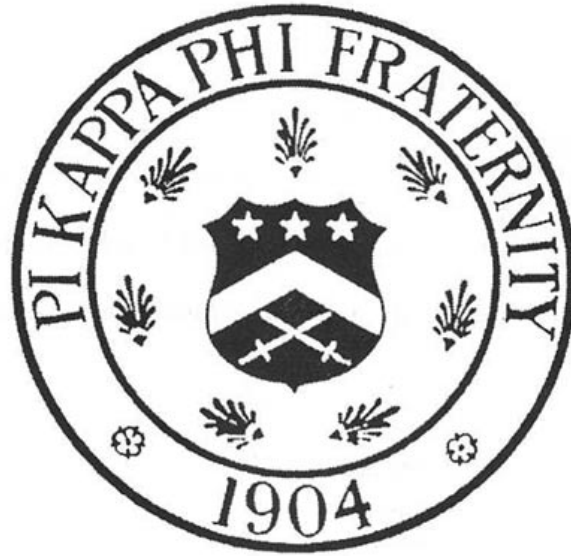


Theta Mu Chapter of Pi Kappa Phi



Constitution



Theta Mu Chapter Constitution

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The Theta Mu Chapter of Pi Kappa Phi Constitution

We, the brothers of the Theta Mu Chapter of Pi Kappa Phi Fraternity, establish this Constitution as evidence of our eternal devotion to the vision and ideals of Pi Kappa Phi. We shall demonstrate our devotion by living the Ritual, building an everlasting and enduring brotherhood, keeping careful watch over our personal conduct, and striving for the highest standards of excellence in all of our endeavors. United, we shall strive to become the definition of the Ideal Chapter.

Article I: Definitions

- Section 1. A brother shall be defined as male undergraduate students at the University of Massachusetts at Amherst who choose to associate and obligate themselves to Pi Kappa Phi Fraternity, have completed the requirements for Associate Membership, and have completed the Ritual of Initiation.
- Section 2. The Brotherhood shall be defined as all the individuals who meet the requirements of §1 of this Article.
- Section 3. Associate Members shall be defined as male undergraduate students at the University of Massachusetts at Amherst who meet the eligibility requirements for Associate Membership set forth by the brotherhood and have accepted a properly issued bid. Associate members must complete all requirements set forth in §3 of Article III of this Constitution to become active brothers. Associate members are not granted voting privileges in the chapter or access to esoteric materials or information for any reason.
- Section 4. Good Standing status for all brothers and associate members shall be defined as fulfilling the expectations for membership found within the Chapter Code of Conduct. At a minimum, the term ‘Good Standing’ shall be defined in the Chapter Code of Conduct as satisfactorily fulfilling all financial obligations to the Chapter and National Organization and meeting the Chapter’s minimum grade point average requirements. If at any time a brother or associate member fails to uphold these minimum requirements he shall automatically lose his Good Standing status and must meet with the Standards Board, who shall determine a satisfactory means of reestablishing Good Standing status.
- Section 5.** The Governing Documents shall be defined as the Chapter Bylaws, Chapter Constitution, Pi Kappa Phi Constitution, Supreme Laws, University Code of Conduct, Massachusetts State Law, and Federal law.

Article II: The Brotherhood

- Section 1. All legislative powers herein granted are vested in the brotherhood of the Theta Mu Chapter. Active brothers shall have the right to vote and make and amend motions on issues brought before the fraternity during Chapter meetings.
- Section 2. The brotherhood shall have power to:
- A. Build a greater sense of brotherhood through the creation of new customs, traditions, and programs that adhere to the principles found within the Ritual of Initiation;
 - B. Establish a written Code of Conduct and determine the appropriate measures necessary for enforcement through the Chapter's judicial system;
 - C. Determine and establish the rules and regulations of the Chapter judiciary system and confirm the justices thereof;
 - D. Establish and revise the Chapter Vision and Mission Statements;
 - E. Assist the Archon and Executive Council in devising a Strategic Action Plan to implement the Chapter Vision and Mission Statements;
 - F. Pass Bylaws;
 - G. Determine expectations for and vote on the induction of Associate Members into the brotherhood in the manner prescribed by the Supreme Laws;
 - H. Elect all the Executive Officers on the Executive Council;
 - I. Amend and approve the Treasurer's proposed Chapter-wide budget and any spending that is not included in the Chapter-wide budget;
 - J. Approve Chapter Dues increases;
 - K. Overturn decisions made by the Standards Board or Executive Council that pertain to the interpretation of this Constitution through Constitutional Amendment;
 - L. Try all officer impeachments; and,
 - M. Make all laws that shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the brotherhood of the Theta Mu Chapter, or in any department or officer thereof.
- Section 3. All voting procedures regarding the execution of the forgoing legislative powers must be conducted during a Chapter meeting in accordance with Roberts Rules of Order unless otherwise stated by this Constitution. The Chapter may adopt an amended or simplified version of Robert's Rules of Order and include such in the Bylaws. Additional rules governing the legislative process may be passed by the Chapter so long as they conform to this Constitution and Roberts Rules of Order.

- Section 4. Any section of this constitution may be further expanded upon or clarified by the bylaws of the chapter. All proposals regarding new or existing bylaws must be presented in writing and explained to the brotherhood during a Chapter meeting. All proposals must also be submitted to the Standards Board, who will investigate whether the laws conform with the Governing Documents. The Standards Board will then issue an advisory opinion regarding the legality of the proposal.
- Section 5. The brotherhood must wait six days to review proposals for new laws, amendments to existing laws, or the full or partial repeal of existing laws before taking formal action.
- Section 6. After six days have passed, the brotherhood shall have the power to do the following: call upon a committee or the Executive Council to investigate the soundness of the proposal, amend it, or vote on it.
- Section 7. Per Supreme Law, the ratification of proposals shall require the concurrence of a two-thirds majority of brothers voting and present at a Chapter meeting where there is quorum.
- Section 8. Ratified proposals shall become bylaws and appear in a subordinate governing document of the Chapter entitled 'Bylaws of the Theta Mu Chapter.' A brother may challenge the legality of a law by filing a complaint with the Standards Board. The defendant in this case is the brother who first proposed the bylaw. The Standards Board must hear all such cases and vote strictly on the legality of the law. The Standards Board may strike down a bylaw if it does not conform to the Governing Documents. The Executive Council may review such a decision on appeal.
- Section 9. Articles of Impeachment may be presented to the Chapter in writing by any brother during a Chapter meeting regarding a brother holding any appointed or elected position for abuses of power, for offenses that undermine the integrity of his office, for offenses that reflect poorly upon the Chapter, failing to uphold the Chapter Constitution, failing to maintain Good Standing status, or for his failure to meet the obligations and responsibilities of a position. An Article of Impeachment must receive one-third of the brotherhood's support before it can be filed with the Chapter. A majority vote in favor of an Article of Impeachment is required to initiate impeachment proceedings. When sitting for impeachment, they shall be on oath or affirmation and have all the protections and rights afforded by due process of the law. The Chief Justice shall preside over all impeachments. In the event the Chief Justice is unable to do so, the Executive Council shall appoint a presiding judge who the Chapter shall approve of by a majority vote. No person shall be convicted without the concurrence of two-thirds of the brothers present and voting at a Chapter meeting where there is quorum.

Section 10. Impeached officers may not hold any other office or chair position. The brotherhood may determine additional sanctions based on the severity of the impeached officer's offenses.

Article III: Membership

Section 1. The Theta Mu Chapter of Pi Kappa Phi shall not discriminate based on race, color, religion, national origin, ancestry, age, political beliefs, marital status, physical or mental disability, or sexual orientation.

Section 2. All brothers and associate members shall receive all the rights, privileges, and obligations delegated to them by the Supreme Chapter, National Organization, and the Theta Mu Chapter.

Section 3. An associate member may become a brother only after:

- A. Completing the Associate Member Education Program to the satisfaction of the Warden and Associate Member Education Committee;
- B. Passing the National Exam with a score above 80 percent;
- C. All pre-initiation and Initiation fees have been paid in full;
- D. Receiving approval from the brotherhood at an Associate Member election held prior to the Ritual of Initiation; and,
- E. Completing the official Pi Kappa Phi Ritual of Initiation

Section 4. Part D, §4 of this Article shall not apply to initiated brothers of the Alpha Class.

Section 5. The Chapter Code of Conduct defines the obligations and expectations of membership incumbent upon all brothers and associate members of the Theta Mu Chapter.

Section 6. The Chapter Code of Conduct shall be treated as a bylaw and subject to the outlined legislative process found within Article II of this Constitution.

Section 7. Failure to meet any requirements beyond the minimum requirements for Good Standing status found in the Chapter Code of Conduct, as outlined in §4 of Article I of this Constitution, may result in the filing of a formal complaint with the Archon, who shall transmit that complaint to the Standards Board for the Standards Board's consideration.

Section 8. An Associate Member not in Good Standing the day of Associate Member Elections shall not be eligible for initiation.

Section 9. Any Associate Member who fails to meet the requirements for membership and Good Standing status within two consecutive semesters shall lose eligibility in becoming an Associate Member. A third and final semester may be granted by a two-thirds vote of the undergraduate brotherhood upon recommendation of the Associate Member Education Committee.

Section 10. Alumni initiate candidates must fulfill the requirements for membership set forth in the Supreme Laws and those set by the undergraduate brotherhood.

Article IV: The Executive Council

- Section 1. The Executive Council shall act as the chief administrative body of the Chapter and chief enforcer of the Governing Documents, with all the rights, powers, and responsibilities conferred upon it by the Governing Documents.
- Section 2. The Executive Council shall be composed of the Vice Archon, Treasurer, Secretary, Warden, Historian, Chaplain, and Push America Executive, who shall serve as an ex-officio member. The Archon shall serve as the Council's chair.
- Section 3. No Executive Council Officer may be a committee chair or hold more than one Executive Council position.
- Section 4. The Executive Council shall have the power to:
- A. Enforce the Governing Documents
 - B. Formulate a Strategic Action Plan to fulfill the Chapter's Vision and Mission Statements;
 - C. Track the Chapter's fulfillment of the goals comprising the Strategic Action Plan;
 - D. Act on behalf of the Chapter concerning executive administrative affairs;
 - E. Fill vacancies in the Executive Council until a mid-term election is held;
 - F. Review appealed judgments set forth by the Standards Board;
 - G. Choose Chapter advisors, including a Board of Alumni Advisors; and,
 - H. Execute any additional powers necessary for the operation of the Chapter in accordance with Pi Kappa Phi Fraternity's Constitution, Supreme Laws, and this Constitution.
- Section 5. The Executive Council and the Risk Management Chairman shall be principally responsible for the supervision and safety at all Chapter related events.
- Section 6. The Executive Council shall meet at least once a week on a day different from the day of Chapter meetings. Only the Archon may conduct any meeting of the Executive Council. All Executive Council meetings are private unless the Archon exercises his right to invite observers and release meeting minutes at his discretion. Five of the seven voting officers must be present for an Executive Council meeting to begin.
- Section 7. The Executive Council has the power to temporarily suspend a specific section of or make an addition to the Bylaws in the event of an emergency circumstance that requires such action. Five of the seven voting Executive Council officers must vote in favor of the desired action for any changes to take effect. Such changes may last no longer than seven days. The brotherhood reserves the right to review such changes during any chapter

meeting. A majority vote of the brotherhood is required for review. The brotherhood may overturn such a decision of the Executive Council by a two-thirds majority vote of those brothers present. All voting Executive Council officers may not exercise their right vote in this circumstance.

Section 8. The Archon, Executive Council, and the undergraduate brotherhood cannot add or remove officer positions from the Executive Council unless instructed by the Chief Executive Officer or President of the National Organization or Supreme Laws.

Article V: Executive Officers

Section 1. All Executive Officers shall have the power to:

- A. Create and abolish committees located under their Offices and appoint the chairmen thereof to accommodate the needs of their respective Offices and must perform all duties as may be prescribed in the Gold Book, the Pi Kappa Phi National Office, this Constitution, or those assigned to him by the Chapter.
- B. Enter into contracts necessary to pursue the relevant interests of their Office only with the advice and consent of the Archon and Treasurer;
- C. Request funds for their respective Office through the Treasury's annual budget process; and,
- D. Create and implement programs that are required to facilitate the execution of the powers vested in their office;
- E. Execute any additional powers necessary to fulfill the responsibilities of their respective Office in accordance with the Governing Documents.

Section 2. The following committees shall be permanent in the Chapter:

- i. Recruitment;
- ii. Associate Member Education;
- iii. Push America;
- iv. Alumni Relations; and,
- v. Living the Ritual

Section 1. Chairmen must be brothers in Good Standing and whose length of service shall be determined by the Executive Officer who presides over the respective Office in which he serves. A chairman may also be removed by a majority vote of the Executive Council.

Section 2. The Chaplain shall serve as the sole chairman of the Living the Ritual Committee.

Section 3. Per Supreme Law, the positions of Risk Management Chairman and Philanthropy Chairman are permanent chair positions that must be filled at all times.

Article VI: The Archon

- Section 3. The Archon shall be the official head and Chief Executive of the Chapter who shall have the responsibility to:
- A. Coordinate the Chapter's efforts to fulfill its Vision and Mission;
 - B. Oversee the performance of Executive Officers and other positions that report to the office of Archon;
 - C. Oversee the daily administrative operations of the Chapter;
 - D. Preside at all Chapter and Executive Council meetings;
 - E. Determine the order of Chapter meetings;
 - F. Oversee the implementation of the Chapter committee system by supervising the work of the Chapter's Officers and chairmen;
 - G. Be an ex-officio member of all committees;
 - H. Serve as the Public Relations spokesman;
 - I. Receive the Chapter's semesterly academic report and supervise the Chapter's academic progress;
 - J. Have the dominant right and responsibility of contract signing for the Chapter;
 - K. Present complaints to the Standards Board on behalf of the brotherhood;
 - L. Appoint the IFC Council Representative, justices with the advice and consent of the Chapter, and make any additional appointments necessary for the operation of the Chapter; and
 - M. Execute any additional powers necessary to fulfill the responsibilities of their respective Office as stated in the Supreme Laws so long as such actions conform to the Supreme Laws, National Constitution, and this Constitution.
- Section 4. If the Archon is unable to preside at a Chapter meeting he has called to order, the next highest ranking Executive Officer present shall preside at that meeting with the Archon's approval.
- Section 5. If, at the time fixed for the beginning of the term of the Archon, the Archon, for whatever reason, is unable to execute the powers of his Office, the Executive Council shall appoint an Executive Council officer as a temporary replacement. The brotherhood shall be notified immediately of this appointment and an emergency election process must be started to elect a new Archon. This emergency election process must be completed within two weeks of the Executive Council's appointment of the temporary replacement. The Executive Council officer who has been appointed to the position of Archon by the Executive Council shall not be eligible to run for Archon in the emergency election.
- Section 6. If any Executive Officer fails to uphold the grade point average standard required for all Executive Officers as outlined in the Supreme Laws, the

Archon shall have the authority to remove that Executive Officer without trial or formal hearing.

Article VII: The Standards Board

- Section 1. The judicial power of this Chapter shall be vested in a Standards Board.
- Section 2. The Standards Board shall:
- A. Serve as the original jurisdiction in all cases in the Chapter involving violations of the Governing Documents of the Chapter by any brothers, except in cases of impeachment;
 - B. Faithfully and impartially interpret and maintain the Governing Documents;
 - C. Personify the virtues of true brotherhood—caring, helping, and encouraging fraternal members for stronger individual development;
 - D. Ensure due process of the law and timeliness in all hearings and cases;
 - E. Determine the Good Standing status of active Brothers and Associate Members and approve of proportionate disciplinary action;
 - F. Determine its own internal rules and regulations;
 - G. Perform all of its duties with the highest respect for confidentiality;
 - H. Perform any other functions and execute any additional powers necessary for the operation of the Chapter in accordance with the Governing Documents.
- Section 3. Sitting Executive Officers may not hold positions on the Standards Board.
- Section 4. Once elected, providing good behavior, a justice shall remain on the Standards Board until he retires due to graduation, goes abroad, formally resigns or retires through a written notice to the Chief Justice, or is impeached by the brotherhood after a formal hearing before the Chapter as prescribed in §11 of Article II of this Constitution. If a Justice is impeached, the Archon shall preside over such impeachment hearings unless the Archon is the brother who has petitioned for the justice's impeachment. If so, the Executive Council shall appoint a presiding judge who the Chapter shall approve of by a majority vote.
- Section 5. The Executive Council shall hear all appeals regarding Standards Board decisions. An unanimous vote by all the members of the Executive Council is required to overturn or amend a decision by the Standards Board. The Council may remand a case to the Standards Board before making a final judgment if it finds that there were procedural mistakes or if it wishes for the Standards Board to explore further specific issues not elaborated upon in the first hearing with the Standards Board.
- Section 9. The Standards Board shall have the jurisdiction to hear any cases regarding an Executive Officer's violation of the Code of Conduct. If the

Standards Board finds the officer guilty, the Chief Justice shall have the power to file Article of Impeachment with the Chapter as outlined in §12 of Article II of this Constitution only after the Standards Board holds a separate vote to determine if the offense is worthy of impeachment proceedings. Regardless of this second vote, the Archon shall be made notified that an Executive Officer has been found guilty of violating the Code of Conduct. The Executive Council shall not have the power to hear appeals in these cases.

Article VIII: Officer Election Regulations

- Section 1. The Chapter may determine the appropriate Election Day procedures and regulations as necessary to ensure the fairness, timeliness, and impartiality of the election process and that all votes cast by the undergraduate brothers are counted equally.
- Section 2. Elections shall occur once a year in the fall at a time determined by the Archon.
- Section 3. Candidates for office must be brothers who are in Good Standing and have satisfactorily fulfilled all their obligations to the Chapter and National Organization.
- Section 4. The Chapter Code of Conduct grade point average requirements shall not apply in Chapter Elections. The sitting Archon shall verify the grades of all executive officer candidates before elections to ensure that they meet the Supreme Law academic requirements for holding office. All candidates who fail to meet the Supreme Law academic requirement for holding office will be automatically disqualified from contesting any office on Election Day.
- Section 5. All voting during elections must be conducted by secret ballot. Absentee ballots may be cast by brothers who have been excused from the meeting in which elections occur. If candidates are added to the ballot for an office on Election Day, absentee ballots must be discarded for that office and only that office. A candidate who is physically absent may still be allowed to vote for himself.
- Section 6. Any candidate for office may file a complaint with the Standards Board contesting the equity of the election process or the results of the Election up to one week following the conclusion of Election Day. All such complaints must be accepted and provided a hearing by the Standards Board.
- Section 7. A report detailing the Election Results must be signed by the sitting Archon, Warden, and Chief Justice on Election Day.
- Section 8. The sitting Archon shall install the newly elected Archon by having him recite the Oath of Office found in the Gold Book. All newly elected officers shall be installed by the sitting Archon in a formal ceremony.

Failing the Archon, a former Archon or an alumnus shall act as the installing officer.

Article IX: Meetings

- Section 1. Chapter meetings shall be held once a week during the regular school term. Exceptions may be made by the Archon.
- Section 2. The Archon must dismiss non-brothers from Chapter meetings for brothers-only business.
- Section 3. At least one Chapter meeting a month should be a brothers-only Formal Meeting, conducted as outlined in the Gold Book. Brothers are expected to wear appropriate formal attire. The Warden may deny brothers who are not dressed appropriately entry to the meeting.
- Section 4. Any member displaying disorderly conduct during a Chapter meeting shall be removed by the Warden by order of the Archon.

Article X: Finances

- Section 1. Any member who causes a fine to be placed on the Chapter shall be held liable to the Chapter for the full amount of the fine.
- Section 2. The Treasurer shall create a formal budget process for all Executive Offices to establish the operating budget of the Chapter for each semester or year.
- Section 3. Executive Officers may reallocate funds within their respective budgets to accommodate unexpected or changing financial situations that arise during the fiscal year. The brotherhood must be notified in a timely fashion of any reallocations within the budget beyond the previous statement.
- Section 4. The Treasurer may enter into contracts with members who are unable to fulfill their financial obligations to the Chapter. If necessary, such contracts are enforceable by the Standards Board and Executive Council upon an appeal. Third-party organizations may also be contacted to enforce the financial obligations of the brotherhood.
- Section 5. The Treasurer shall review the financial records of the Chapter no less than two times during one term in office. A newly elected Treasurer must audit the Chapter's financial records within one month of taking office. The Chapter's records must be audited by a certified public accountant every two years.

Article XI: Customs & Traditions

- Section 1. The Chapter shall recognize the National Organization Founding Founder's Day each year in a manner consistent with the principles found in the Ritual of Initiation.

Amendment XII: Amendment Process

- Section 1. Only the undergraduate brotherhood may make amendments to this Constitution. Amendments to this Constitution, except this article, require two votes by the brotherhood present and voting during two Chapter meetings. Both votes cannot occur within 13 days of each other. Amendments to this Constitution must be submitted in writing to the brotherhood during a Chapter meeting. Both votes require a three-fourths majority of those brothers present and voting during a Chapter meeting where there is quorum. The procedure outlined in this section must be completed within the course of an academic year. If the academic year ends before final action is taken on an amendment to this Constitution then the amendment is defeated.
- Section 2. Amendments to this article require two unanimous votes of the undergraduate brotherhood for ratification. Both votes cannot occur within 13 days of each other and require a four-fifths majority of all active, undergraduate brothers present at a Chapter meeting. The procedure outlined in this section must be completed within the course of an academic year. If the academic year ends before final action is taken on an amendment to this article then the amendment is defeated.
- Section 3. The Executive Council shall not have the power to alter or amend this Constitution under any circumstance.
- Section 4.* All brothers who are of alumni status may not vote in any matter pertaining to the internal affairs of the Chapter but shall have the right to address the Chapter if present.
- Section 5. The Brotherhood, any individual brother, and any Executive Officer shall not have the power to:
- A. Pass bills of attainder or ex post facto laws; and,
 - B. Take any action in violation of the Ritual of Initiation, Pi Kappa Phi Constitution, Supreme Laws, this Constitution, or the Theta Mu Chapter Bylaws; and
 - C. Make laws or take any actions that deny any right or exempt any brother from any responsibility or expectation incumbent upon him as a brother of this Chapter and the National Organization.
- Section 6. If any statement within this Constitution or the Chapter Bylaws conflicts with the Pi Kappa Phi Constitution, Supreme Laws, University Code of Conduct, Massachusetts State Law, or Federal Law, such statements shall be void and the remainder of this Constitution shall remain in effect.
- Section 6. Each member is responsible for understanding and enforcing this Constitution. Failure to know the contents this Constitution may not be used as a defense during any chapter-level judicial proceedings.

Article XIII: Ratification

- Section 7. This Constitution has been ratified by a three-fourths majority vote of the brothers present at a chapter meeting where there was quorum.
- Section 8. Any laws that previously existed before this Constitution's passage shall remain in full effect as Chapter Bylaws.