumni Chapter, and Commission within the province shall be entitled to nominate one person for election to the Court. *Adopted by 67th Convention, 1997; amended by the 79th Convention, 2021.*

11-225. Election Process. All nominations shall be submitted to a Membership Committee of the Court for its review of each nominee's qualifications. The Membership Committee shall submit a report of its determination to the Preceptor who shall advise the active members of the Court of its action. The active members of the Court shall elect, by secret written ballot, or by confidential mail ballot, the new members of the Court. The vote required shall be prescribed by Court's bylaws or by its custom and tradition. *Adopted by 67th Convention, 1997; amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

11-226. Induction. The investiture shall be at a meeting of the Court of Honor, at a Convivium or a meeting of the Province Council, or appropriate event or location as approved by the Province Commander, in a simple, dignified induction ceremony. *Adopted by 67th Convention, 1997; amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

11-227. Insignia. The insignia shall be known as the Provincial Cross and its form shall be prescribed by the Executive Council. *Adopted by 67th Convention, 1997.*

11-228. Bylaws. A Court of Honor may adopt bylaws not to conflict with this section for its governance; provided, however, that any Court in existence on August 1, 1997, which has written bylaws that conflict with one or more provisions herein, may petition the Executive Council for permission to continue to operate under its existing bylaws, and the Executive Council may grant such permission by majority vote. Any petition filed must have attached to a complete set of the bylaws for which approval is sought. Any amendments adopted by a non-conforming Court to its bylaws after August 1, 1997, must be in conformity with the Constitution, Bylaws, and Regulations. Any bylaws adopted by a Court shall be filed with the Executive Director. *Adopted by 67th Convention, 1997; amended by 68th Convention, 1999, the 71st Convention, 2005, the 79th Convention, 2021, and the 80th Convention, 2023.*

Title 12 OFFENSES OF MEMBERS

ARTICLE 12-1 CLASSES OF OFFENSES

Part 1. Minor offenses

12-111. Definition. Minor offenses are those which are committed by a member of an Active Chapter against his chapter or its members and are informally tried before, and are subject to imposition of penalty by, the I of his chapter.

12-112. Enumeration of offenses. Minor offenses are:

- (a) Absence of a member from any regular or special meeting of his Active Chapter;
- (b) Improper conduct or language at a chapter meeting;
- (c) Failure to meet any financial obligations of the Order or to a chapter within 10 days after due;
- (d) Attempting to influence other members to miss chapter meetings or to commit any other offense;
- (e) Mutilation or destruction of or damage to any chapter property;
- (f) Commission of any act contrary to the provisions of the Constitution, Bylaws, Regulations or customs of the Order;
- (g) Conduct contrary to the best interest of the Order or of the chapter;
- (h) Neglect or abuse of authority in performing the duties of any office; and
- (i) Drunkenness, swearing, obscene language, gambling, or any other act contrary to any federal, state, municipal, college or university law, ordinance, rule or regulation applicable thereto, in, about or upon the premises occupied or used by the Active Chapter as a chapter house, meeting place or residence.

An Active Chapter may provide in its bylaws for other minor offenses not inconsistent with the Constitution, Bylaws, Regulations or customs of the Order. *Amended by the 77th Convention, 2017.*

12-113. Trials for minor offenses. A member shall not be twice tried for a single minor offense. Charges for minor offenses may be made orally or in writing before the I by any Active Member and, for failure to meet financial obligations, may be made by a Province Commander, the Executive Director or any of his assistants who are initiated members. The VII or other Active Member designated by the I shall prosecute all trials for minor offenses before the I. In the event the I is the accused member, the II shall become the trial officer. An accused member on trial shall have the right to be represented by any other Active Member of his selection. The I shall inquire into the facts of any charge and determine the guilt or innocence of the accused member and may consider any extenuating circumstances. *Amended by 72nd Convention, 2007, and the 79th Convention, 2021.*

12-114. Penalties for minor offenses. Upon conviction of any minor offense, the I may assess a fine not in excess of \$250.00 or may suspend the offending member for a period not in excess of three months, or both, and a violation of a bylaw of an Active Chapter, which is not otherwise an offense under the Constitution, Bylaws, Regulations, or customs of the Order, shall be punishable by a fine not in excess of \$50.00. *Amended by the 64th Convention, 1991, the 77th Convention, 2017, and the 80th Convention, 2023.*

12-115. Appeals from conviction of a minor offense. A member convicted of a minor offense may appeal to the chapter and the chapter may, by a three-fourths vote of its Active Members, reverse the decision of the I or reduce the penalty fixed by the I. A member convicted of a major offense but penalized for a minor offense may appeal to the Executive Council if penalized by the Knight Commander or appeal to the Active Chapter if penalized by the I within 30 days and the decision of said body will be final. *Amended by the 60th Convention, 1983, and the 79th Convention, 2021.*

Part 2. Major offenses

12-121. Definition. Major offenses are those committed by, a member which are formally tried before his Active Chapter or the Executive Council. A member may be tried by an Active Chapter for a major offense committed while he was associated with the Active Chapter within six months after his association with his Active Chapter has terminated. A charge of willful and persistent neglect to meet financial obligations to the Order or to an Active Chapter while the member was associated with the Active Chapter may be tried by that Active Chapter within two years after his association has terminated. All offenses which are not minor offenses are major offenses. *Amended by the 58th Convention, 1981, the*

12-122. Enumeration of offenses. Major offenses-include:

- (a) Willful and persistent neglect to meet financial obligations to the Order or to an Active Chapter or to comply with the lawful requirements made in accordance with the Constitution, Bylaws, Regulations, or customs of the Order;
- (b) Disparagement or defamation of the Order, a member or a chapter of the Order, or damage to Order property;
- (c) Drunkenness at a chapter meeting;
- (d) Hazing;
- (e) Pawning any badge, insignia or other jewelry bearing the name, initials or coat-of-arms of the Order;
- (f) Unnecessary or ill-advised conversation about the affairs of the Order with a person who has been suspended or expelled from the Order;
- (g) Discussing unnecessarily any affairs of the Order or of a chapter with persons not members of the Order;
- (h) Criminal or ungentlemanly conduct;
- (i) Failure of the I and VI to remit to the Executive Director an initiation fee within seven days prior to initiation or an uninitiated member fee within 30 days of its payment to the Active Chapter; and
- (j) Conduct which is vitally against the best interest of the Order, including commission of any act contrary to the provisions of the Constitution, Bylaws, Regulations, or customs of the Order. *Amended by 67th Convention, 1997; and the 77th Convention, 2017.*

12-123. Rights of the accused. A member shall not be twice tried for a single major offense. Any member accused of a major offense shall be given a trial, unless he waives such trial in writing. An immediate trial may be ordered for any offense committed in an Active Chapter meeting or in the presence of a majority of the members of the Executive Council, upon personal notice to the offending member.

12-124. Preferment of charges against accused. A member may be tried for a major offense, except in cases where an immediate trial is authorized, only upon charges preferred against him by one or more members, including, in the case of willful and persistent neglect to meet financial obligations to the Order or to an Active Chapter, those made by a Province Commander, the Executive Director or any of his assistants who are initiated members. The charges shall be preferred in writing and be signed by the member or members making the charge. *Amended by 72nd Convention, 2007, and the 79th Convention, 2021.*

12-125. Prosecution and counsel for accused. For trials before an Active Chapter, the VII or such other Active Member of the chapter as may be designated by the I shall act as prosecutor. For trials before the Executive Council any initiated member designated by the Knight Commander shall act as prosecutor. The accused member shall always be entitled to be represented at any trial by an initiated member of his selection. *Amended by the 79th Convention, 2021.*

12-126. Submission to trial body and presiding member. The charge shall be referred to the trial body which shall set a date, time and place for the trial. Notice clearly stating the charges and the date, time and place of trial shall be served upon the accused in person or by certified mail to his last known address, with return receipt requested, at least 10 days prior to the trial. The II shall preside if the I is the accused before his Active Chapter. The Senior Councilor shall preside if the Knight Commander is the accused before the Executive Council.

12-127. Order of trial. Evidence at the trial may be either oral testimony, affidavits or depositions, and the procedure for the trial shall be:

- (a) Submission of evidence by the prosecutor;
- (b) Submission of evidence by the accused;
- (c) Submission of rebuttal evidence by the prosecutor (any new facts to be excluded);
- (d) Argument for the prosecution;
- (e) Argument for the accused; and
- (f) Rebuttal argument for the prosecution.

The members of the trial body, exclusive of the member on trial, shall, upon the conclusion of the evidence and arguments, proceed to deliberate and determine, in secret ballot by majority vote, the guilt or innocence of the accused; however, should the accused member 1) admit the charges either orally in the presence of the trial body or in writing, 2)

or decline to contest them, or 3) waive his right to trial in writing, such admission or failure to contest the charges shall operate as an adjudication that the accused member is guilty of the charges, whereupon the only question for determination by the trial body shall be the question of the penalty to be imposed. A majority vote that the accused member is guilty which does not specify the penalty to be imposed shall require a second secret ballot to determine the penalty. An accurate and complete record of the trial shall be kept. No expulsion shall be effective until the record is filed with the Executive Director. *Amended by 56th Convention, 1975, the 67th Convention, 1997, the 73rd Convention, 2009, and the 79th Convention, 2021.*

12-128. Penalties for Major Offenses. A member found guilty of a major offense may be expelled upon a vote as provided in the Constitution. A member found guilty of a major offense may be suspended for a period not less than three months by majority vote of the trial body by secret ballot. If the member is not expelled or suspended, his penalty may be fixed by the Knight Commander or the I as for a minor offense except for the offense of hazing. As to hazing, if the above set forth required votes of the trial body cannot be obtained a penalty of suspension for at least three months shall be fixed by the Knight Commander or the I. *Amended by the 57th Convention, 1977, the 60th Convention, 1983, the 66th Convention, 1995, the 68th Convention, 1999, and the 79th Convention, 2021.*

12-129. Appeal of Suspension After Conviction of Major Offense. A member suspended for more than three months may appeal within 30 days after the date of the suspension to the Executive Director. The Executive Director shall refer the appeal to a Former Knight Commander for review and his decision shall be final. *Amended by 60th Convention, 1983.*

ARTICLE 12-2 APPEAL IN THE CASE OF EXPULSION

Part 1. Review by independent board

12-211. Origin of an appeal. An individual who has been expelled from membership in the Order may appeal that action to the Knight Commander as provided in the Constitution. Written notice of the expulsion shall be sent by certified mail to the individual's last known address with return receipt requested, whether or not accepted. The notice shall include a copy of this section. The expulsion shall be deemed completed 10 days after mailing the notice. Upon receipt of an appeal, the Executive Director shall notify the Knight Commander who shall designate three consenting Former Knight Commanders to sit as a Board of Review, one of which he shall designate as the Chairman. *Amended by the 61st Convention, 1985, the 68th Convention, 2001, and the 79th Convention, 2021.*

12-212. Consideration and action by the Board. The Knight Commander shall, promptly after designation of the Chairman of the Board, direct the trial body by which the member was expelled to file the record of the trial forthwith with the Chairman. The Chairman shall thereupon make all necessary arrangements for consideration of the appeal by the full Board. The Board shall reach its decision on the appeal, in the exercise of its independent judgment, within 30 days after receipt of the trial records. The Board may either (a) approve the expulsion or (b) direct a new trial or reverse, for errors in procedure in the trial that create a substantial injustice. *Amended by 61st Convention, 1985.*

12-213. Action upon decision of the Board. The Board shall promptly communicate its decision to the Executive Director and the trial record shall thereupon be forwarded to him. The Executive Director shall notify the individual who filed the appeal of the Board's decision, shall so endorse the trial record and return it to the trial body with instructions to be governed thereby and to conduct a new trial if that be the decision of the Board of Review.

ARTICLE 12-3 STATUS UPON EXPULSION OR SUSPENSION

Part 1. Status upon expulsion or suspension

12-311. Expulsion. An expelled individual shall have no identification with the Order, to include electronic references, and shall not be entitled to any of its privileges unless he be reinstated. He shall deliver to the Executive Director his official badge, membership certificate, directory and other possessions pertaining to the Order. Any jeweled badge or other jewelry bearing the Order's name, initials or coat-of-arms owned by an expelled individual shall be sold to the Order for the value thereof as determined by the Executive Director. *Amended by the 73rd Convention, 2009.*

12-312. Suspension. A member who is suspended shall be carried on the rolls of the chapter of which he may be a member during such suspension and shall pay all financial obligations which, as a member, would be charged against him during the period, except that no assessments made by a chapter for purposes of social functions shall be charged against him. A suspended member shall have none of the privileges of membership in a chapter during the period of his suspension. He shall not be considered as a voting member of a chapter upon any question upon which any vote may be taken. He shall not attend any meetings or social functions of any unit or organization of the Order except upon express invitation of such unit. A suspended member who fails to meet financial obligations during the period of his suspension shall be deemed to have committed a major offense. *Amended by the 79th Convention, 2021.*

12-313. Reinstatement of suspended member. A member suspended for a period of three months or less may be reinstated at any time during the period of the suspension by the I or the Knight Commander ordering the suspension or his successor in office. A member suspended for a period of three months or longer may be reinstated upon a three-fourths vote of the trial body which ordered his suspension.

12-314. Reinstatement of expelled individual. [Repealed]. *Repealed by the 79th Convention, 2021.*

ARTICLE 12-4 RISK MANAGEMENT

Part 1. In general

12-411. Risk management policy. Every member and all employees of the Order are expected to comply with the risk management policies and procedures adopted by the Executive Council from time to time. *Adopted by 67th Convention, 1997; amended by the 74th Convention, 2011, and the 79th Convention, 2021.*

Title 13
FINANCES OF THE ORDER

ARTICLE 13-1 DUES, INITIATION FEES AND ASSESSMENTS

Part 1. Active Chapter dues and fees

13-111. Induction fees. Each new member shall pay the induction fee in the amount prescribed by the Executive Council. *Adopted by the 80th Convention, 2023.*

13-112. Initiation fees. Each new member shall pay the initiation fee in the amount prescribed by the Executive Council. *Amended by the 79th Convention, 2021; renumbered by the 80th Convention, 2023.*

13-113. Membership dues. Active Members shall pay dues in the amount and at such time as prescribed by the Executive Council. *Amended by the 79th Convention, 2021; renumbered by the 80th Convention, 2023.*

13-113. Fines or assessments. Active Chapters shall promptly pay any fines or assessments imposed upon them or their members. *Amended by the 74th Convention, 2011.*

Part 2. Alumni dues and assessments

13-121. Membership dues. Alumni Chapters shall pay annual dues in the amount and at such time as prescribed by the Executive Council. *Amended by the 79th Convention, 2021.*

13-122. Contributions and other payments. The Executive Director is authorized to solicit and collect from Alumni Members contributions and other payments as may be requested by the Executive Council. *Amended by the 68th Convention, 2001, and the 79th Convention, 2021.*

ARTICLE 13-2 FISCAL YEAR AND ANNUAL AUDIT

Part 1. Determination of fiscal year and annual audit

13-211. Fiscal year. The fiscal year of the Order shall be fixed by the Executive Council and may be changed by it as deemed necessary or appropriate in the operation of the Order.

13-212. Audit. An annual audit of the books of accounts and other financial records of the Order shall be made by a certified public accountant approved by the Executive Council, as soon as practicable after the close of each fiscal year, and complete financial statements for that year shall be reported annually by the Executive Director. *Amended by the 79th Convention, 2021, and the 80th Convention, 2023.*

ARTICLE 13-3 APPROPRIATIONS

Part 1. General

13-311. Source. Appropriations made by the Convention or by the Executive Council shall be paid out of the funds of the Order. The annual budget approved by the Executive Council shall constitute an appropriation of the funds allocated therein. *Amended by the 68th Convention, 2001.*

13-312. Annual budget. [Repealed]. *Amended by the 68th Convention, 2001; and repealed by the 79th Convention, 2021.*

ARTICLE 13-4 CONFLICT OF INTEREST.

Part 1. General

13-411. Avoidance of Financial Conflicts of Interest. Every General Officer, Province Commander or employee of the Order shall refrain from being a party to any financial transaction that results in a conflict of interest occurring

regarding the officer's duties and responsibilities or gives the outward appearance of such; provided however, the Executive Council, upon request and after appropriate review, may approve a General Officer, Province Commander or employee of the Order being a party to such a transaction. Such waiver must be specific and be in writing. The Executive Council may adopt a Conflicts of Interest policy to comply with the general standards and regulations of non-profit organizations. *Adopted by 67th Convention, 1997. Amended by 72nd Convention, 2007.*

Title 14

APPEAL FROM AN INTERPRETATION OF LAWS OF THE ORDER

ARTICLE 14-1 PROCEDURE IN AN APPEAL

Part 1. Origin of an appeal

14-111. Filing and nature of appeal document. An appeal from an interpretation of the Constitution, Bylaws, or Regulations, taken under provisions of the Constitution, shall be filed with the Executive Director. The appeal document, which may be informal and in the form of a letter addressed to the Chairman of the Appellate Council, shall be filed in triplicate within 10 days after the date of the mailing by the Executive Director of the interpretation decision in connection with which an appeal is filed. Failure to file the appeal document within the specified time will defeat the appeal and preclude further challenge to the particular interpretation. *Amended by 79th Convention, 2021.*

14-112. Original processing of the appeal document. The Executive Director shall indicate the date of receipt on the original and each copy of the appeal document and forthwith ascertain whether the Knight Commander last holding that office consents to serve as Chairman of the Appellate Council. In the event that he does not so consent, the Executive Director shall promptly contact other available Former Knight Commanders, or others, if necessary, as provided for in the Constitution, until consent to serve as Chairman is obtained. The Executive Director shall thereupon transmit the original of the appeal document, by certified mail, return receipt requested, to the Chairman of the Appellate Council and a copy thereof, by similar mailing, to the Knight Commander or other officer of the Order who made the interpretation, review of which is sought. The triplicate copy shall be retained by the Executive Director in his office.

Part 2. Response in an appeal

14-121. Reply to appeal document. The Knight Commander or other officer whose interpretation is sought to be reviewed shall, within 21 days after the date on which the appeal document, according to the date indicated thereon, was received by the Executive Director, file with that officer, in triplicate, a reply to the appeal document in his own behalf or through another member as counsel selected by him to represent him in the proceedings. The reply may contain any statements or comments or supporting documents considered by the filing officer to be pertinent or material in response to the appeal. *Amended by the 79th Convention, 2021.*

14-122. Processing of response. The Executive Director shall indicate the date of receipt upon the reply filed, and each copy thereof, and serve the original on the Chairman of the Appellate Council and a copy upon the member, officer or body filing the appeal document.

ARTICLE 14-2 CONSIDERATION OF AN APPEAL

Part 1. Proceedings before Appellate Council

14-211. Preliminary consideration. The Appellate Council shall, upon receipt of the reply to an appeal document, consult as to the merits of the appeal and act thereon forthwith or determine, as it may independently decide, whether or not further proceedings before it may be appropriate, meritorious or important in acting upon the appeal.

14-212. Nature of further proceedings. A determination of further proceedings by the Appellate Council may include, as it may decide, intervention by other parties, motions, briefs and hearings as might be deemed by it to be important in decision of the matter, provided that it shall decide the appeal within not more than 90 days after the date on which it was filed. The filing of documents subsequent to the reply shall be made, in triplicate, through the Executive Director and he shall serve additional documents filed upon all then appropriate parties to the proceeding, retaining a copy for the files of his office.

14-213. Decision of the Appellate Council. The Appellate Council shall act upon the appeal, after or without proceedings before it, in accordance with the provisions of the Constitution and its decision shall be filed with the Executive Director. The Executive Director shall forthwith serve a copy of the decision upon all parties to the appeal

and shall publish the decision in the manner the Executive Council may decide. *Amended by the 79th Convention, 2021.*

Title 15

AMENDMENT OF KAPPA ALPHA LAWS

ARTICLE 15-1 CONSTITUTIONAL AMENDMENTS

Part 1. Procedures for presentation to the Convention

15-111. Advance proposals. Proposals for amendment of or to the Constitution filed with and distributed by the Executive Director in accordance with the provisions of the Constitution shall be read by the Executive Director into the record of the Convention only by reference to sections proposed to be amended or added and in full only upon majority vote of the Convention.

15-112. [Repealed]. *Repealed by the 80th Convention, 2023.*

15-113. Action upon proposed amendments. Each proposed amendment shall be reported by the Legislative Committee back to the Convention with a report for its consideration and the report shall be made a part of the Convention minutes. Majority and minority reports of the Legislative Committee may be made to the Convention, as the Committee may decide, for Convention consideration in action upon proposed amendments.

15-114. [Repealed]. *Repealed by the 79th Convention, 2021.*

ARTICLE 15-2 AMENDMENTS TO THE BYLAWS

Part 1. Procedure and action

15-211. Amendment by the Convention. The Bylaws may be amended

- (a) By majority vote of the Convention if the proposed amendment was submitted at least 24 hours in advance of the date and time of the vote thereon, or
- (b) By a two-thirds vote of the Convention on a proposal presented less than 24 hours prior to the Convention vote thereon. *Amended by the 79th Convention, 2021.*

15-212. Other authority for amendment of Bylaws. The Bylaws may also be amended by unanimous vote of the Advisory Council and subsequent ratification within six months by three-fourths of the Active Chapters.

EXECUTIVE COUNCIL REGULATIONS
Adopted October 6, 2023, effective December 24, 2023, superseding all previous editions.

Regulation 1: Constitution

R1-242. RULES AND REGULATIONS

- (a) **Adoption.** Rules and Regulations relating to the operations of the Order as provided by in the Constitution, Section 242, shall be adopted by majority vote of the Executive Council and shall not conflict with any specific provision of the Constitution or Bylaws. (Reference: 1-242, 5-121)
- (b) **Promulgation.** Rules and Regulations adopted by the Executive Council, and any changes, revisions, additions or revocations shall be promulgated by the Executive Director as provided by in the Bylaws, Article 5, Section 121. (Reference: 1-242, 5-121)
- (c) **Effective Date.** The Executive Director shall specify the effective date of every promulgation made pursuant to the provisions of paragraph (b) of this Regulation. (Reference: 1-242, 5-121)

R1-324. CRITERIA FOR REINSTATEMENT OF CHARTER OF ACTIVE CHAPTER PREVIOUSLY SUSPENDED

No less than 48 hours prior to the opening meeting of a Convention or a Province Council, an Active Chapter with a financial delinquency may request that the Knight Commander review an existing deferred payment plan as defined in the Constitution, Section 324, for substantial compliance. If the Active Chapter has substantially complied with such deferred payment plan, then the Active Chapter may be returned to good standing. No plans, payments, or reconsiderations will be accepted after 48 hours prior to the opening meeting of a Convention or a Province Council.

R1-327. COMMISSIONS

- (a) **Existing Commissions.** The Beta Commission which has been established and is recognized by the Order shall be governed by the Regulations for Commissions. (Reference: 1-327, 1-415; see also 11-126)
- (b) **Commission Constituency.** In addition to the Knight Commander, who shall be an ex-officio member, each Commission shall consist of five Alumni Members in good standing, who shall be appointed by the Knight Commander within 90 days after a Convention and shall serve for a biennium or until their successors are appointed. The Knight Commander shall select a Chairman of the Commission. Any vacancy occurring within a Commission shall be filled by appointment of an Alumnus Member in good standing for the unexpired term by the Knight Commander. (Reference: 1-327, 1-415; see also 11-126)
- (c) **Bylaws.** Each Commission may adopt a set of governing bylaws, not inconsistent with the Constitution, Bylaws, or these Regulations.

R1-413. ELECTION AND INITIATION OF AN INDIVIDUAL WITH A MERITORIOUS RELATIONSHIP WITH THE ORDER

- (a) **Initiation.** All persons elected to membership as provided for in this Regulation shall be initiated in the same manner and subject to the same provisions and conditions established for the initiation of other members. (Reference: 1-413; see also 1-327, 11-126).
- (b) **Special Election of Former Uninitiated Members.** Any person not barred from membership by reason of the limitations enumerated in the Constitution, Section 412, who is not a student in a college or university where is located an Active Chapter or where a Commission has been created and who was formerly an uninitiated member of any Active Chapter, may be initiated by an Active Chapter provided that: (i) he is elected by the unanimous vote of the initiating chapter and (ii) consent to the initiation be granted by the unanimous vote of the Active Chapter to which he was formerly an uninitiated member, if in good standing, and if not by the Province Commander for that chapter, and (iii) at the time such uninitiated member left college, he

had been eligible for initiation under local college or university rules or he has since received a college degree and (iv) he has performed meritorious service to the initiating Active Chapter or the Order and (v) the initiation be approved by the Executive Director. (Reference: 1-412, 1-413)

- (c) **Special Initiates.** Other individuals who are not otherwise ineligible for membership and who enjoy a special and/or meritorious relationship with the Order, may be elected to membership by the unanimous approval of the Executive Council on a written petition from an Active Chapter or a Commission. This action may be posthumous. In the event that the petition is made by an Active Chapter, it shall include an explanation of that individual's relationship to the Order, the favorable recommendations of the Alumnus Advisor of the electing chapter, the Commander of the Province where the chapter is located, and at least one other Alumnus Member in good standing who is personally acquainted with the individual proposed for initiation. In the event that the petition is made by a Commission, it shall include an explanation of that individual's relationship to the Order, the favorable recommendation of the Chairman of the Commission, the Commander of the Province where the Commission is located, and at least one other Alumnus Member in good standing who is personally acquainted with the individual proposed for initiation. Such petition shall be submitted to the Executive Director for distribution to the Executive Council for consideration and action. Upon initiation, the person elected to membership in this manner becomes an Alumnus Member in good standing. In a posthumous situation, the person shall be declared and listed as an alumnus thereafter.
- (d) **Initiates of Provisional Chapter.** A member awaiting initiation of a provisional chapter may be elected to membership by the unanimous approval of the Executive Council, provided that such member has met the individual requirements for initiation as provided in the Constitution, Bylaws, and Regulations.
- (e) **Fees.** Those members elected as provided for in this Regulation shall pay the same fees required of other members elected by the particular Active Chapter or Commission. (Reference: 1-415; see also 1-327, 11-126, R13-111)

RI-521. PUBLICATIONS OF THE ORDER

- (a) **General.** Official publications of the Order shall be distributed to each member of the Advisory Council, all Active Chapters, Alumni Chapters, Commissions, and Former Knight Commanders. A copy of all general communications affecting the operation of the Active Chapters and notice of any change in the status of any Active Chapter shall be sent to the Advisory Council, to each Active Chapter, Alumni Chapter, and Commission, and Former Knight Commanders. (Reference: 1-521, 6-113, R1-521)
- (b) **The *Kappa Alpha Laws*.** The *Kappa Alpha Laws*, which includes the Constitution, Bylaws, these Regulations, the Appendix, enactments and directions of the Convention as appropriate or required, shall be published and distributed from time to time by the Executive Director, as directed by the Executive Council. (Reference: 1-521, R1-242)
- (c) **Editor of the *Kappa Alpha Laws*.** The Executive Director, or such initiated member as may be designated by the Executive Council, shall be Editor of the *Kappa Alpha Laws*, and the editing shall be performed under the supervision of the Knight Commander. (Reference: 1-521)
- (d) **The *Kappa Alpha Journal*.** The *Kappa Alpha Journal* shall be prepared by its editor, who shall be selected by the Executive Director, and shall be published by the Executive Director at such intervals as the Executive Council shall direct. It shall contain news of interest to the members and chapters of the Order and articles of literary merit. (Reference: 1-521)
- (e) **The Special Messenger.** The Special Messenger shall be the personal publication of the Knight Commander and shall be published as needed. (Reference: 1-521)
- (f) **Other Publications**

- (1) The Executive Council, in its discretion, may direct and authorize the publication of such manuals, handbooks and other similar guidebooks as may be of aid to the Active Chapters and their officers in the performance of their duties and functions.
- (2) The Executive Council may, from time to time, authorize and direct the publication of an Alumni Directory which shall be sold or otherwise distributed as the Executive Council shall determine. Any directory published shall, unless the Executive Council otherwise directs, contain historical data of the Order as it deems appropriate.
- (3) The Executive Director shall after each Convention publish verbatim minutes permanently held for the Order's Archives and make them available upon request for each of the General Officers, Former Knight Commanders, Province Commanders, delegates and alternate delegates in attendance at the Convention. (Reference: 1-521)

Regulation 2: The Convention

R2-212 REGISTRATION FEE

Each delegate and alternate delegate to the Convention shall pay a registration fee set by the Executive Council.

R2-213 ALUMNI CHAPTER OR COMMISSION VOTING CREDENTIALS FOR CONVENTION

Alumni Chapter or Commission Convention voting credentials shall be deemed filed if transmitted to the Executive Director at least 10 days prior to the date of the opening meeting of the Convention.

R2-232 ELECTION OF COUNCILORS IN CONVENTION

Each Active Chapter, Alumni Chapter, or Commission delegate qualified to vote in the Convention and each Province Commander, the National Undergraduate Chairman and each Former Knight Commander present in the Convention may cast votes for the election of Councilors. The candidate receiving the most votes constituting the required majority for election shall be elected according to the number of Councilors to be elected. An Active Chapter, Alumni Chapter, or Commission delegate, a Province Commander, the National Undergraduate Chairman, or a Former Knight Commander may vote for no more than six Councilors on a single ballot, but must cast a vote for each available vacancy. Any ballot that does not have a vote cast for each vacancy will be disqualified.

Regulation 3: The Knight Commander

R3-111. Former Knight Commanders. The Knight Commander may invite Former Knight Commanders to attend and participate in the Advisory Council meetings and may also utilize the Former Knight Commanders in an advisory capacity.

Regulation 4: [Reserved]

Regulation 5: [Reserved]

Regulation 6: Executive Director and Other Officers

R6-214. PROHIBITION AGAINST CHAPTER EMPLOYEES.

An Active Chapter shall not have employees. Any employees intended to support the operations of an Active Chapter or chapter house shall be employed by a properly organized chapter house corporation. An Active Chapter may engage an independent contractor for various services, but may not pay that contractor a regular salary, provide or participate in benefits for the contractor, or direct the execution of work assignments tasked to the contractor.

Regulation 7: Province Officers and Province Councils

R7-111. PROVINCE COMMANDER DUTIES AND RESPONSIBILITIES.

A Province Commander serves as the personal representative of the Knight Commander in his province. His duties and responsibilities include, but are not limited to, the following:

- (a) Appoint a minimum of a three-man alumni advisory committee for each Active Chapter in his province and inform the National Administrative Office of the appointments and any changes;
- (b) Establish or maintain an active Court of Honor for the recognition, promotion, recruitment and retention of alumni volunteers in the province;
- (c) Conduct an annual Province Council for all the Active Chapters and Alumni Chapters in the province;
- (d) Serve as a member of the Advisory Council, participating in meetings, discussion, and votes when appropriate;
- (d) Assist the Knight Commander, the Executive Director, Executive Council, and National Administrative Office in advancing the mission of the Order and perform duties that strengthen the overall operation of Active Chapters and Alumni Chapters;
- (e) Work to identify and establish relationships with the various alumni and alumni constituencies in the province to assist in establishing alumni chapters and for the purpose of identifying future alumni volunteers on a local, regional, and national basis; and
- (f) Support the Kappa Alpha Order Educational Foundation with monetary contributions annually in an amount determined by the Knight Commander.

Regulation 8: Membership

R8-121. PRE-INITIATION PERIOD AND INITIATION.

- (a) **General Rule.** The pre-initiation education period for members awaiting initiation shall be no more than eight consecutive weeks during the semester or quarter and shall commence upon the acceptance of the invitation to membership as provided in the Bylaws, Article 8, Section 116. An induction ceremony must be held for any candidate accepting an invitation to membership within seven days of the extension of the invitation.
- (b) **Exceptions requiring approval.** An exception to the requirement of this Regulation may be granted by the Executive Director upon timely written petition from an Active Chapter, supported by the Province Commander, for one of the following reasons:
 - (1) Conflicting requirements of the College or University;
 - (2) Compliance with the pre-initiation education period will conflict with the College or University's examination schedule;
 - (3) Emergencies or circumstances arising over which the Active Chapter had no control and could not reasonably anticipate; or,
 - (4) Scheduled or rescheduled initiations made for the convenience of an initiate who would have otherwise been initiated within the prescribed period.
- (c) **Exceptions not requiring approval.** When an invitation to membership is extended outside of a regular term or semester, or near the end of a regular term or semester, an induction ceremony satisfying the requirement in the Bylaws, Article 8, Section 116, must be held within the 10 days of the beginning of the classes for the immediate next regular term or semester.

- (d) **Limit of exception.** The exception to the requirement of this Regulation shall be limited to the specific pre-initiation period for which the exception requiring approval or the exception not requiring approval applies.

R8-129. MEMBERS-AWAITING INITIATION UNDER THE AGE OF SEVENTEEN.

Any Active Chapter that inducts a member awaiting initiation under the age of seventeen shall be required to do the following within ten days after the induction: (a) notify the Province Commander, Alumnus Advisor, and the National Administrative Office that the Active Chapter of their induction; and (b) contact the parent, or legal guardian, of the member awaiting initiation and provide a list of the Active Chapter officers and contact information, a copy of *The Varlet*, and related new member materials,, and the Active Chapter's New Members Education Program.

R8-133. DEFERRAL OF INITIATION.

The initiation of any member may not be deferred due solely to his academic performance.

R8-133. AUTOMATIC TERMINATION OF MEMBERSHIP.

Upon the suspension or withdrawal and revocation of the charter of an Active Chapter, the membership of all members awaiting initiation shall be terminated.

Regulation 9: Active Chapters

R9-113. INELIGIBILITY FOR CHAPTER OFFICE.

A member is ineligible for the office of I if he has prior knowledge that he will be unavailable to complete the entire term to which he was elected.

R9-211. CHAPTER BYLAWS.

Active Chapter bylaws shall include the following provisions, which provisions may not be altered, amended or repealed without the prior written consent from the Executive Council:

"Hierarchical Governance. This Chapter exists for the sole purpose of operating under the Charter granted to the Chapter by Kappa Alpha Order ("Order"). This Chapter and its members further expressly agree to be bound by the Charter, and the Order's Constitution, Bylaws, Regulations, policies, Oaths and Obligations. To the extent any provision of these Chapter bylaws is determined to conflict with any provision of the Charter, and the Order's Constitution, Bylaws, Regulations, policies, Oaths and Obligations, that provision of the Chapter bylaws is hereby automatically repealed."

"Trust. All assets and property of the Chapter are held exclusively and irrevocably in trust for benefit of the chapter."

"Dissolution. In the event of the termination, dissolution or winding up of the affairs of the Chapter in any manner or for any reason, the Chapter shall, after paying or making provision for payment of all liabilities of the Chapter, distribute all of the remaining assets and property of the Chapter to the Order to be held for the benefit of the chapter upon its return to good standing."

"Amendments. Neither the name nor the purpose of the Chapter, nor any of the provisions herein captioned Hierarchical Governance, Trust or Dissolution, may be altered, amended or repealed without the prior written consent from the Executive Council of the Order."

R9-223. CHAPTER DEPOSITORIES AND DISBURSEMENTS.

All monies collected by an Active Chapter, including those held in trust as funds of the Order to pay national dues and fees, may not be disbursed via check card, debit card, credit card or any other method not consistent with the Bylaws, Article 9, Section 223.

R9-241 CHAPTER HOUSING CORPORATION GOVERNANCE.

Each chapter housing corporation shall prescribe for its own government articles of incorporation and bylaws that shall not conflict with the Constitution, Bylaws, these Regulations, or policies. Such articles of incorporation and

bylaws shall include the following provisions, which may not be altered, amended or repealed without the prior written consent from the Executive Council of the Order:

"Hierarchical Governance. This corporation exists for the sole purpose of providing housing for the associated chapter of the Order. This corporation and its officers further expressly agree to be bound by the Order's Constitution, Bylaws, Regulations, policies, Oaths and Obligations. To the extent any provision of these articles of incorporation is determined to conflict with any provision of the Order's Constitution, Bylaws, Regulations, policies, Oaths and Obligations, that provision is hereby automatically repealed."

"Trust. All assets of the corporation, including, without limitation, the chapter house, shall be utilized exclusively and irrevocably in trust for providing housing to the associated chapter of the Order."

"Dissolution. In the event of the termination, dissolution or winding up of the affairs of the corporation in any manner or for any reason, the corporation shall, after paying or making provision for payment of all its liabilities, distribute all of the remaining assets and property of the corporation to the Order to be held for the benefit of the chapter upon its return to good standing."

"Amendments. Neither the name nor the purpose of the corporation, nor any of the provisions herein captioned Hierarchical Governance, Trust or Dissolution, may be altered, amended or repealed without the prior written consent from the Executive Council of the Order."

No chapter housing corporation shall sell, assign, dispose of or otherwise transfer substantially all of its assets without prior written approval by the Executive Council. Upon receipt of proceeds from any sale of real property by a chapter house corporation, and if the usually benefiting chapter is not in good standing, those proceeds after payment of all debts owed by the chapter house corporation shall be held in trust by the Order at the direction of the Executive Council for the use and benefit of that Active Chapter, if it returns to good standing.

R9-252. ACTIONS BY CAMPUS ADMINISTRATION, INTERFRATERNITY COUNCIL, OR SIMILAR BODY.

No member awaiting initiation, Active Member, or Alumnus Member shall propose, vote for, or otherwise support any action taken by a campus administrator, Interfraternity council, or similar fraternities/sororities organization that:

- (a) Imposes a system-wide or blanket suspension of any organizational activities, or,
- (b) Defers or delays recruitment and joining of new members for fraternities.

In the case that such a matter is being considered, the I of the chapter on the campus in question must immediately contact the Executive Director or the Province Commander for direction and support.

R9-261. PROHIBITION AGAINST HAZING.

- (a) Hazing as that term is used in the Kappa Alpha Laws shall be further defined as any act or omission by any member of the Kappa Alpha Order directed against any other member which with or without intent:
 - (1) Is likely, with reasonable possibility, to cause bodily harm or danger, offensive physical punishment or disturbing pain;
 - (2) Is likely to compromise the dignity of a member, cause embarrassment or shame to a member to be the object of malicious amusement or ridicule, or cause any psychological harm or substantial emotional strain; or
 - (3) Will, unreasonably or unusually impair a member's academic efforts.
- (b) This definition of "hazing" includes any requirement by a member which compels a member to participate in any activity which is illegal, which is known by the compelling person to be contrary to a member's moral or religious beliefs or which is contrary to the rules or regulations of the member's institution of learning
- (c) Consistent with the above definition, the following specific examples of "hazing" are prohibited, but not limited to, the following:

- (1) Transporting a member against his will;
 - (2) Marking or branding of a member;
 - (3) Preventing a member from attending class;
 - (4) Forcing a member to eat or drink against his will, and requiring or encouraging a member to participate in any activity which is involved with consumption of prescribed quantities of alcoholic beverages;
 - (5) Requiring a member to perform personal service or acts of servitude to include serving as a designated driver as part of a chapter organized designated driver program.
 - (6) Conducting any and all forms of lineups;
 - (7) Paddling and/or striking in any manner;
 - (8) Preventing a member from practicing personal hygiene;
 - (9) Causing a member to be indecently exposed; or
 - (10) Requiring a member to dress in a manner causing ridicule or humiliation.
 - (11) Pledge books or signature books, including any compilation of names and/or of personal data related to active members, or members awaiting initiation, that is required of a member awaiting initiation as a component of his pre-initiation education.
- (d) Furthermore, participation in or condonation by an Active Chapter as a unit, a member of an Active Chapter, or any other member of the Kappa Alpha Order involving any member of the Order in any activity which does not have an independent immediate, positive purpose shall constitute an act of hazing.
- (e) Members as herein mentioned shall include all initiated and uninitiated members of the Order.

R9-262. PROCEDURE FOR HANDLING INCIDENTS OF HAZING.

- (a) The Executive Director shall investigate alleged incidents of hazing. Where appropriate, the Executive Director shall advise the Province Commander and may direct a member of the Staff to go to the chapter and meet with the chapter officers, the person or persons allegedly hazed, the entire chapter, and the appropriate school official.
- (b) Such advisory action shall be directed to the Knight Commander, Province Commander, or the Executive Director, as is appropriate, to take any of the possible courses of action against the Active Chapter as each is directed to take under the provisions of 1-234 and 9-262 of the *Kappa Alpha Laws*.
- (c) The Knight Commander, Province Commander or Executive Director may suspend the chapter for a period of time necessary to compile the above information and allow the Executive Council to take its advisory action.

R9-264. PROHIBITION AGAINST FILMING CHAPTER ACTIVITIES OR EVENTS.

- (a) No chapter shall permit the filming or recording of any chapter ceremony, activity, event, premises, or property without written permission of the Knight Commander or Executive Director. A chapter may film or record, for personal or promotional uses only, a non-esoteric activity or event without such prior permission. Under no circumstances may any filming or recording be done for commercial purposes, exploitation, or media distribution.
- (b) No member shall record audio or video of any proceedings during a chapter meeting, to include the use of mobile phones.

R9-271. SCHOLARSHIP STANDARDS.

- (a) If an individual to be elected to membership is classified as a freshman and has not earned any university grades, he must have achieved an overall high school grade point average of a 2.80 on a 4.0 scale, or its equivalent, to join. If an individual to be elected to membership has earned any prior university/college academic credits, he must have achieved an overall grade point average of a 2.80 on a 4.0 scale or its equivalent to join.

- (b) No Active Member or member awaiting initiation shall be eligible to attend or participate in any social function sponsored by an Active Chapter or Alumni Chapter if he has failed to maintain a grade point average of 2.80 on a 4.0 scale, or its equivalent, for the immediate preceding regular academic term.
- (c) A member is ineligible to serve in any office of an Active Chapter if he has failed to maintain a grade point average of 2.80 on a 4.0 scale, or its equivalent, for the immediate preceding regular academic term.
- (d) An Active Chapter that fails to achieve a 3.0 grade point average on a 4.0 scale, or its equivalent, for the immediate preceding regular college, shall submit a written scholastic plan to the Province Commander and Executive Director to address its academic deficiencies. An Active Chapter that fails to achieve a 2.80 grade point average on a 4.0 scale, or its equivalent, for the immediate preceding regular academic term, shall be placed on social probation by the Executive Director with no social functions allowed for the ensuing term.
- (e) An Active Chapter that fails to submit its academic report(s) by the deadlines of February 15 or June 15, shall be placed on social probation by the Executive Director with no social functions allowed until such time the required reports are submitted.
- (f) In case of extraordinary circumstances the Knight Commander may grant an exception to any one of these standards. Any such request for an exception shall be made in writing to the Executive Director.

Regulation 10: Establishment of Active Chapters

R10-218. CHARTER FEES.

- (a) **Active Chapters.** The following charter fees shall be paid by Active Chapters:
 - (1) Each newly installed Active Chapter shall pay to the Order the sum of \$1,000.00 for installation expenses and, if needed, a sufficient amount to purchase regalia and paraphernalia.
 - (2) A replacement charter for an Active Chapter shall be provided at cost.
- (b) **Alumni Chapters.** The following charter fees shall be paid by Alumni Chapters:
 - (1) The original charter for an Alumni Chapter shall cost:
 - a) \$500.00; or
 - b) The Alumni Chapter charter fee shall be waived if a minimum of ten (10) alumni members listed on the Alumni Chapter's petition are active members of the Crimson & Gold Society as defined on October 27, 2017. The charter shall be withdrawn if the particular Alumni Chapter does not maintain that performance.
 - (2) Each duplicate charter for an Alumni Chapter shall cost \$25.00.

Regulation 11: Alumni Chapters

R11-121. REQUIREMENTS OF ALUMNI CHAPTERS.

- (a) Alumni Members seeking to establish an Alumni Chapter shall fully comply with the provisions of the application form for the establishment of an Alumni Chapter as specified by the Executive Council. The Province Commander for which the proposed Alumni Chapter shall be located or assigned by the Knight Commander shall be notified by the Executive Director of the receipt of an application for a charter for the Alumni Chapter.
- (b) The name of an Alumni Chapter established as provided for in the Bylaws, Article 11, shall not include the name of a dormant or Active Chapter, the full name of any college or university, and further must be approved by the Executive Council.

- (c) Any Alumni Chapter whose charter included in its name that of a dormant or Active Chapter, or the full name of any college or university, and has been inactive for the period of one year or more, must petition for reactivation with a new name.
- (d) Biennial Dues of an Alumni Chapter shall be:
 - (1) \$300; or
 - (2) The biennial dues for an Alumni Chapter shall be waived if a minimum of ten (10) alumni members listed on the Alumni Chapter's Annual Report are active members of the Crimson & Gold Society as defined on October 27, 2017. The charter shall be withdrawn if the particular Alumni Chapter does not maintain that participation.

Regulation 12: Offenses of Members

R12-121. TRIAL BODIES FOR MAJOR OFFENSES.

In each instance wherein an Alumnus Member is charged with a major offense enumerated in the Bylaws, Article 12, Section 122, and is to be tried by the Executive Council, the Executive Council, by and through the Executive Director, may designate a Commission of not less than three initiated members, with one named as Chairman. Such Commission, after notice given by the Executive Director as provided in the Bylaws, Article 12, Section 126, shall hear evidence, summarize the evidence and any testimony in writing and make findings of fact. The findings of fact, together with the summary of the evidence, shall be signed by the members of the Commission and delivered to the Executive Council for that body's final determination of the guilt or innocence of the accused and the determination and imposition of any penalty to be imposed. (Reference: 12-12 1, et seq.)

Regulation 13: Finances of the Order

R13-111. MEMBER INDUCTION AND INITIATION FEES.

- (a) **Induction and Initiation Fees.** Each member awaiting initiation of an Active Chapter or provisional chapter shall pay the following fees:
 - (1) \$125.00 to be paid within 48 hours of his induction ceremony, and
 - (2) \$300.00 to be paid no later than 14 days prior to the date of his initiation.
- (b) **Special Fees.** Each new member elected by a Commission shall pay a fee in the amount of \$100 upon initiation.
- (c) **Delinquent Induction and Initiation Fees.** The initiation fees for members awaiting initiation and for members upon initiation shall be charged at the rates in effect, as prescribed by the Executive Council, at the time the members are reported to the National Administrative Office, regardless of when those members where inducted or initiated.

R13-112. ACTIVE CHAPTER MEMBERSHIP DUES.

- (a) Each Active Chapter shall pay dues as follows: \$185.00 per member payable on or before September 10.
- (b) Each Active Chapter shall pay dues for each member as of December 31 for whom dues were not remitted in the fall as follows: \$92.50 per member payable on or before February 10.

Amended May 16, 2024, to take effect July 1, 2024.

R13-113. REIMBURSEMENT OF EXPENSES.

All expenses incurred on behalf of the Order must be reimbursed by filing a standard form as determined by the Executive Director within 60 days of the event or charge, or June 30, whichever comes first. Failure to submit expense reports within this time frame will result in denial of reimbursement.

R13-114. TRAVEL POLICY

The Executive Council shall provide for reimbursement of travel expenses incurred on behalf of the Order as provided in a written Travel Reimbursement Policy, and shall include such policy, as it may exist from time to time, in the Appendix.

R13-115. INVESTMENT POLICY

The Executive Council shall provide for the investment of funds of the Order as provided in a written Investment of Funds Policy, and shall include such policy, as it may exist from time to time, in the Appendix.

R13-116. BYSTANDER INTERVENTION POLICY

The Executive Council shall establish a written Bystander Intervention Policy and include it in the Appendix.

R13-116. GOOD SAMARITAN POLICY

The Executive Council shall establish a written Good Samaritan Policy and include it in the Appendix.

Regulation 14: [Reserved]

Regulation 15: [Reserved]

Regulation 16: Miscellaneous Regulations**R16-111. ACTIVE CHAPTER REPORTS.**

- (a) **Imposition of fine.** The Executive Director is authorized to impose a fine on an Active Chapter which fails to submit a required report within the specified time or, if no time be specified, within ten days after the Executive Director shall have notified the Active Chapter that the report is due. Such fine shall not exceed \$25.00 per member reported for a membership report of \$500.00 for a non-membership report. (See 1-324, 13-113)
- (b) **Imposition of fine upon Chapter Officers.** The Active Chapter may, upon a majority vote, require the chapter officer chargeable with delay in the submission of a required report to the Executive Director to pay any fine imposed upon it. The VI shall, in that event, collect the fine and remit it to the Executive Director.

R16-112. JOINT CHAPTER SOCIAL FUNCTIONS.

- (a) **Same Province.** Joint chapter social functions within the same Province shall not be conducted without at least 60 days advance notice to the Executive Director and the affected Province Commander.
- (b) **Different Provinces.** Joint chapter social functions among Active Chapters of two or more different provinces shall not be conducted without at least 60 days advance notice to the Executive Director and the affected Province Commanders.
- (c) **In Another Province.** A chapter shall not conduct a social function in another province without at least 60 days prior notice to the Executive Director, the affected Province Commander, and the Province Commander where the event is to be held.

R16-113. OLD SOUTH AND/OR DIXIE BALLS, CHAPTER CANNONS, CONFEDERATE UNIFORMS, AND PARADES

- (a) **Old South.** Chapters shall not sponsor functions with the name Old South or functions with any similar name. All functions and activities must be conducted with restraint and dignity and without trappings and symbols that might be misinterpreted and objectionable to the general public. All functions and activities shall be conducted in accordance with the regulations and policies of the institution where each chapter is located.

- (b) **Chapter Cannons.** No chapter may own, rent, or use an operable cannon. If a chapter chooses to own a cannon for decorative purposes, the cannon must be made permanently inoperative by filling the barrel with cement or like substance to preclude any projectile from being shot from the barrel.
- (c) **Confederate Uniforms.** Consistent with the language of section (b) above, “trappings and symbols” includes, but is not limited to, Confederate uniforms.
- (d) **Parades.** Further consistent with section (b), chapters shall not sponsor, conduct, nor participate in parades where members wear Confederate uniforms.
- (e) **Rose Ball.** A chapter’s spring formal or ball, semi-formal, or similar event, shall be called Rose Ball. An appeal may be made to the Executive Director for consideration if a chapter has used a prior name consistent with the Constitution, Bylaws, Regulations, and customs of the Order.
- (f) **Founder's or Gentlemen's Week/Days.** A week of events or period of days of events may be hosted by a chapter so long as they promote unity on campus and in the fraternity and sorority community, enhance the chapter’s philanthropic and service efforts, and provide for positive social development. The grouping of events shall be called Founder’s or Gentlemen’s Week/Days. An appeal may be made to the Executive Director for consideration if a chapter has used a prior name consistent with the Constitution, Bylaws, Regulations, and customs of the Order.

R16-115. AWARDS.

(a) Individual Awards.

- (1) **Award for Distinguished Achievement.** There is hereby established an award for distinguished achievement to be made to an outstanding member of the Order based upon the following: Outstanding service to the United States in the Army, the Navy, the Marine Corps, the Air Force, or the Coast Guard, and previously recognized by the United States Government; or outstanding service in public work for the United States Government, or for one of the states and such services result in national prominence and recognition; or outstanding service to mankind in literary, professional, scientific, or educational fields, resulting in national public acknowledgment of and praise for such service.
 - (i) The name of the candidate recommended for the award shall be submitted in writing on a form prescribed by the Executive Council to the Executive Director prior to a meeting of the Executive Council with a complete list of the qualifications as set forth in (iii) hereof;
 - (ii) This award may be given annually at the discretion of the Executive Council, and a unanimous vote of the Executive Council by secret ballot is required to grant the award; and,
 - (iii) The presentation of this award shall be made at a time and place designated by the Executive Council.
- (2) **Distinguished Public Service Award.** There is hereby established an award to recognize members who have demonstrated public service by serving in local, state or federal government. The award is granted by a majority vote of the Executive Council.
- (3) **Knight Commander’s Accolade.** There is hereby established an award to recognize excellence in leadership and service to to the Order. The Knight Commander may grant no more than eight (8) such awards per year at his sole discretion.
- (4) **Knight Commander's Medal.** There is hereby established an award to recognize those members who exhibit exceptional character and courage in the face of adversity. The Knight Commander may grant this award at his sole discretion.

- (5) **Certificate of Honor.** There is hereby established an award to honor Alumni Members who have made outstanding contributions to Active Chapters. The award is granted by the Knight Commander at his sole discretion.
 - (6) **Certificate of Service.** There is hereby established an award to recognize service performed for the Order by officers and members of the National Administrative Staff. The award is granted by the Knight Commander at his sole discretion.
 - (7) **Alumnus Advisor of the Year.** There is hereby established an award to annually recognize an Alumnus Advisor for excellence and achievement. The award is granted by a majority vote of the Executive Council.
 - (8) **Faculty Advisor of the Year.** There is hereby established an award to annually recognize a Faculty Advisor for excellence and achievement. The award is granted by a majority vote of the Executive Council.
 - (9) **Award for Fraternal Excellence.** There is hereby established an award to recognize a faculty member, a staff member, or an administrator, for excellence and achievement in support of or service to a member, a group of members, a chapter, or the Order. The award is granted by a majority vote of the Executive Council.
 - (10) **Accolade for Interfraternal Service.** There is hereby established an award to recognize individuals who have demonstrated outstanding service to the Greek or fraternity community. The award is granted by a majority vote of the Executive Council.
 - (11) **Robert E. Lee Appreciation Award.** There is hereby established an award to recognize persons who have credibly interpreted the life of Robert E. Lee to the American people in contemporary times. The award shall be approved by a majority vote of the Executive Council.
 - (12) **Knight Commander's Commendation.** There is hereby established an award to recognize an undergraduate for excellence in leadership and service to Kappa Alpha Order. This award is granted by the Knight Commander at his sole discretion.
 - (13) **Breithaupt New Member Scholarship Citation.** There is hereby established an award given in the name of Harry Breithaupt, Jr. to recognize annually the new member in each Active Chapter who has achieved the highest-grade point average for the academic year.
 - (14) **Citation of Academic Excellence.** Any undergraduate brother, who maintains full-time enrollment status on his respective campus and achieves a 4.0 semester or quarterly grade point average, will be awarded a citation of Academic Excellence at province council. The submission of individual eligibility will be the responsibility of each undergraduate chapter at the completion of each academic term.
- (b) **Active Chapter Awards.**
- (1) **Chapter Operations Awards**
 - (i) **George C. Marshall Award for Chapter Excellence.** There is hereby established an award given in the name of General George C. Marshall for Active Chapter achievement and excellence. No more than three awards shall be given for any single academic year. The award shall be granted by a majority vote of the Executive Council. This award is the successor to the J. Edgar Hoover Award that was granted from 1974 until 1993.
 - (ii) **Samuel Z. Ammen Award for Chapter Excellence.** There is hereby established an award given in the name of Samuel Z. Ammen to recognize Active Chapter achievement in

overall operations. This award is presented annually based upon an application process prescribed by the Executive Director and recognizes the top fifteen to twenty percent of Active Chapters based on applications received. The award is granted by a majority vote of the Executive Council.

- (iii) **Carl Albert Award for Chapter Improvement.** There is hereby established an award given in the name of Carl Albert to recognize remarkable improvement in overall Active Chapter operations. No more than three awards shall be given each academic year. The award shall be granted by a majority vote of the Executive Council.
- (iv) **Awards for Specific Areas of Active Chapter Operation.** Awards for specific areas of active chapter operation. There are hereby established awards for specific areas of active chapter operation to recognize active chapters which have excelled in recruitment, finances, public relations, communications, fundraising for the Kappa Alpha Order Educational Foundation, and other areas of chapter operation. The awards shall be approved by majority vote of the Executive Council.

(2) Chapter Academic Awards

- (i) **National Scholarship Trophy.** There is hereby established an award to recognize the Active Chapter that achieves the highest collective grade point average for the academic year. The name of the winning Active Chapter each year shall be engraved upon the trophy permanently displayed in the National Administrative Office. The award shall be granted by a majority vote of the Executive Council.
- (ii) **Scholastic Excellence Awards.** Each chapter that achieves a semester or quarterly grade point average of at least a 3.25 shall receive a Scholastic Excellence Award. The Scholastic Excellence Awards will be presented at province council for the immediate past spring and fall terms.
- (iii) **Scholastic Achievement Award.** There is hereby established an award to recognize active chapters that achieve a collective grade point average that is either higher than both the all men's and all fraternity average at their respective institution for an academic year or are academically ranked in the top 25% of fraternities, or has achieved above a 3.0 grade point average for both semesters, and which grade point average is higher than the Kappa Alpha Order national average. The award shall be granted by a majority vote of the Executive Council.

(3) Project Outreach Awards

- (i) **Knight Commander's Cup.** There is hereby established an annual award to recognize the Active Chapter that displays the most outstanding participation in Operation Crimson Gift. No more than one award shall be given on any single academic year. The name of the recipient shall be engraved upon the cup permanently displayed in the National Administrative Office.
- (ii) **Cross & Rose Award.** There is hereby established an annual award to recognize the Active Chapter making the greatest contribution to philanthropy. The award is based on the social impact of the program, the number of service hours and dollars contributed, the percent of the chapter involved, the potential and ease of continuation, adaptability to other campuses, and magnitude and quality of interaction with others. The award is granted by a majority vote of the Executive Council.

- (4) **Service to the Order.** There is hereby established an award to recognize Active Chapter(s) for extraordinary acts of service to the Order. The award(s) shall be approved by a majority vote of the Executive Council.
- (5) **Presence Required to Receive Award.** Any chapter eligible to receive one of the aforementioned awards shall be in attendance where such award is to be presented.
- (c) **William E. Forester Alumni Chapter Award.** There is hereby established an award, given in memory of William E. Forester, Executive Vice President Emeritus and Archivist, to recognize the most outstanding Alumni Chapter. The award shall be presented biennially at the Convention and is granted by a majority vote of the Executive Council.

R16-118. RISK MANAGEMENT POLICY.

Each Active Chapter, Alumni Chapter and Commission, and any Convention or the Order's leadership education programs, or any other constituent of the Order or meeting of a group under the sponsorship of the Order is subject to the Kappa Alpha Order Risk Management Policy adopted by the Executive Council. The Risk Management Policy is hereby adopted and a copy thereof in substantially the form that appears in the Appendix shall be provided to every Active and Alumni Chapter, every Commission, and every member of the Advisory Council, and a copy shall be posted conspicuously in the quarters occupied by every Active Chapter.

R16-119. ELECTRONIC MEDIA PUBLICATION GUIDELINES.

Members and chapters shall refrain from using the name "Kappa Alpha Order" or any name meant to refer to the Order, any of its chapters or his membership in any content, pictures or graphics used in any electronic media that are offensive, that reflect poorly on Kappa Alpha Order, or that are inconsistent with the Constitution, Bylaws, Regulations or customs of the Order. This includes but is not limited to the following electronic media outlets: websites or web pages, internet postings, blogs, online web communities (i.e. facebook.com or myspace.com) and online compilations of photographs.

Examples of offensive material include, but are not limited to the display of alcohol, drugs or drug paraphernalia, nudity, lewd behavior, offensive language, prejudiced or discriminatory statements against individuals or groups or any acts which violate any and all applicable laws or regulations of the state, county, city or institution of higher education.

R16-120. DOCUMENT RETENTION POLICY.

General

It is the policy of Kappa Alpha Order and Kappa Alpha Order Educational Foundation, respectively ("KA") to retain all records (i) required to be retained by law or governmental regulation, or (ii) necessary for the business of KA, including historical reference. Because of the significant costs associated with storing, preserving, and reviewing records that KA has no duty or need to retain, KA may discard or delete records in accordance with KA's Record Retention Schedule. The term "records" in this policy refers to all information in the possession of and relating to KA's business, whether in paper or electronic format, including e-mail.

Administration and Compliance

The Executive Director shall be the officer charged with administering this policy and instituting processes and procedures to ensure that the Record Retention Schedule is followed. The [insert applicable officer] shall monitor local, state and federal laws affecting record retention, to annually review the record retention and disposal program to ensure that the policy complies with applicable laws, and to monitor KA's compliance with this policy. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against KA and its employees and possible disciplinary action against responsible individuals.

The Executive Director shall be responsible for the ongoing process of identifying records that have met the required retention period as set forth in the Record Retention Schedule and overseeing their destruction periodically and preferably at least annually. Destruction of financial and personnel-related documents generally shall be accomplished by shredding.

Litigation and Investigations

Documents (including all copies, whether identical or not, and including all electronic and physical copies) relevant or potentially relevant to any dispute that might give rise to litigation, any pending litigation, or any potential or pending governmental investigation must be retained whether or not any such documents fall within the retention categories set forth in this policy, even if (i) such documents are not subject to any subpoena or document request or (ii) the retention period for such documents has expired.

Legal counsel should be consulted promptly about identifying and preserving documents that are relevant or potentially relevant to any dispute that might give rise to litigation, any pending litigation, or any potential or pending governmental investigation.

Electronic Documents and Records

Electronic documents shall be retained as if they were paper documents. Therefore, any electronic files that fall into one of the document types on the Record Retention Schedule shall be maintained for the appropriate amount of time. If a user has sufficient reason to keep an e-mail message, the message should be printed in hard copy and kept in the appropriate file or moved to an “archive” computer file folder.

Records Not Addressed

Questions about the retention of records not specifically addressed in this policy should be directed to the Executive Director.

1. The National Administrative Office will retain the following types of records and documents for five (5) Years;
 - a. Chapter related correspondence and records, to include reports and non-historical items;
 - b. General correspondence;
 - c. Employee personnel records (after termination) and employment applications; and
 - d. Financial records, including bank statements and reconciliations, cancelled checks, report and non-membership records;
2. The following types of documents and records shall be retained permanently;
 - a. Membership records including Form 2 Cards, initiation reports, special initiation files; and expulsion files;
 - b. Historical archival documents, photos and other items;
 - c. Audited financial statements, annual information and tax returns, and IRS determinations and rulings;
 - d. Contracts and leases in effect;
 - e. Minutes of the Convention, Executive Council, Advisory Council and Undergraduate Conference;
 - f. Trademark registrations and other intellectual property records;
 - g. Property records;
 - h. Contribution records and documents evidencing terms, conditions and restrictions on gifts;
 - i. Litigation files, claim files, related records, and insurance policies (including expired policies);
 - j. Articles of Incorporation, Constitution, bylaws and regulations; and
 - k. Issues of *The Kappa Alpha Journal* and membership directories.

R16-121. CEMETERY POLICY

The Order has reserved several funeral spaces in the Stonewall Jackson Cemetery in Lexington, Virginia, to serve as the official burial site for prominent members and spouses. Founders, Former Knight Commanders, Executive Directors and their spouses may choose to be interred in these spaces. Spouses may only be interred in the same space as the deceased member. The family will bear the cost of the space and the cost for opening and closing the grave site. No headstone or other marker will be placed in the funeral spaces without prior approval from the Executive Director. The Executive Director may determine the size of the markers to be placed.

R16-122. LITTLE SISTER ORGANIZATIONS

“Little Sister” organizations have never been a part of Kappa Alpha Order. Any group of women connected with the Order, whereby an organizational structure exists (i.e., officers, meetings, bylaws, and the like); dues are collected; and/or initiatory observances are held is expressly prohibited. This regulation does not prohibit the individual special recognition of a lady or ladies by an Active Chapter or Alumni Chapter, nor does it prohibit clubs composed of parents of members of Active Chapters organized to assist the particular Active Chapter.

R16-123. COMPLIANCE STANDARDS AND REQUIREMENTS FOR CHAPTERS AND CHAPTER HOUSE CORPORATIONS.

Each Active Chapter and chapter house corporation associated with an Active Chapter shall comply with all federal, state and local tax laws, regulations and ordinances and shall be required to provide to the National Administrative Office a conformed copy of its annual Form 990 and any associated state returns on or before the due date prescribed by taxing authorities for filing those returns.

- (a) **Active Chapters.** Active Chapters and provisional chapters shall be organized as unincorporated associations that are taxable as corporations under federal law. All chapters are exempt from most federal and state corporate income taxes under the Internal Revenue Code Section 501(c)(7) under the Order’s group exemption.
- (b) **House Corporations.** Chapter house corporations shall be organized as exempt organizations under Internal Revenue Code Section 501(c)(2), a title holding company, or a 501(c)(7) fraternal organization. Activities of the house corporation shall generally be limited to holding title to real estate, collecting rents, paying mortgages, paying property insurance, paying real estate taxes, paying for major repairs and paying utility bills. Treasury and accounting activities of the house corporation shall not be commingled with those of the chapter.
- (c) **Exceptions.** Chapters or chapter house corporations that do not conform to the standards prescribed herein shall disclose any unique local circumstances and seek an exception from the Executive Director. Absent an exception, any chapter or chapter house corporation not in compliance shall develop and present to the Executive Director a remedial action plan designed to meet compliance.

R16-125. PROTECTION OF TRADEMARKS, COPYRIGHTS AND OTHER INTELLECTUAL PROPERTY.

Any commercial reproduction or use of the Orders name, or insignia must be authorized by the Executive Council or the Executive Director. This includes, but is not limited to, the use of the words “KA,” “Kappa Alpha,” “Kappa Alpha Order,” “The Order,” “Dieu Et Les Dames,” “Fratres Fideles,” any design, derivation, or representation of the same, the official badge, pin of the Member-awaiting Initiation, Coat of Arms, graduate charm, Court of Honor Provincial Cross, official ring, jewelry of the current, or former Knight Commander, seal of the Knight Commander, seal of the Order, jewel of Councilors of the Order, jewel of Province Commanders, or any other jewel of the Order, and flags. The Executive Director is directed and empowered to take all necessary steps to register and maintain current registration of these marks with the appropriate government authorities and to enforce and avoid infringement of all of the above.

Any party desiring to acquire any item bearing the above listed marks, or other representation thereof, shall obtain those items only from vendors who are currently licensed and approved to market official merchandise as approved by the Executive Council or Executive Director.

Active or Alumni Chapters or Commissions may utilize local commercial firms to produce items for their chapter from time to time with prior approval from the Executive Director. No party shall approve any commercial endeavor, text, or design, which casts the Order in a negative light and is otherwise contrary to the ideals or customs of the Order, including, but not limited to, any materials or designs which glorify alcohol, other illegal substances, or any other materials which may be construed as sexist, racist, or demeaning to woman or any other person.

R16-126. MILITARY DIVISION.

There is hereby established the Military Division to recognize members who have served in the United States Armed

Forces. Any member who is serving or has served on active duty or in the reserves, has been honorably discharged or is retired from any branch of the United States Armed Forces shall be eligible to receive this recognition.

R16-127. LIABILITY FOR COLLEGE OR UNIVERSITY NEGLIGENCE.

Kappa Alpha Order will not defend or indemnify any host college or university against the institution's negligence. Also, no chapter, chapter member, alumni advisory committee member, or chapter housing corporation officer has the authority to sign a college or university document on behalf of Kappa Alpha Order that would bind it. Additionally, pursuant to the Federal Volunteer Protection Act, college or university host institutions may not hold Kappa Alpha Order's volunteers at any level liable for harm caused by a negligent act or omission of a volunteer who was acting within the scope of his/her responsibilities as a Kappa Alpha Order volunteer.

R16-126. INDEMNIFICATION.

Any person who at any time serves or has served (1) as a General Officer or the Executive Director of the corporation, or (2) at the request of the corporation, in an officer, director or executive director for any other corporation, partnership, joint venture, trust or other enterprise (each, an "Indemnified Party"), shall have a right to be indemnified by the corporation to the fullest extent permitted by law against (a) reasonable expenses, including attorney's fees, actually and necessarily incurred by him in connection with any threatened pending or completed action, suit or proceedings, whether civil, criminal, administrative or investigative, brought by a third party seeking to hold him liable by reason of the fact that he is or was acting in such capacity, and (b) reasonable payments made by him in satisfaction of any judgment, money decree, fine, penalty or settlement for which he may have become liable in any such action, suit, or proceeding. Such Indemnified Party shall not be indemnified by the corporation against suits brought by or on behalf of the corporation seeking to hold him liable by reason of the fact that he was acting in such capacity, unless such person is found blameless by a court of law or other properly constituted tribunal.

The Executive Council shall take all such action as may be necessary and appropriate to authorize the corporation to pay the indemnification required by this Part, including without limitation, to the extent needed, making a good faith evaluation of the manner in which the claimant for indemnity acted and of the reasonable amount of indemnity due him.

Expenses incurred in defending a civil or criminal action, suit or proceeding, shall be paid by the corporation in advance of the final disposition of such action, suit, or proceeding, as authorized by the Executive Council in the specific case, upon receipt of an undertaking by or on behalf of the Indemnified Party to repay such amount if it shall ultimately be determined that he is not entitled to be indemnified by the corporation as authorized in this Part.

Any person who at any time after the adoption of this Part serves or has served in any of the aforesaid capacities for or on behalf of the corporation shall be deemed to be doing or to have done so in reliance upon, and as consideration for, the right of indemnification provided herein. Such right shall inure to the benefit of the legal representatives of any such Indemnified Party and shall not be exclusive of any other rights to which such person may be entitled apart from the provision of this Part.

In addition to the foregoing, the Executive Council shall have the right and power to purchase and maintain insurance on behalf of any person who is or was a General Officer, other officer, employee or agent of the corporation, or is or was serving at the request of the corporation as director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against him and incurred by him in any capacity, or arising out of his status as such, whether or not the corporation would have the power to indemnify him against such liability.

R16-129. DESIGNATED DRIVING PROGRAMS. Designated driver programs organized by a chapter are expressly prohibited. These may include, but are not limited to, those programs utilizing solely members awaiting initiation, a mixture of Active Members and members awaiting initiation, or all Active Members. This regulation does not prohibit individual assistance of one member to another member or members for safety purposes as individual cases may arise.

APPENDIX TO THE KAPPA ALPHA LAWS

Part 1. Insignia of the Order

The insignia prescribed by the Executive Council pursuant to Section 5-123 of the Bylaws shall be as follows:



Official Badge



Badge of Member
Awaiting Initiation



Official Ring



Graduate Charm



App. 101. The badge of the Order. The official badge shall be a gold shield of the size and form adopted by resolution of the Convention of 1907. The letters "K A" in gold upon a black enamel background, and the Greek cross, also of gold within a black enamel circular field, are emblazoned upon a shield or escutcheon mounted upon a larger shield of similar outline.

App. 102. Display of the badge.

- (a) The official badge shall be worn only by members or their wives.
- (b) Other forms of the badge, jeweled or otherwise, may be worn by members or by the mother, sister, wife, daughter or fiancée of a member.

App. 103. Wearing of the badge in mourning. Upon the death of a member, the members of his Active Chapter may wear a small piece of black ribbon ($\frac{1}{2}$ " wide and $\frac{3}{4}$ " long) behind their badges for a period of 30 days. Upon the death of a General Officer, a Former Knight Commander, the Executive Director, or a member formerly holding such an office, all members of the Order may wear the crepe for a like period. Upon the death of a Province Commander or former Province Commander, the members of the Order within the appropriate province may wear the crepe for a like period.

App. 104. The badge of a member awaiting initiation.

- (a) A member awaiting initiation shall wear a badge of the same size and general outline as the official badge and similar thereto except that it shall be made of silver instead of gold and consist of a small quartered circle with the colors, crimson and old gold, alternately arranged therein in substitution for the gold cross and circular background of the badge.
- (b) That badge shall be worn only by members awaiting initiation.

App. 105. Recognition button. The official recognition button shall be a small gold coat-of-arms and may be worn only by initiated members upon the coat lapel.

App. 106. Graduate charm.

- (a) The graduate charm shall be a replica of the original Kappa Alpha badge encircled with a wreath of gold.
- (b) The graduate charm may be worn only by members who have received a college or university degree and shall be worn as the member shall decide is appropriate. It may be purchased from the official Jeweler.

App. 107. Coat-of-arms.

- (a) The achievement or coat-of-arms, in accord with heraldic rules, is as follows: The badge is the escutcheon; the motto, Dieu et les Dames, adorns the scroll; the foliage is represented by the flowers, the red rose and magnolia; the coronet is one bearing a cross and stars; the crest is from the Knight Commander's seal, battle-axe in the right hand, in the act of striking; the supporters are lions, representing courage; and the background is formed by streams of light radiating from the coronet.
- (b) The coat-of-arms, the crest placed on a wreath, or replicas of the badge may be used by initiated members or by the Order upon stationery, novelties or jewelry, and in publications in accord with the usages of the Order.

App. 108. Supplying of badges and other material. Badges and recognition buttons, as described, membership certificates, graduate charms, rings, song books, directories, chapter registers, chapter financial records, official stationery, jewels, manuals for the education of new members and other supplies shall be furnished to initiated members or chapters only by the Executive Director at prices therefore established by that officer with the approval of the Executive Council. *Amended May 27, 1996.*

MISCELLANEOUS INSIGNIA

Part 2. Jewels for Officers of the Order

The jewels prescribed by the Executive Council pursuant to Section 5-123 of the Bylaws shall be as follows:



App. 201. Jewel of the Knight Commander. The jewel of the Knight Commander shall be of gold, with crimson enameled cross and black enameled lettering, as shown in Figure A hereinafter.

App. 202. Jewel of a Former Knight Commander.

- (a) Each Former Knight Commander of the Order shall be furnished by the Order with a Former Knight Commander's jewel which shall be a gift from the Order in recognition of services performed by him.
- (b) The jewel of a Former Knight Commander shall be of gold, as appears in Figure B hereinafter, and shall be engraved on the reverse side with the full name of the Former Knight Commander, the title "Knight Commander" and the years of his service to the Order in that capacity.

App. 203. Jewels of Councilors of the Order. The jewel of a Councilor shall be of gold, with crimson enameled cross and black enameled lettering, as appears in Figure D hereinafter. The lettering for the jewel of the Senior Councilor shall be "Senior Councilor" instead of "Councilor" as appears in Figure C.

App. 204. Jewel of the Province Commanders. The jewel of a Province Commander shall be of silver as appears in Figure E hereinafter, having the appropriate name of the Province thereon lettered in black on the face of the badge.

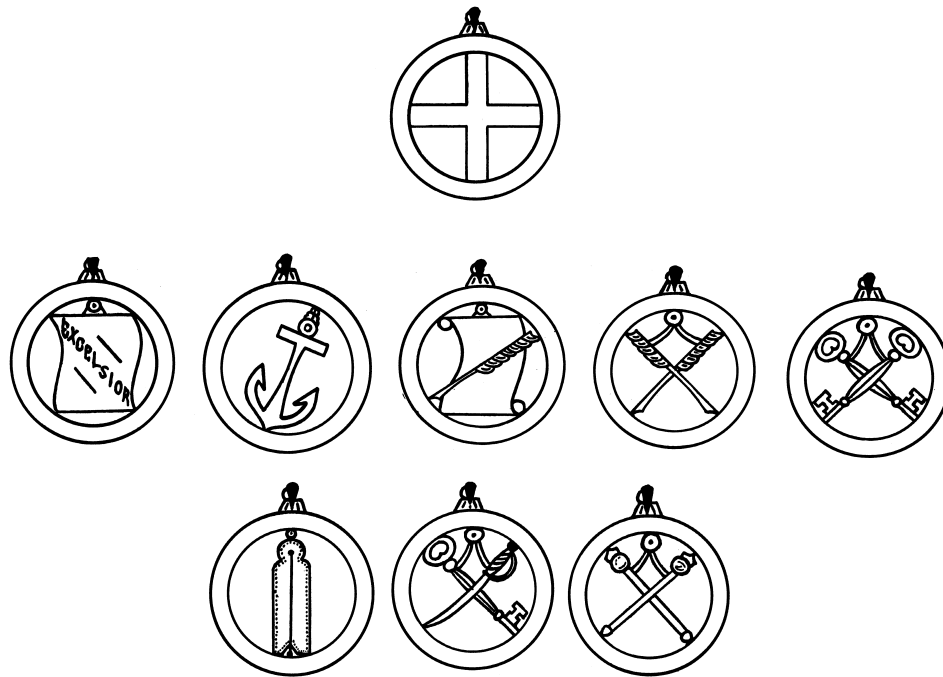
App. 205. Jewel of the National Undergraduate Chairman. The jewel of the National Undergraduate Chairman shall be of silver, with a red enamel field behind a silver cross and black enamel lettering, as shown in Figure F hereinafter.

App. 206. Jewels of the Executive Director, Executive Vice President, and other staff officers.

- (a) The jewel of the Executive Director shall be gold, five sided, with fasces saltire on a quill, and black enamel lettering as shown in Figure G hereinafter. *Amended October 19, 2007.*
- (b) The jewels of the of the other staff officers shall be five sided with designs and black enamel lettering appropriate for each particular office, as shown in Figure H hereinafter.

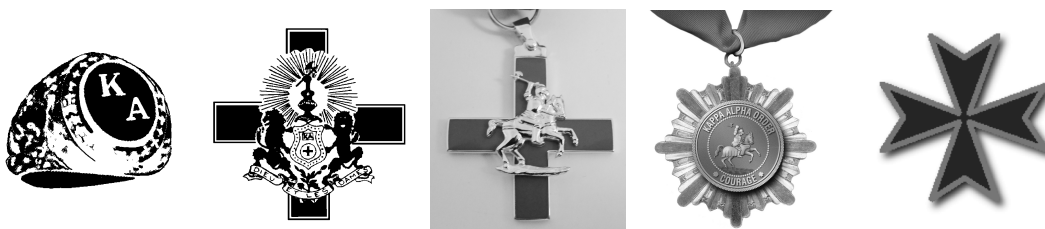
App. 207. Display of jewels of the Order. The jewels of the Knight Commander and Former Knight Commander shall be worn on ribbons one and one-half inches wide. The jewels of the officers and staff shall be worn on neck cords. Colors of the neck cords or ribbons shall be royal purple for General Officers and Former Knight Commanders. Neck cords for the Province Commanders shall be crimson, the neck cord for the Executive Director shall be crimson and gold, and the neck cords for the other staff officers shall be gold. *Amended October 17, 2004.*

App. 208. Supply of jewels of the Order. Jewels for the General Officers, the Province Commanders and the Administrative Staff shall be furnished to them by the Order, but such jewels shall remain the property of the Order and shall be returned by the holder thereof when his services in a particular office are concluded.



App. 209. Jewels of Active Chapter Officers.

- (a) The jewels of Active Chapter officers, except that of a Former No. I, shall be of silver, as shown in Figure K hereinafter. The jewel of a Former I of an Active Chapter shall be of gold.
- (b) Chapter Officers' jewels shall be worn upon the breast, suspended from a crimson neck cord or ribbon one inch wide around the neck. They may be worn at any gathering of members of the Order including Conventions, meetings, banquets, formal dances, etc. Greek letter(s) denoting chapter shall be engraved upon reverse side of each jewel.



App. 210. Other devices of the Order.

- (a) The flowers of the Order are a red rose and magnolia blossom.
- (b) The colors of the Order are crimson and old gold to be represented with PMS 201 for crimson and PMS 124 for old gold. *Amended November 3, 2004.*
- (c) The traditional flag of the Order is composed of three bars of equal width, crimson next to the staff, white in the middle, and old gold at the flowing end, with a crimson cross of Greek design placed in the center of the white bar.
- (d) The house flag of the Order is composed of crimson and gold bars of equal width, crimson next to the staff and gold at the flowing end, with a white shield in the center of the flag, having thereon a crimson cross of Greek design and letters "KA" in crimson above the crest.
- (e) Upon the Knight Commander's declaration of an official period of mourning, the flag of the Order shall be flown at half-staff during that period. *Adopted July 29, 2015 and amended November 14, 2015*
- (f) The official ring of the Order shall be of the design adopted by the New Orleans Convention in 1931, as shown herein illustrating miscellaneous insignia of the Order.
- (g) The Provincial Cross shall be the design specified by the Executive Council as insignia of a Court of Honor when established in the respective Provinces, as shown on the foregoing page illustrating miscellaneous insignia of the Order.
- (h) The membership certificate shall be engraved over the Coat-of-Arms; shall be signed by the Knight Commander, the Executive Director and the I of the initiating chapter; and the seal of the Order shall be affixed thereto.
- (i) A certificate of greetings may be issued to alumni of the Order on the occasion of the 25th and 50th anniversary of their initiation, as prescribed by the Executive Council
- (j) The Knight Commander's Ring shall be worn by the Knight Commander or a Former Knight Commander. Its design shall consist of the Knight Commander's seal as shown herein illustrating miscellaneous insignia of the Order. Each ring shall be numbered and shall be available through the Order's official jeweler upon approval of the Executive Director. The Knight Commander and the Former Knight Commanders shall have a lifetime ownership of the Knight Commander's Ring; however, at their death, the ring shall become property of the Order.
- (k) The Knight Commander's Accolade Jewel shall be the design specified by the Executive Council as shown on the foregoing page illustrating miscellaneous insignia of the Order. *Adopted June 30, 2009.*
- (l) The Knight Commander's Medal shall be the design specified by the Executive Council as shown on the foregoing page illustrating miscellaneous insignia of the Order. *Adopted June 30, 2009.*
- (m) The Military Division recognition pin features the Maltese Cross, utilizing the Order's colors crimson and old gold, has 8 points in the cross, which symbolize the chivalric virtues of loyalty, piety, frankness, bravery, glory and honor, contempt of death, helpfulness towards the poor and sick, and respect for the church. *Adopted June 30, 2009.*
- (n) A certificate may be issued to members of the Military Division as prescribed by the Executive Council. *Adopted June 30, 2009.*

Seals of the Order

The seals of the Order prescribed by the Executive Council pursuant to Section 5-123 of the Bylaws shall be as follows:

App. 301. Seal of the Order.

- (a) The seal of the Order shall be one and one-quarter inches in diameter and shall bear in the center the coat-of-arms of the Order with an encircling band bearing the words "Kappa Alpha Order" at the top, and "Seal" at the bottom.
- (b) The seal shall be kept by the Executive Director and be placed by him upon all membership certificates and other documents requiring the seal of the Order or requiring the attest of the Executive Director.

App. 302. Seal of the Knight Commander.

- (a) The seal of office of the Knight Commander shall be one and three-quarter inches in diameter and shall bear in the center a knight, mounted, with battle-axe in the right hand, in the act of striking, with an encircling band

bearing the words, "Knight Commander, Kappa Alpha Order," at the top and the figures, "1865," at the bottom. The word "Excelsior" shall be above the mounted knight.

(b) The Knight Commander shall impress his seal upon charters and other documents requiring his seal of office.

Risk Management

App. 401. Risk Management Policy.

The Risk Management Policy of Kappa Alpha Order shall apply to all entities and all levels of membership. All members of are expected to follow all applicable federal, state, county, parish, and municipal laws and institution of higher education policies. It includes the following provisions:

ALCOHOL AND DRUGS

1. The possession, sale, use and/or consumption of alcoholic beverages while on chapter premises, or during a fraternity event, in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity, must be in compliance with any and all applicable laws of the state, county, parish, city and institution of higher education, and must comply with either BYOB or Third Party Vendor guidelines.
2. No alcoholic beverages may be purchased through or with chapter funds nor may the purchase of same for members or guests be undertaken or coordinated by any member in the name or on behalf of the chapter. The purchase or use of a bulk quantity or common sources of such alcoholic beverage, for example kegs, or cases are prohibited.
3. Open parties, without specific invitation, where alcohol is present are prohibited. Open parties have been defined as those functions at which the guest to member ratio exceeds three-to-one.
4. No chapter members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e., those under the legal "drinking age").
5. The possession, sale and/or use of any illegal drugs or controlled substances by a member are strictly prohibited.
6. No chapter may co-sponsor an event with a distributor of alcohol, charitable organization or tavern (tavern defined as an establishment generating more than half of its annual gross sales from alcohol) where alcohol is given away, sold or otherwise provided to those present. This includes any event held in, at, or on the property of a tavern, as defined above, for the purposes of fundraising. However, a chapter may rent or use a room or area in a tavern, as defined above, for an event held within the provisions of this policy, including the use of a third party vendor and guest list.
7. No chapter may co-sponsor or co-finance or attend or participate in a function where alcohol is purchased by any of the host chapters, groups or organizations.
8. All recruitment or rush activities associated with any chapter will be non-alcoholic. No recruitment or rush activities associated with any chapter may be held at or in conjunction with a tavern or alcohol distributor as defined in this policy.
9. No member or pledge/associate/new member/novice shall permit, tolerate, encourage or participate in "drinking games".
10. No alcohol shall be present at any member awaiting initiation/pledge/new member program or activity of the chapter. This includes, but is not limited to, activities associated with "bid night", "big brothers - little brother" events or activities, "family" events or activities and initiation.

HAZING

No chapter, student or alumnus shall conduct nor condone hazing activities. Permission or approval by a person being hazed is not a defense. Hazing activities are defined as: "Any action taken or situation created, intentionally, whether on or off fraternity premises, to produce mental or physical discomfort, embarrassment, harassment or ridicule. Such activities may include, but are not limited to, the following: use of alcohol; paddling in any form; creation of excessive fatigue; calisthenics, physical and psychological shocks; use of pledge books or signature books, quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside the confines of the chapter house; wearing of public apparel which is conspicuous and not normally in good taste; engaging in public stunts and

buffoonery; morally degrading or humiliating games and activities; and any other activities which are not consistent with fraternal law, ritual or policy or the regulations and policies of the educational institution."

SEXUAL ABUSE AND HARASSMENT

The fraternity will not tolerate or condone any form of sexist or sexually abusive behavior on the part of its members whether physical, mental or emotional. This is to include any actions, activities or events, whether on chapter premises or an off-site location which is demeaning to women or men, including but not limited to verbal harassment and sexual assault by individuals or members acting together. The employment or use of strippers, exotic dancers or similar, whether professional or amateur, at a fraternity event as defined in this policy is prohibited.

FIRE, HEALTH, AND SAFETY

1. All chapter houses shall, prior to, during and following occupancy, meet all local fire and health codes and standards.
2. All chapters must have posted by common phones and in other locations emergency numbers for fire, police and ambulance and should have posted evacuation routes on the back of the door of each sleeping room.
3. All chapters shall comply with engineering recommendations as reported by the insurance company or municipal authorities.
4. The possession and/or use of firearms, archery equipment, incendiary devices such as fireworks or explosive devices of any kind within the confines and premises of the chapter house are prohibited.
5. Pets are not permitted in any chapter house, lodge or facility.
6. Permanent or make-shift pools are not permitted at any chapter house, lodge or facility.
7. Make-shift or temporary builds or structures are prohibited, provided, however, that they may be approved if the procedures are followed in the Special Events section, Part 3.
8. In the event of an emergency, the first action a member or members should take is to call 911 and contact the appropriate first responders.

SPECIAL EVENTS

Special events are defined as any event/function (1) where alcohol will be present, and the guest to member ration exceeds three-to-one; (2) involving athletic events or competitions; or (3) that involves any activity that is deemed to be potentially hazardous by the Alumnus Adviser, the Alumni Advisory Committee, the Province Commander, the Executive Director, or the Order's insurance broker. Any chapter wishing to host a special event must do the following:

1. Complete a comprehensive, written description of the event and forward it to the Province Commander and the Executive Director for review and approval. This information must be received by the Executive Director at least 60 days prior to the event; and
2. Secure a Special Events Insurance Policy ("Policy") or pay a risk management assessment fee in an amount to be determined by the Order's insurance broker. If the Policy option is selected, the Policy shall be in the amount of \$1,000,000 available through the Order's insurance broker and shall name Kappa Alpha Order, a Virginia Corporation, as an additional insured.

EDUCATION

Each student member, associate member and pledge shall be instructed annually on the Kappa Alpha Order Risk Management Policy. A copy of the Risk Management Policy shall be available on the fraternity website. *Amended October 24, 2007, April 24, 2009, November 4-5, 2011, July 29, 2016, August 2, 2018, and July 31, 2019.*

App. 402. Good Samaritan Policy. A chapter or member who seeks immediate and appropriate medical assistance for a person in need related to the use or consumption of alcohol, or other drugs, or due to another medical emergency, may be eligible for mitigation of potential offenses or violations of organizational policies. To be eligible for this potential mitigation, the chapter or member may be required to meet in person or virtually with the Executive Director or his designee. *Adopted November 13, 2020.*

Ceremonies

App. 501. Induction of New Members. Upon the election of a New Member or New Members pursuant to Sections 8-111 through 8-116, he or they shall be inducted into membership as a Member Awaiting Initiation by the use of the following ceremony:

INDUCTION OF NEW MEMBERS

The induction ceremony, not intended to be a secret ceremony, provides a public dedication to Kappa Alpha principles. Most chapters hold this ceremony either in the chapter house or a nearby chapel and invite parents and alumni. Immediately following the ceremony, some chapters hold a mothers club meeting and a concurrent session for fathers to address chapter finances and new member education. An open house for invited guests, chapter members and the new inductees can follow the parent briefings.

As part of the ceremony, the new members are led into a room that has been arranged for the ceremony. At one end of the room is a long table covered with a white table cloth. An official or supplemental flag shall NOT be used as a table cloth, but rather hung appropriately nearby. A large vase of crimson roses on the center of the table is flanked by two tall, yellow or golden candles. The three highest officers of the chapter stand behind the table, wearing the official jewel of their office. On the table is a new member badge and a crimson rose bud for each new member.

Number I

This day is one of particular significance to you and to us. To you, it represents the occasion when you have voluntarily and definitely decided to dedicate your future life and service to the high principles and ideals of an organization into which you will shortly be initiated. To us it represents the acquisition of new material for our brotherhood and the reception of new brothers into our hearts. In being invited to unite with our fraternity you have received a unanimous vote of election. That you may be better informed as to the purpose and administration of Kappa Alpha, we take this opportunity to advise you of certain of our symbols and teachings by this brief ceremony.

Number II

The insignia of a new member, with which we shall shortly invest you, is the outward and visible sign of your acceptance of our invitation and indicates to the public that you will subscribe to our principles and strive to be worthy of our confidence and trust. Therefore, the wearing of it imposes upon you to lead your life—both privately and publicly—in keeping with those fine ideals of character and achievement for which Kappa Alpha Order has been noted since its inception in 1865. It further admonishes you to commit no act which would reflect unfavorably in any manner upon yourself and upon the organization which has so singularly honored you. You will also remember that the acceptance of this insignia signifies your agreement to comply with the regulations of our organization and to conform to the conditions lawfully laid upon you during the period of your education. This emblem should be worn by you on appropriate occasions until your initiation. *Amended April 27, 2005.*

Number III

The colors of Kappa Alpha Order are crimson and old gold. Our flowers are the magnolia and the crimson rose. These things are symbolic and will later be explained to you. For the present we give you the crimson rose. Its color is emblematic of the blood shed in the defense of right and Christianity by the knights of old. It also signifies courage and fortitude—to withstand not only the onslaught of our enemies from without, but to conquer and overcome our enemies from within: false pride, jealousy, deceit and passion. It also represents a firm allegiance to the high ideals of character and purpose in Kappa Alpha Order. Last, but far from least, its beauty and fragrance are symbolic of the real affection and strong abiding friendship which characterize us as sworn brothers, striving together for one common objective and purpose, the promulgation of philosophy of Kappa

Alpha Order—a spirit which will make men better and the world a brighter place in which to work and live.* Any brother selected by the Administering Officer. ** Given name.

Number I

On behalf of _____ chapter of Kappa Alpha Order, I formally extend to you an invitation to join our membership and to become members awaiting initiation in our organization. You will signify your acceptance by raising your right hand and repeating after me the following obligation:

All new members rise and the Number I administers the following obligation:

I do hereby accept the invitation | to membership in Kappa Alpha Order | and do solemnly swear and pledge myself | to join Kappa Alpha Order | at such time as I may become eligible for initiation | in accordance with the rules and regulations | of Kappa Alpha and of the university [or college]. | I do further pledge myself | to exert every effort, | through study and diligent application, | to become eligible for initiation | and always to work for the interest and ideals | of Kappa Alpha Order. | So help me God.

As your name is called, you will step forward and be vested with your KA insignia.

As each new member's name is called, he steps forward for the Number II to place a new member pin on his shirt over his heart in the same manner that the official badge is worn; thereafter the Number III invests him with a crimson rose bud. Each new member is then congratulated by the Number III, Number II and Number I, in that order.

Number I

It is a pleasure for me to welcome you as the new members of _____ chapter of Kappa Alpha Order. I congratulate you on the wisdom of your choice and the chapter on its good judgement in your selection. I trust you will find the same joys in the fraternity that we ourselves have found. This is now your chapter and your fraternity; give them the consideration that they deserve. Except for your formal initiation, we are now your brothers. Treat us accordingly.

Brothers (*addressing the members of the entire chapter who are in the room during this ceremony*), please give a hearty welcome to our new brothers.

App. 502. Installation of Knight Commander. A Knight Commander may be installed by the retiring Knight Commander a former Knight Commander, a Councilor or as the Executive Council may direct.

App. 503. Oaths of Other officers. The following oath shall be used to install a Councilor, a Province Commander, an Undergraduate Chairman, or any other officer who may appropriately be installed in a formal fashion and as to whom no other Oath is prescribed. The oath of a Councilor or the National Undergraduate Chairman should be administered by the Knight Commander, but it may be administered by another Councilor. The oath of a Province Commander shall be administered by an elected officer of the Order or the I of a chapter and shall be administered as soon as possible after his election or appointment. The oath of a Province Undergraduate Chairman shall be administered by the Province Commander.

Officer-elect or Officer-designate: I swear that I will maintain the dignity of the Laws and of my Office, will discharge my duties to the best of my ability and will conform to the Laws and Customs of the Order, as I understand them or as they are lawfully interpreted.

Response of Administering Officer: I declare you duly installed and pledge you the loyalty of every member of the Order.

App. 504. Alumni Chapter Installation Ceremony. The Alumni Chapter Installation Ceremony provides for a public installation of an alumni chapter. It is typically held in a banquet hall, country club, or other similar location. The Knight Commander, Province Commander, or a member of the staff, should serve as the presiding officer. It is customary for a dinner to be held during an Alumni Chapter Installation. There are no special room arrangements or regalia necessary for the presentation of the Alumni Chapter Charter.

Knight Commander (If another individual is contacting the ceremony there should replace "I" with "on behalf of Knight Commander _____" indicating his full name): Be it known that I hereby charter, sanction and recognize this company of Knights as a legally established and constitute an Alumni Chapter of

the Kappa Alpha Order. The brothers to whom this charter is granted do pledge themselves and their successors to observe and preserve unaltered the customs and constitution, to recognize and fraternize with no society or pretended chapter not working under a charter received from the Knight Commander of this Order, to maintain peace and unity with all chapters of this Order, to recognize the authority of the general officers, and to surrender this charter to the Knight Commander according to the Kappa Alpha Laws. It is with great pleasure that I hereby grant this charter to the worthy Knights of _____ Alumni Chapter. *Adopted November 6, 2003.*

Travel Reimbursement

App. 601. Travel Reimbursement Policy

Members of the Advisory Council, staff and other approved persons will be reimbursed for all travel while on the Order's business. Reimbursement will be made for reasonable meals, hotel costs, automobile and air travel.

Mileage reimbursement. Kappa Alpha Order will provide mileage reimbursement of \$.45 (forty-five cents) per mile for use of a personal auto on the business of the Order, provided that the requirements below are met and provisions are understood:

- (1) Auto must be properly maintained and kept in good working condition.
- (2) Driver must maintain personal auto insurance with the limits equal to or greater than those required by the state in which he or she is licensed. It must be understood that the liability protection purchased by an officer for the operation of the officer's auto is the only protection afforded to the officer should an accident occur.
- (3) Kappa Alpha Order provides no physical damage protection for an auto rented while traveling on behalf of the Order. If the traveler is unable or unwilling to insure the physical damage exposure under his personal auto coverage, or through his credit card protection, coverage should be purchased through the rental car company.

Airfare reimbursement. Travelers on the Order's business are strongly encouraged to use the Order's official travel agent as designated by the Executive Council. The official travel agent knows that fares are to be booked using the lowest possible fare regardless of airline. A traveler may use a preferred airline to purchase a more expensive ticket only if the difference is reimbursed to the National Administrative Office or not reported as an expense. Should a traveler choose to make his own reservations for air travel, the National Administrative Office will only reimburse at a rate equal to the lowest available fare with a twenty-one day advance purchase unless prior approval has been given by the Executive Director. If a traveler purchases a ticket from a travel agent other than the Order's official travel agent, the cost of that ticket will not be reimbursed if for some reason it is not used. The cost will be reimbursed if that ticket is later exchanged for a ticket for use on the Order's business.

Convention. Members of the Advisory Council, Former Knight Commanders and staff, along with their spouses, will be reimbursed for air travel or for mileage accrued to attend the Convention. Additionally, hotel room and associated taxes along with the official meal functions will also be included for each member of the Advisory council or staff and spouses. Costs associated with a child's travel will not be reimbursed. With appropriate notice, the Executive Director may include the cost of children's meals at official meal functions. Hotel room and taxes will be charged to the Orders master account and each individual will be responsible for any incidentals or other room charges. Any early arrivals or late departures will not be charged to the master account or reimbursed. Additional meals, rental cars, and personal telephone calls will not be reimbursed.

Expense Reimbursement. Expense reimbursement requests will be submitted upon a report form approved by the Executive Director within 30 days for reimbursement. No expense reports will be reimbursed if not received during the fiscal year in which the expenses were incurred. For expense incurred in June expense reports may be submitted in July and be reimbursed. *Amended May 19, 2006; Amended July 2, 2008. Amended May 19, 2006; Amended July 2, 2008; Amended April 24, 2009.*

Investment of Funds

App. 701. Investment Policy.

The Order has seen tremendous growth in its investment portfolio over the last several years. Given that growth, the Knight Commander and Executive Council encouraged the development of this Investment Policy. Because of the growth and lack heretofore of a structured Investment Policy, the Order's investments do not conform to the criteria stated herein. Given the potential tax consequences of a total or near total liquidation, the Executive Council and the Investment Committee will be deliberate, but cautious, in bringing the Order's total investments into compliance with this Investment Policy.

The investments of Kappa Alpha Order provide income that supplements its operating funds on an annual basis. As such it is the responsibility of the Knight Commander and the Executive Council to preserve and enhance these assets. It is the responsibility of the Investment Committee to choose the proper investment managers in accordance with structured guidelines and follow those guidelines, as approved by the Executive Council.

INVESTMENT GOALS

- (1) Investments should be made in a systematic manner with a view toward their long-term benefit. To preserve long-term the annual contribution of the investment portfolio to the Order's operating budget, a total return (appreciation plus earnings) should equal or exceed the sum of inflation and withdrawals (spending).
- (2) The Order will seek to achieve an annual minimum increase in its corpus, in a direct relationship to existing indexes (inflation adjusted) on an annualized basis. The indexes utilized to effectively evaluate these increases will be correlated to nationally recognized indexes, such as the Dow Jones, S&P, NASDAQ, and Russell Small cap. Such increase will be measured on a total return basis (dividend and interest income +/- realized gains and losses +/- unrealized gains and losses) less expenses and distributions to the Order.
- (3) The Executive Council will approve a distribution annually with advice from the Investment Committee considering the needs of the Order and the performance of the portfolio in achieving its goals. As a general guideline, the amount distributed will equal 5% of the 3 year moving average of the corpus of the Investment portfolio.

INVESTMENT ALLOCATION

- (1) A minimum of 20% of the investment portfolio's market value shall be invested in debt convertible preferred and/or convertible securities and/or interest bearing deposits, all with appropriately diverse maturities, in order to provide stability of principal and to meet the investment portfolio's yield requirements. The remainder of the investment portfolio shall be invested in stocks. From time to time, funds invested as commingled funds will be permissible and satisfactory if approved by the Investment Committee.
- (2) The Executive Council will determine at least annually (and more often if deemed necessary, or at the request of the Investment Committee) the allocation of assets to the fixed income sector and the equity sector of the investment portfolio with the respective fund managers. The Investment Committee may, at its option, utilize mutual funds to achieve its investment goals.

FIXED INCOME INVESTMENTS

- (1) The minimum block size for fixed income investment will be \$100,000 with no maximum (individual or cumulative investment) in Treasury or Government Agency securities. The maximum block size investment in corporate securities shall be \$250,000 face value or 5% of the value of the portfolio under each manager's guidance. Convertible securities and bonds may be utilized for fixed investment strategies.
- (2) The maximum effective maturity of any fixed income investment shall not exceed ten years. (Mortgage backed securities' effective maturity shall be determined by the actual rate of repayment of principal over the most recent twelve-month period.) Convertible securities may carry a longer maturity as deemed proper by the fund manager.
- (3) Any corporate bonds shall have a minimum rating of BAA from Moody's or Standard & Poor's.

EQUITY INVESTMENTS

The Investment Committee may appoint one or more equity fund managers. Such managers may invest in individual stocks registered in the name of the Order or its nominee or may invest funds in units/shares of commingled funds whereby the Order is an owner/participant in the commingled fund rather than the owner of record in individual stocks.

Commingled funds will be chosen based on the Investment Committee's determination that the investment policy of the fund and the abilities of fund managers are consistent with the investment goals of the Order. The Investment Committee will monitor performance and portfolio makeup to determine that the conduct of the commingled fund is consistent with the basis for its being chosen as an investment vehicle for the Order.

An equity portfolio consisting of individual stocks shall meet the following criteria:

- (1) The market value of any portfolio investment shall not exceed 5% of the total market value of the portfolio in order to insure proper diversification.
- (2) Portfolio investments in companies with respective market capitalization below \$100,000,000 shall not in the aggregate exceed 20% of the market value of the portfolio.
- (3) No unregistered security and none subject to any transfer restriction may be purchased without prior written approval of the Investment Committee.
- (4) Neither short sales nor naked options transactions will be undertaken.
- (5) Portfolio cash balances shall be invested in interest bearing securities or accounts.

Due to existing positions currently held by the Order, the Investment Committee shall coordinate with the independent auditors of the Order and executive staff to minimize the tax consequences in achieving the stated guidelines and objectives.

CONFLICT OF INTEREST

It is the policy of the Order to avoid any conflict of interest in the selection of investment managers or funds. In the event that any officer or Investment Committee member has a financial interest in any manager or fund being considered, this interest will be disclosed and the persons involved will not participate in decisions to appoint, continue or terminate such managers or funds.

PERFORMANCE MEASUREMENT

For consistency and measurement of performance against the total return objectives, measurements will be reflected net of management fees and transaction costs. These calculations should be evaluated against all existing indices which coordinate with the individual managers stated guidelines and objectives.

ASSET ALLOCATION

Asset allocation will be carefully considered and periodically reviewed. The objective is to obtain a mix of asset classes best calculated to meet total return objectives while incurring risks of prudent fiduciaries. Asset allocations will be periodically balanced to reflect adherence to Investment Policy objectives and market conditions at the discretion of the Investment Committee with the approval of the Executive Council.

STOCK VOTING

The voting of stock will be the responsibility of the managers or the fund(s), unless otherwise directed by the Order.

CUSTODIAN

A master custodian bank, national banking firm or major brokerage firm will be employed separately from the manager to manage the flow of funds, provide for proper accounting of transactions and the short-term investment of residual cash.

EVALUATION OF MANAGERS

(1) PERFORMANCE OBJECTIVES FOR ASSET MANAGEMENT

- (a) Equity managers/funds(s) will be expected to achieve an annualized total rate of return over a three to five year period which exceeds a market index rate of return by 1 ½ to 2 percentage points compounded annually, net of costs and fees. Total return is defined as dividend or interest income plus realized and unrealized capital appreciation or depreciation. Fixed income managers will be expected to exceed market indices by .75 percent.
- (b) The managers/fund(s) will also be expected to consistently achieve a total rate of return which is equal to or above the median return in a universe of peers with comparable investment styles or portfolio objectives.
- (c) Where index funds are used, the return should closely match the appropriate index.

(2) INVESTMENT STYLE

The managers/fund(s) will maintain a portfolio for the Order characterized by its traditional management style. Since the account is to be managed consistent with the manager's historical management style, the manager will be asked to notify the Investment Committee if and when a change in such style is proposed. A change in style may reduce or eliminate the effect of diversification, and therefore, may result in a change of managers.

(3) CHANGE IN OBJECTIVES OR ASSET ALLOCATION

A change in objectives or asset allocation strategy may require that funds be transferred between asset classes, to new asset classes, or among styles with asset classes. These changes may result in increases, decreases, or elimination of funds under management by a specific manager.

RESPONSIBILITIES OF THE INVESTMENT ADVISOR/FUND MANAGERS

The Investment Advisors/Fund Managers shall be responsible for:

- (1) Determining the composition of the portfolio and any changes therein;
- (2) Recommending the several portfolio securities that should be purchased and/or sold and the portfolio funds deposited and/or withdrawn within the parameters of the Investment Policy as set forth above;
- (3) All necessary orders to implement the current Investment Policy; and
- (4) Obtaining the "best execution" therefore. The Investment Advisors/Fund Managers will be given the necessary discretion to manage within the constraints of the Investment Policy.

Promptly following the end of each calendar quarter, the Investment Advisors/Fund Managers will deliver to the Executive Council and Executive Director an analysis of the portfolio which shall consist of a schedule of investments (including cost, market values, income, yield and other relevant data) and a schedule reflecting all purchases, sales, deposits and withdrawals transacted during such quarter.

The Investment Advisors/Fund Managers will meet with the Investment Committee at least annually to discuss performance and policy for the past, present and future investment environments. Other meetings with the Investment Advisors/Fund Managers will be held at the direction of the Investment Committee. In the absence of the Order's specific directions or authorizations to the contrary, the Investment Advisors/Fund Managers shall be responsible for managing the portfolio consistent with the investment policy as theretofore approved by the Order.

App. 801. Membership Position Statement. Kappa Alpha Order chapters elect members solely on the basis of each individual's moral, educational, and personal attributes. Kappa Alpha Order will not tolerate or condone, any form of behavior from its members which is demeaning, abusive, or harassing to any person. Kappa Alpha Order shall only discriminate on the basis of sex in its membership selection. Race, religion, ethnicity, sexual orientation, and socioeconomic status are not factors for membership election. An Order is a group of men brought together by their shared

values. As such, membership in our Order provides a leveling effect versus the experience found on campus or in the broader society. Recruitment of all potential members is strongly encouraged. Because of the emphasis on broad recruitment without focus on factors others may perceive as differentiating, Kappa Alpha Order does not collect demographic membership data. *Adopted November 6, 2003, amended October 27, 2017, and November 13, 2020.*

Description of Relationship

App. 901. Description of Relationship between national organization and collegiate or Active and Provisional Chapters.

1. Corporate Organization. Kappa Alpha Order is a non-profit corporation incorporated under the laws of the Commonwealth of Virginia. Its offices are located in Lexington, Virginia.

2. Purpose. Kappa Alpha Order is a non-profit corporation formed to foster fraternity and to provide educational and service resources for collegiate chapters of Kappa Alpha Order and those persons associated with the chapters. As with most non-profit organizations, Kappa Alpha Order operates on a limited budget and minimal staffing.

3. Administration. Kappa Alpha Order maintains and processes membership and records for its collegiate chapters. With total membership exceeding 4,000 undergraduates, the chapters are located throughout the United States.

4. Educational and Service Resources. Kappa Alpha Order also provides educational and services resources to collegiate alumni chapters, members associated with those chapters, and to local alumni who volunteer their time on an independent basis to assist a collegiate chapter and its associated collegiate members. Kappa Alpha Order provides education through conferences, written materials, and periodic consultant visits to collegiate chapters. Consultant visits result in advisory recommendations for chapter operations. Kappa Alpha Order strives through these educational efforts to enhance life skills, leadership skills and ethics traits for its members. Further, Kappa Alpha Order lends assistance to its chapters by providing educational opportunities and consultant recommendations.

5. Restriction on Agency. No chapter or member of Kappa Alpha Order is an agent for Kappa Alpha Order, nor shall any chapter or member be, expressly or implied, be appointed as an agent for Kappa Alpha Order.

6. Chapter Governance and Operation. Kappa Alpha Order is not involved in the day-to-day activities of its chapters and does not control or supervise those operations or activities. Each collegiate chapter of Kappa Alpha Order is a self-governing, financially self-sufficient association comprised of students of the institution at which they are enrolled. Each alumni chapter of Kappa Alpha Order is a self-governing, financially self-sufficient association comprised of alumni members residing in a specific geographic location. Under the Kappa Alpha Laws (Constitution, Bylaws and Regulations of Kappa Alpha Order), each collegiate chapter of Kappa Alpha Order selects and initiates its own members, elects its own officers, establishes its own rules, operates and determines its methods of operation, and governs its own affairs, subject only to those rules and operations being consistent with the policies, Constitution, Bylaws and Regulations of Kappa Alpha Order. The autonomy of a collegiate chapter in organizing, determining and conducting its own operations through a democracy is part of an educational process. A member's association with a collegiate chapter adds to collegiate life and to the development and refining of life skills.

7. Failure of Chapters to Follow Policies. If a collegiate chapter's operations are not consistent with the policies, Constitution, Bylaws and Regulations of Kappa Alpha Order, Kappa Alpha Order has the right after the fact to determine whether that chapter will continue to be recognized by Kappa Alpha Order as a chapter associated with it. In some situations, after an action by a chapter has occurred that is inconsistent with the policies, Constitution, Bylaws and Regulations, a probationary status may be implemented for the chapter by Kappa Alpha Order. In probationary situations, the chapter continues to be a self-governing, financially self-sufficient association of collegiate students. If a chapter ceases to be recognized by or associated with Kappa Alpha Order and that group of collegiate students nonetheless continues its operations in disregard of the lack of recognition or association of Kappa Alpha Order, then that group operates without authority by and without any affiliation with Kappa Alpha Order.

8. Sanctions. Kappa Alpha Order may undertake actions, including suspension and expulsion, of its membership as

specifically provided in the Constitution, Bylaws and Regulations of Kappa Alpha Order.

App. 1001. Conflict Of Interest Policy. Any director or councilor, officer, member of a committee with Executive Council or Board delegated powers or key employee who has a direct or indirect financial interest in a contract or other transaction presented to the Executive Council or Board or a committee thereof for authorization, approval, or ratification shall make a prompt and full disclosure of the material facts of the proposed contract or other transaction and his or her interest or relationship therein to the Executive Council or Board or committee prior to its acting on such contract or transaction. Such disclosure shall include any relevant and material facts known to such person about the contract or transaction which might reasonably be construed to be adverse to the Order's or Corporation's interest.

The body to which such disclosure is made shall thereupon determine, in good faith, whether the disclosure shows that a conflict of interest exists or can reasonably be construed to exist, and whether the contract or other transaction should be authorized, approved or ratified. Such authorization, approval or ratification shall require an affirmative vote of a majority of the disinterested votes entitled to vote. If a conflict is deemed to exist, or reasonably be construed to exist, such interested person shall not vote on, nor use his or her personal influence on, nor participate in, the discussions or deliberations with respect to such contract or transaction. Such person may be counted in determining whether a quorum is present, but may NOT be counted when the Executive Council or Board of Directors or a committee thereof takes action on such contract or transaction. The minutes of the meeting shall reflect the disclosure made, the vote thereon, and where applicable, the abstention from voting and participation, and whether a quorum was present. A contract or transaction shall not be authorized, approved or ratified under this paragraph by a single councilor or director.

For purposes of this policy, a director or councilor, officer, member of a committee with Executive Council or Board delegated powers or key employee is "indirectly" a party to a transaction if the other party to the transaction is an entity in which the director or councilor, officer, member of a committee with Executive Council or Board delegated powers or key employee has a financial interest or of which the director or councilor, officer, member of a committee with Executive Council or Board delegated powers or key employee is a managerial official or a member.

Each director or councilor, officer, member of a committee with Executive Council or Board delegated powers and key employee shall annually sign a statement which affirms that such person

- a. has received a copy of this conflict of interest policy;
- b. has read and understands the conflict of interest policy;
- c. has agreed to comply with the conflict of interest policy;
- d. understands that Kappa Alpha Order and its related entities are tax-exempt organization(s) and that in order to maintain its federal tax exemption, it must engage primarily in activities which accomplish one or more of its tax-exempt purposes; and
- e. has disclosed all matters requiring disclosure pursuant to the conflict of interest policy.

To ensure that this organization, as an exempt organization, operates in a manner consistent with its purposes and that it does not engage in activities that could jeopardize its status as an organization exempt from federal income tax, periodic reviews shall be conducted by the Executive Council.

KAPPA ALPHA ORDER ACTIVE CHAPTER PROCEDURAL GUIDE

This guide was originally prepared at the suggestion of the Number 1's in attendance at the 1948 National Training School for Chapter Officers (once changed to the National Leadership Institute and now known as the Number 1's Leadership Institute) and has been revised through the years to comply with changes in the *Kappa Alpha Laws*. A revision was prepared in August 1997 of work done by Former Knight Commander Howard P. Locke in cooperation with then Senior Councilor, later Knight Commander Loren Q. Hanson, Chairman of the Laws Committee.

1. Chapter business may not, of course, be transacted, and a vote on any motion may not be taken if a quorum is not present at the meeting. A quorum for any meeting of a chapter is a majority of its members (Section 9-214 of *Kappa Alpha Laws*) at the date of the particular meeting. A majority of the members is one more than one-half of the members of the chapter roll at the date of the meeting. For example, if your chapter has 50 members, 26 members must be present at a meeting to constitute a quorum for the transaction of business. If your chapter has 35 members, 18 members constitute a quorum.

2. The members of an Active Chapter consist of those active members of the chapter reported to the Executive Director of the Order at the beginning of each year, plus any initiates between the date of that report and the date of the particular meeting, excluding any member who, after the date of said report and before the date of the particular meeting, is no longer a student at the college or university or one who has been transferred to the alumni roles of the Order pursuant to Section 8-213 of *Kappa Alpha Laws*, and further excluding any member who has been suspended (Section 12-312) or expelled (Section 12-311) from the Order.

3. Ordinarily, a simple majority vote of a quorum is sufficient to carry (adopt) a motion. For example, if 26 members constitute a quorum and only a quorum is present, 14 votes will carry a motion, and if 15 members constitute a quorum and only 15 are present, eight votes are required to carry a motion. However, some matters require, under *Kappa Alpha Laws*, more than a simple majority vote for adoption. These matters are also indicated in the Tabular Voting Guide found on the following two pages.

4. Although a quorum for any meeting is a majority of the members of a chapter, there are some matters which require a vote which cannot be achieved with only a simple quorum of members. For example, the vote required to grant alumni status to an Active Member who has been an Active Member for seven regular semesters or eleven regular quarters, or the equivalent, is two-thirds of the Active Chapter. So if a chapter has 50 members, a quorum is 26 for the transaction of business, but the vote required to grant alumni status is 34. There are other similar votes required. When the required vote in the Laws is said to be a certain fraction "of the Active Chapter," or words of similar import, the fraction is applied to the entire membership of the chapter as defined in paragraph 2 above. *Note: Members "not in good standing" under § 8-218 are not counted to determine a quorum. See § 8-219 regarding the rights of members "not in good standing" for other restrictions on their right to participate in Chapter business.*

The following constitutes the tabulation of the vote required and the necessary quorum required by *Kappa Alpha Laws*. At the risk of being repetitious, it is important to note that the quorum required to hold a meeting and transact business may NOT provide a sufficient number present to secure the vote needed to pass a particular matter. For example, in the United States Senate, a quorum is a majority, yet the adoption of a Constitutional amendment requires a two-thirds vote: thus more than a quorum may be required to take particular action in an otherwise legitimately held meeting. When no specified section of the *Kappa Alpha Laws* is involved in any vote on a motion relating to the general chapter administration or miscellaneous matters, the vote required to adopt such a motion is a majority of those present and voting, a quorum being present.

There are other means by which some of the events enumerated above may take place, but since they do not involve chapter voting, they are not included in the chapter Tabular Voting Guide.

TABULAR PROCEDURAL GUIDE

SEC-TION of the LAWS	PURPOSE OF VOTE	VOTE REQUIRED TO ADOPT	QUORUM RE-QUIRED	VOTE RE-QUIRED LARGER THAN QUORUM
1-325	Establishment of provisional Chapter (a) Province Vote	2/3 of Active Chapters in Province	N/A	
	(b) Vote in chapter	Majority	Majority	No
1-413 8-113	Election to Membership See also 1-414 & 8-112	Unanimous (by secret ballot)	Majority	Yes – but all votes must be cast within 24 hours
8-115**	Procedure to override opposition to chapter growth (Open Vote)	3/4 of Active Members to invoke procedure	Majority	Yes
8-124 8-131***	Action on Pre-initiation Report (a) Favorable report for initiation	No vote required	Majority	N/A
	(b) Recommendation for deferral of initiation	1/3 of Active Members	Majority	No
8-132	Involuntary Termination of membership of member awaiting initiation; see also 8-133 & 8-134	2/3 of Active Members	Majority	Yes
8-213(c)	Acquisition of alumni status by Active Member after seven semesters or eleven quarters	2/3 of Active Members	Majority	Yes
8-215	Procedure for reinstating alumnus to active membership	Majority of Active Chapter granting alumni status and approval of Knight Commanders or his designee if 8-213 involved	Majority	Yes
8-216	Approve transfer of Active Member from another chapter	Majority of Active Members and approval of Knight Commander or his designee if 8-213(d) involved	Majority	No, if unanimous; otherwise, yes
8-217	Excuse Active Member from payment of financial obligation to chapter	2/3 of Active Members	Majority	Yes
9-112	Election of Chapter Officers I, II & III	Majority of Active Members		No
9-124	Removal of (a) Elected Chapter Officer	3/4 of Active Members	Majority	Yes
	(b) Appointed Chapter Officer	By the Number I		

9-222	Fixing of Chapter initiation fees, dues and assessments	Majority of Active Members	Majority	No, if unanimous; otherwise, yes
12-115	Appeal from conviction of minor offense – to reverse	3/4 of Active Members	Majority	Yes
12-128	Major Offense (a) Conviction	Majority of Active Members	Majority	No, if unanimous; otherwise, yes
12-129	(b) Impose penalty of Suspension	Majority of Active Members	Majority	No, if unanimous; otherwise, yes
	(c) Impose penalty of Expulsion	3/4 of Active Members	Majority	Yes
12-313	Reinstatement of member suspended for longer than three months	3/4 of Active Members	Majority	Yes

* See § 8-113 for requirement regarding necessary vote of members of chapter unavoidably absent from meeting for election of new members. ** CAUTION: Use the “open ballot” only under the circumstances set forth in § 8-115.

*** A motion to defer initiation is not in order until the “Report for initiation” provided for in § 8-124 has been made

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KAPPA ALPHA ORDER
CLAIM AND DISPUTE RESOLUTION PLAN
August 2021

1. Purpose and Construction

This Claim and Dispute Resolution Plan is designed to provide for the quick, fair, accessible, and inexpensive resolution of legal disputes between the Fraternity, and between any parent, affiliate, or successor of the Fraternity, or any of their officers, directors, Members Awaiting Initiation, Active Members, or Alumni Members, and the Fraternity's present and former members, related to or arising out of a membership relationship with the Fraternity or participation in a Fraternity activity, expressly including, but not limited to, any legal disputes in which any present or former member asserts a claim or dispute against the Fraternity, any parent, affiliate, or successor of the Fraternity, or any of their officers, directors, or members, and the Fraternity's present and former members. The Plan is intended to create an exclusive procedural mechanism for the final resolution of all disputes falling within its terms. It is not intended either to reduce or enlarge substantive rights available under existing law. The Plan should be interpreted in accordance with these purposes.

2. Any Dispute or Claim, as those terms are used and defined in this document, relating to or arising out of a membership relationship with the Fraternity or participation in a Fraternity activity shall be exclusively resolved by binding arbitration upon a Party's submission of the dispute to arbitration. This Claim and Dispute Resolution Plan is intended to apply to any claims brought by the heirs, successor and assigns of any Party to the Plan, unless otherwise prohibited by law.

3. All Parties to the Plan expressly waive their rights to initiate a lawsuit against a Party to the Plan before any state or federal court that involves a Dispute or Claim covered by the Plan.

4. Definitions

- A. "Sponsor" means KAPPA ALPHA ORDER.
- B. "Fraternity" means KAPPA ALPHA ORDER, any affiliated chapter house corporations, and every student provisional chapter, Active Chapter or alumni organization affiliated with the Fraternity and all of their officers, directors, members, volunteers, and agents. "Fraternity" also includes every associated foundation and wholly owned subsidiary, whether or not tax-exempt, and the fiduciaries, agents, staff, directors, and members of all such entities. "Fraternity" also includes the successors and assigns of all of the aforementioned persons and entities.
- C. "Claim" means any legal or equitable claim, demand or controversy for any personal injury, equitable relief or property damage arising out of any tort, statute (local, state or federal) or breach of contract involving the Fraternity. This includes but is not limited to any type of allegation of negligence, intentional acts, defamation, discrimination, contribution or indemnity.
- D. "Dispute" means a claim, demand or controversy to which this Plan applies, between persons bound by the Plan or by an agreement to resolve disputes under the Plan, or between a person bound by the Plan and a person or entity otherwise entitled to its benefits.
- E. "Member" means any Member Awaiting Initiation, Active Member, Alumnus Member or former member of KAPPA ALPHA ORDER and the heirs, beneficiaries and assigns of any such person, including the personal representative of the estate of the Member.
- F. "Party" means a person bound by this Plan.
- G. "Plan" means this KAPPA ALPHA ORDER Fraternity Claim and Dispute Resolution Plan, as amended from time to time.
- H. "Decision by Arbitrator" means resolution of a Claim or Dispute by arbitration under this Plan.
- I. "Rules" means the KAPPA ALPHA ORDER Claim and Dispute Resolution Rules, including any subsequent amendments thereto.

5. Application and Coverage

- A. This Plan applies to and binds the Fraternity and each Member on or after the effective date of this Plan, and the heirs, beneficiaries and assigns of any such person. All such persons shall be deemed Parties to this Plan.
- B. By continuing membership in the Fraternity, members agree to the terms of the Plan and its application to any Claims and Disputes described in the Plan, until such time as the Plan is revoked by Sponsor.
- C. Except as provided for herein, this Plan applies to any legal or equitable Claim, Dispute, demand or controversy, in tort, in contract, under statute (local, state or federal), or violation of any legal obligation, between persons bound by the Plan, or between a person bound by the Plan and any person or

entity entitled to its benefits, which relates to, arises from, concerns or involves in any way any Claim or Dispute as defined, herein, arising out of or involving the Fraternity or any Fraternity activity. This includes any direct or indirect claims for contribution or indemnity.

- D. Notwithstanding anything to the contrary in this Plan, the Plan does not apply to claims for workers compensation benefits or unemployment compensation benefits.

6. Amendment

- A. The Plan and Rules may be amended by Sponsor from time to time as may be deemed necessary. Sponsor must provide written notice of the proposed amendment to all Members thirty (30) days before the effective date of the amendment. Notice may be achieved by posting the proposed amendment on the Fraternity's website and making it available to all Members, or otherwise using electronic means of distributing notice of the amendment. A Member's decision to continue his membership in the Fraternity will be considered consent to any such Amendment. No amendment will be applied retroactively or to a Dispute or Claim of which Sponsor had actual notice on the effective date of the amendment.

7. Termination

This Plan may be terminated by Sponsor at any time. However, termination shall not be effective:

- A. until 10 days after written notice is given to Members and assented to in the manner described in paragraph 12; or
- B. as to Claims or Disputes which arose prior to the date of termination.

8. Applicable Law and Venue

- A. The Federal Arbitration Act shall apply to this Plan, the Rules, and any proceedings under the Plan or the Rules, including any actions to compel, enforce, vacate or confirm proceedings, awards, orders of an arbitrator, or settlements under the Plan or the Rules.
- B. Other than as expressly provided herein, or in the Rules, the substantive legal rights, remedies and defenses of all Parties are preserved.
- C. Venue of the arbitration shall be the County determined by paragraph 8A of the Rules.

9. Administrative Proceeding

- A. This Plan shall apply to a Dispute pending before any local, state or federal administrative body unless prohibited by law.
- B. Participation in any administrative proceeding by the Fraternity shall not affect the applicability of the Plan to any such dispute upon termination of the administrative proceedings. A finding, recommendation or decision by an administrative body on the merits of a dispute subject to this Plan shall have the same legal weight or effect under the Plan as it would in a court of competent jurisdiction.

10. Exclusive Remedy

Proceedings under the Plan shall be the exclusive, final and binding method by which Claims and Disputes are resolved. Consequently, the institution of a proceeding under this Plan shall be a condition precedent to the initiation of any legal action (including action before an administrative tribunal with adjudicatory powers) against the Fraternity or members.

11. Effective Date

The effective date of this Plan is _____, 202__.

12. Severability

The terms of this Plan and the Rules are severable. The invalidity or unenforceability of any provision therein shall not affect the application of any other provision. Where possible, consistent with the purposes of the Plan, any otherwise invalid provision of the Plan or the Rules may be reformed and, as reformed, enforced.

13. Assent

Accepting membership, becoming a Member Awaiting Initiation or continuing membership after the Effective Date of this Plan or after notice of any amendments or notice of termination, constitutes consent by both the Member and the Fraternity to be bound by this Plan, and any amendments thereto, both during the membership and after termination of membership.

KAPPA ALPHA ORDER
CLAIM AND DISPUTE RESOLUTION RULES
August 2021

1. Definitions

All definitions included in the KAPPA ALPHA ORDER Claim and Dispute Resolution Plan apply to these Rules.

2. Application

These Rules apply in the form existing at the time proceedings are initiated under them.

3. Initiation of the Process

- A. A Party may initiate proceedings under these Rules at any time, subject to any defenses applicable to the timeliness of the claim, including limitations and laches.
- B. A demand for arbitration shall be initiated by sending a registered or certified letter to each named Party against whom the claim is made, which provides notice of the existence and nature of the claim, the amount claimed, and specific demand for arbitration. Service upon the KAPPA ALPHA ORDER shall be made on the Executive Director/Chief Executive Officer at Fraternity headquarters.
- C. Within 21 days of receipt of the certified letter demanding arbitration, the responding Parties shall serve an Answering Statement in response to the demand for arbitration on all Parties. The Statement shall include respondent's contact information, the contact information of its representative (if any), its preliminary comments on the dispute, its response to the relief sought by the claimant, its proposals for choice of arbitrators and any counterclaims the respondent may be making against the claimant or any other Party to the arbitration. The respondent's Statement in response is not intended to be a full reply of all of the particular issues involved in the case.

4. Appointment of an Arbitrator

- A. Within 30 days after service of the demand for arbitration, the Parties shall agree on an arbitration service from which an arbitrator may be chosen, or shall agree on a panel of arbitrators from which an arbitrator shall be chosen. If the parties cannot agree on a panel of arbitrators or an arbitrator within 30 days after service of the demand for arbitration, then the arbitration service from which an arbitrator or panel of arbitrators will be chosen shall be that of JAMS Mediation, Arbitration and Dispute Resolution or another arbitration service located in the venue where the arbitration will be held.
- B. The Parties may mutually agree upon the use of a single arbitrator or a panel of arbitrators. If the Parties cannot agree upon the panel number, the default will be a panel of two arbitrators, unless the amount sought in controversy is less than \$25,000. If a Party is seeking less than \$25,000 in monetary damages and the Parties cannot agree upon the panel number, then the default will be one arbitrator.

6. Qualifications of the Arbitrator

The arbitrator shall have experience in the area of law that is involved in the Claim or Dispute for which arbitration is demanded and shall also have served as an arbitrator for a minimum of five years.

7. Fees and Expenses

- A. All attorney's fees incurred in connection with arbitration shall be borne by the Party incurring them except as otherwise provided by law or in these Rules.
- B. Active undergraduate Members shall not be responsible for payment of fees and expenses of proceedings under these Rules, unless the proceedings are initiated by the active undergraduate member. If proceedings are initiated by an active undergraduate Member, the Member shall be responsible for the payment of \$1,000 for initiating the arbitration. All other fees associated with arbitration initiated by an active undergraduate Member shall be paid by the National Fraternity.
- C. The expenses of witnesses shall be borne by the Party producing such witnesses, except as otherwise provided in these Rules or by law.

8. Date, Time and Place of Arbitration

- A. The arbitrator shall set the date, time and place of the hearing in the county where the Fraternity has a provisional chapter or Active Chapter to which the Member belongs, where the involved provisional chapter or Active Chapter is/was located at the time of the event in question, or in the county where the transaction or incident occurred that forms the basis of the Claim or Dispute.
- B. If a Party to the arbitration is an active undergraduate Member, the arbitrator shall make reasonable efforts, without unduly incurring expense, to accommodate the Member in the selection of a convenient location and time for the hearing.

9. Pre-Arbitration Hearing Submissions

- Ten (10) days before the arbitration hearing, the Parties shall exchange copies of all exhibits it intends to submit during the hearing and shall identify each witness who will testify at the hearing, with a summary of the anticipated testimony of each witness.
10. **Mode of Pre-Arbitration Hearings and Conferences**
In the discretion of the arbitrator or by agreement of the Parties, administrative conferences and hearings may be conducted by telephone, Zoom, or by written submission, as well as in person.
11. **Discovery**
A. Limited discovery shall be permitted. Discovery may not exceed 3 witness depositions per Party, not to exceed 6 hours of testimony per deposition. Any Party shall also be entitled to depose any expert witness that will testify at the arbitration hearing. Written discovery may not exceed 20 interrogatories, 20 requests for production and 10 requests for admission per Party.
B. The arbitrator(s) may subpoena witnesses or documents at the request of a Party or on the arbitrator's own initiative.
C. Any Party may petition the arbitrator for additional discovery. The arbitrator shall not permit additional discovery absent a showing of good cause.
D. The arbitrator shall resolve any discovery disputes submitted by any Party, including entry of protective orders or other discovery orders that may be required to protect a Party's rights.
12. **Dispositive Motions**
The arbitrator may decide dispositive motions. The arbitrator shall set a reasonable date in advance of the arbitration hearing by which all dispositive motions shall be heard. The Parties shall be provided with notice and a reasonable opportunity to respond.
13. **Representation**
Any Party may be represented by counsel or by any other authorized representative.
14. **Confidentiality**
A. The arbitrator shall maintain the privacy of the hearings to the extent permitted by law. Any person having a direct interest in the matter is entitled to attend the hearings. The arbitrator may exclude any non-party from the hearing.
B. Neither the Parties nor the arbitrator may disclose the substance of the arbitration proceedings or award except as required by law or as necessary to file a motion regarding the award pursuant to the Federal Arbitration Act and in that event, the Parties shall take all appropriate measures to file any documents related to the arbitration under seal.
15. **Procedure**
The hearing shall be conducted by the arbitrator(s) in whatever order and manner will most expeditiously permit full presentation of the evidence and arguments of the Parties.
16. **Oaths**
The arbitrator may require witnesses to testify under oath administered by any duly qualified person and if required by law or requested by any Party, shall do so.
17. **Evidence**
A. The arbitrator(s) shall be the sole judge of the relevance, materiality and admissibility of evidence offered.
B. The arbitrator(s) may consider the evidence of witnesses by affidavit or declaration but shall give it only such weight as the arbitrator(s) deems it entitled to after consideration of any objection made to its admission.
18. **Stenographic Record**
There shall be no stenographic record, tape recorded, or videotape record of the proceedings unless either requested by one of the Parties or the arbitrator orders otherwise. The Party requesting the record shall bear the entire cost of producing the same. Copies of the record shall be furnished to all other Parties on request and payment of the cost of reproduction.
19. **Arbitration in the Absence of a Party**
The arbitrator(s) may proceed in the absence of Parties or representatives who, after due notice, fail to be present or fail to obtain a postponement. An award shall not be made solely on the default of a Party. The arbitrator(s) shall require any Party who is present to submit such evidence as the arbitrator(s) may require for the making of an award.
20. **Post-Hearing Submissions**
All documentary evidence to be considered by the arbitrator(s) shall be submitted at, or prior to the hearing,

- unless the arbitrator(s) finds good cause to permit a post-hearing submission. All Parties shall be afforded an opportunity to examine and comment on any post-hearing evidence. The arbitrator(s) shall permit the filing of post-hearing briefs at the request of a Party and shall determine the procedure and timing of such filings.
21. **Closing and Reopening of Hearing**
A. When the arbitrator(s) is satisfied that the record is complete, including the submission of any post-hearing briefs or documents permitted by the arbitrator(s), the arbitrator(s) shall declare the hearing closed.
B. The hearing may be reopened on the arbitrator's initiative or upon application of a Party, at any time before the award is made.
22. **Waiver of Hearing**
The Parties may agree to waive the oral hearing and submit the dispute to the arbitrator for an award based on written submissions and other evidence as the Parties may agree.
23. **Service of Notices and Papers**
Any papers, notices, or process necessary or proper for the initiation of continuation of any proceeding under these Rules (including the award of the arbitrator; for any court action in connection therewith; or for the entry of judgment on an award made under these procedures) may be served on a Party by mail addressed to the Party or his representative at the last known address or by personal service. Service may be made at any place, provided that the Party served has had a reasonable opportunity to be heard with regard to service. The Parties, and the arbitrator may also use facsimile transmission or e-mail to give any notices required by these procedures.
24. **Communications with the Arbitrator**
There shall be no communication between the Parties and the arbitrator other than at any oral hearings or conferences. Any other oral or written communications from the Parties to the arbitrator shall be directed to the AA (and copied to the Parties) for transmission to the arbitrator, unless the Parties and the arbitrator agree otherwise.
25. **Time of Award**
The award shall be promptly made by the arbitrator(s) and, unless otherwise agreed by the Parties or specified by applicable law, no later than thirty (30) days from the date of the closing of the hearing, or in the case of a waived hearing, no later than thirty (30) days after receipt by the arbitrator(s) of all materials specified by the Parties.
26. **Form of Award**
The award shall be in writing and shall be signed by the arbitrator(s). The award shall be executed in any manner required by applicable law. Unless the Parties agree otherwise, the award shall contain a concise written statement for the reasons for the award.
27. **Modification of Award**
On order of a court of competent jurisdiction, or on agreement of the Parties, the arbitrator(s) shall modify any award. The arbitrator(s) may modify an award on the motion of a Party if the arbitrator(s) finds that the award as rendered is ambiguous or defective in form, or if the award requires an illegal or impossible act. These are the only circumstances under which an arbitrator(s) shall have jurisdiction to withdraw or modify an award.
28. **Settlement**
If the Parties settle their dispute during the course of the arbitration, the arbitrator may set out the terms of the settlement in a consent award.
29. **Scope of Arbitrator's Authority**
The arbitrator's authority shall be limited to the resolution of legal disputes between the Parties in the same manner as a court of general jurisdiction in the venue. This includes but is not limited to determination of jurisdiction and dispositive motions. As such, the arbitrator(s) shall be bound by and shall apply applicable law including that related to the allocation of the burden of proof as well as substantive law. The arbitrator(s) shall not have the authority either to reduce or enlarge substantive rights available under existing law. The arbitrator(s) may also grant emergency or temporary relief which is or would be authorized by applicable law.
30. **Waiver**
If a Party becomes aware of a violation of or failure to comply with these Rules and fails to promptly object in writing, the objection will be deemed waived unless the arbitrator determines that waiver will cause substantial injustice.
31. **Judicial Proceedings and Exclusion of Liability**
A. No arbitrator is a necessary Party in any judicial proceedings relating to proceedings under these Rules.

- B. No arbitrator shall be liable to any Party for any act or omission in connection with any proceedings within the scope of these Rules.
- C. Any court with jurisdiction over the Parties may compel a Party to proceed under these Rules at any place and may enforce any award made.
- D. Parties to these Rules shall be deemed to have consented that judgment upon the award of the arbitrator may be entered and enforced in any federal or state court having jurisdiction of the Parties.
- E. Initiation of, participation in, or removal of a legal proceeding shall not constitute waiver of the right to proceed under these Rules.
- F. Any court with jurisdiction over the Parties may issue any injunctive orders (including temporary restraining orders and preliminary injunctions) if the necessary legal and equitable requirements under applicable law are met pending the institution of proceedings under these Rules.

32. Applicable Law

- A. These proceedings and any judicial review of awards under these Rules shall be governed by the Federal Arbitration Act.
- B. Except where otherwise expressly provided in these Rules, the substantive law applied shall be state or federal substantive law which would be applied by the Federal Circuit Court of Appeals for the state where the event occurred.