

CONSTITUTION OF CHI PSI FRATERNITY

(as amended through 2 August 2008)

PREAMBLE

Springfield, Massachusetts
October Eight and Nine, 1845
"A Few Forsake The Throng To Seek
Retirement For Its Proper Use."

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

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

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

ARTICLE I NAME, ORGANIZATION, TRADITIONS

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

1.2 Organization. The Fraternity shall consist of members grouped in sub-organizations and of sub-organizations created from time to time for specific fraternal purposes.

1.3 Traditions.

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

1.3.2 *Traditions Manual.*

1.3.2.1 The Fraternity shall maintain and safeguard its historic *Traditions Manual* and shall take all necessary measures to maintain its secrecy.

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

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

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

ARTICLE II MEMBERSHIP

2.1 In General. Members of the Fraternity shall be men who have been duly initiated in accordance with this Constitution, the *Traditions Manual*, and the Bylaws, and whose membership continues to comply with this Constitution, the *Traditions Manual*, and these Bylaws.

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

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

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

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

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

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

ARTICLE III ALPHAS

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

3.2 Alpha Status.

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

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

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

3.2.4 Dormant Alpha.

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

3.2.4.2 - Effects of Dormancy.

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

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

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

3.3 Extension.

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

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

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

3.3.4 Colony Members. Colony members shall be Pledges.

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

shall supervise the initiation of the members of the Colony. If such Convention fails to approve the grant of a charter, the Colony shall remain a Colony.

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

ARTICLE IV ALPHA ALUMNI CORPORATIONS

4.1 In General. There shall be one or more entities established to fulfill the purposes under Article 4.2 of an Alpha Alumni Corporation for each active Alpha, but the Executive Council shall recognize not more than one such entity for each active Alpha for purposes of Article 7.2.b.

4.2 Purposes. The purposes of such Alpha Alumni Corporations shall be:

a. to act as the alumni advisory organization for the Active members of its Alpha, to offer advice, support, and guidance to the active members of the Alpha, to assist its Alpha in whatever manner is necessary, and

b. to act as a property ownership and management entity and hold title to the Alpha's Lodge, to see to the Lodge's financial operation and solvency, to see to the Lodge's proper and sound maintenance, to collect any rent, to pay any taxes, to procure insurance, and to provide for the Lodge in general.

4.3 Establishment, Recognition, Assets.

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

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

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

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

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

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

4.8 Implementation of Article 4.7. Each Alpha Alumni Corporation that is not in compliance with Article 4.7 above shall have until 30 June 2007 to become compliant with such Article 4.7. This Article 4.8 shall expire and be automatically repealed as of 1 July 2007.

ARTICLE V ALPHA EDUCATIONAL FOUNDATIONS

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

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

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

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

ARTICLE VI REGIONAL ALUMNI ASSOCIATIONS

From time to time, alumni members may establish associations that shall be called Regional Alumni Associations. Membership in such an association shall be open to all alumni members of the Fraternity living within a defined and limited geographic area. Regional Alumni

Associations shall be established in accordance with procedures adopted by the Executive Council for the purpose of promoting the ideals and interests of the Fraternity. Upon dissolution of a Regional Alumni Association, its assets shall be distributed to The Chi Psi Educational Trust or to the Fraternity.

ARTICLE VII CONVENTIONS

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

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

- a. One accredited delegate from each active Alpha.
- b. One accredited delegate from each recognized Alpha Alumni Corporation.
- c. One accredited delegate from each recognized Regional Alumni Association.

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

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

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

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

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

ARTICLE VIII EXECUTIVE COUNCIL

8.1 In General.

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

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

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

8.2 Executive Council Membership.

8.2.1 Roster. The Executive Council shall consist of the following members of the Fraternity:

- a. the President;
- b. all living past Presidents;
- c. the Executive Director;
- d. nine (9) alumni members; and
- e. three (3) active members (the “Undergraduate Representatives”).

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

8.2.3 Alumni Members. Three (3) alumni members of the Executive Council shall be elected at each Convention by a majority affirmative vote of the delegates whose names appear on the accredited roll of the Convention. Each alumnus member shall serve a term of three (3) years, but no alumnus member shall be elected for more than two (2) full consecutive terms. The term of an alumnus member begins at the close of the Convention at which he is elected.

8.2.4 Alumni Vacancy. In the event of a vacancy of an alumnus member’s seat on the Executive Council, the remaining members shall elect a replacement to serve until the next Convention when a successor shall be elected to complete the unexpired term. Any alumnus

member who serves to complete an unexpired term remains eligible for two (2) full consecutive terms in accordance with Article 8.2.3.

8.2.5 Undergraduate Representatives. Each Undergraduate Representative shall be elected by a majority affirmative vote of delegates whose names appear on the accredited roll of the Convention. Each Undergraduate Representative shall serve one term of two (2) years, and he must be an active member during the first such year. The terms of the Undergraduate Representatives shall be staggered so that no more than two Undergraduate Representatives shall be elected at a Convention. The term of an Undergraduate Representative begins at the close of the Convention at which he is elected.

8.2.6 Undergraduate Vacancy. In the event of a vacancy of an Undergraduate Representative's seat, the first runner-up at the time such Undergraduate Representative was elected shall serve the remainder of such Undergraduate Representative's term. If such first runner-up is not able to serve, a new Undergraduate Representative shall be elected by a majority affirmative vote of the Executive Council. Any Undergraduate Representative who serves to complete an unexpired term remains eligible to serve a full term in accordance with Article 8.2.5.

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

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

8.4 Chairman and Vice Chairman. A Chairman and Vice Chairman shall be elected by the Executive Council from among its members. The Executive Council shall set forth the procedures for their election and removal from office.

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

ARTICLE IX OFFICERS

9.1 President. The Fraternity shall have a President who shall be a distinguished alumnus member. The President shall be elected by a majority affirmative vote of delegates whose names appear on the accredited roll of the Convention at which the prior President's term ends and then shall serve a term of three (3) years. The President shall be the symbolic head of the Fraternity and shall preside at all Fraternity functions where no other person is designated to preside. He shall

make every effort to visit as many Alphas and Colonies as possible during his tenure. In the event that the office of President becomes vacant, the Executive Council shall appoint an alumnus member of the Fraternity to serve as Acting President until a new President is elected at the next scheduled Convention to serve the remainder of the term. The President may be removed from office by a two-thirds (2/3) affirmative vote of the entire Executive Council.

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

ARTICLE X OTHER MATTERS

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

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

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

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