

Last Updated

July 19, 2018 at the business meeting of the National Fraternity

BY-LAWS OF THE NATIONAL FRATERNITY OF KAPPA DELTA RHO, INC.

BY-LAW I

Academic Standard for Membership

SECTION 1. Each active undergraduate member must achieve and maintain a semester grade point average of 2.50 or higher on 4.00 grading scale.

SECTION 2. The local chapter must have a minimal, cumulative grade point average of 2.70 on a 4.00 grading scale for all of its active membership.

BY-LAW II

Chapters

SECTION 1. Each chapter shall have the following officers and committees: Consul, Senior Tribune, Junior Tribune, Quaestor, Praetor, Propraetor, Risk Manager, Pontifex, Centurion, Custodian, Recruitment Chairman, Scholarship Chairman, Social Service Chairman, Chapter Advisor(s), Executive Committee, and Advisory Committee to be elected as provided in these By-laws and the chapter by-laws. Other officers and committees may be created by the chapter to meet its needs.

SECTION 2. The Consul shall be the chapter's presiding officer. His duties shall include, but not be limited to: presiding over both chapter and Executive Committee meetings; enforcing the policies of the National Fraternity, the chapter by-laws, and the rules and policies of the host institution pertaining to Greek organizations; serving as the chapter's official representative in meetings with the administration of the host institution and National Fraternity representatives; supervising the other chapter officers to ensure that they are meeting the responsibilities of their office; attending the transitional retreat following his election, as well as, organizing and attending the transitional retreat prior to the end of his term of office; and meeting with the pledges to explain the duties of his office and chapter organization.

SECTION 3. The Senior Tribune shall perform the duties of the Consul in his absence or incapacity. His duties shall include, but not limited to: attending Executive Committee meetings; attending the transitional retreats following his elections and prior to the end of his term of office; supervising the progress of chapter committees by collecting weekly reports; and meeting with the pledges to explain the duties of his office.

SECTION 4. The Junior Tribune shall perform the duties of the Senior Tribune in his absence or incapacity. Further, his duties shall include, but not be limited to: attending Executive Committee meetings; attending the transitional retreats following his election and prior to the end of his term of office; and educating the pledges as prescribed by the National Fraternity's Pledge Education Program.

SECTION 5. The Quaestor shall be the treasurer. His duties shall include, but not be limited to: attending Executive Committee meetings; attending the transitional retreats following his election and prior to the end of his term of office; developing and maintaining a chapter budget; collecting the chapter dues as set forth by the Executive Committee and approved by the chapter; instructing all members to sign dues contracts, issue billing statements and receipts to members, instituting and monitoring payment plans when necessary, keeping accurate records of all money received and disbursed on behalf of the chapter; and meeting with the pledges to explain the duties of his office and the National Fraternity's Fee Payment and Forms Policy.

SECTION 6. The Praetor shall serve as the chapter's recording secretary. His duties shall include, but not be limited to: attending and taking minutes at both Executive Committee and chapter meetings and submitting typed copies of said minutes to the National Headquarters on a monthly basis; recording all correspondence not otherwise entered into the minutes; taking roll at all mandatory chapter events; handling all chapter public relations communications; retaining a copy of all members' Initiation Forms; attending the transitional retreats following his election and prior to the end of his term of office; and meeting with the pledges to explain the duties of his office.

SECTION 7. The Propaetor shall act as the corresponding secretary with the alumni members and other chapters. His duties shall include, but not be limited to: Publishing a chapter newsletter; submitting articles to the National Headquarters for publication in the Quill & Scroll National Magazine; keeping a current database of a chapter's alumni; and attending the transitional retreats following his election and prior to the end of his term of office; and meeting with the pledges to explain the duties of his office.

SECTION 8. The Risk Manager is responsible for monitoring all chapter activities to ensure that they comply with the risk management policies of the fraternity; attend Executive Committee meetings; attend the transitional retreats following his election and prior to the end of his term of office; meet with the pledges to explain the duties of his office and all related policies and laws; and educate all members of the chapter on the risk management policies of the Fraternity.

SECTION 9. The Pontifex is the chaplain and shall be in charge of all devotional services and exercises in which the chapter participates (i.e. invocations before meals, meetings, etc.), and shall serve as the chairman of the Advisory Committee.

SECTION 10. The Centurion shall be the ceremonial doorkeeper, look after chapter property, serve as a member of the Advisory Committee, and serve as Chapter Parliamentarian.

SECTION 11. The Custodian shall look after the chapter house and grounds; and assign cleaning and maintenance responsibilities to all members.

SECTION 12. The Recruitment Chairman shall coordinate the recruitment efforts of the chapter; maintain the chapter's contact list; and explain the recruitment process to all members.

SECTION 13. The Scholarship Chairman shall oversee the chapter's Scholarship Program. He is responsible for organizing and monitoring study hall hours, study groups, or study tables; arranging for informational speakers to address scholarship related topics (i.e. time management, note-taking skills, etc.) each semester. He shall also help ensure that each pledge meets the minimum academic requirement for initiation.

SECTION 14. The Social Service chairman shall be responsible for organizing all of the chapter's Community Service and Philanthropic endeavors. He is required to organize at least one Social Service activity per semester.

SECTION 15. Each chapter must have at least one Chapter Advisor. An advisor may be either an alumnus, honorary member, or faculty/staff member of the host institution. It is recommended that each chapter have both a Faculty and Alumnus Advisor.

SECTION 16. The Executive Committee shall consist of the Consul, Senior Tribune, Junior Tribune, Quaestor, Praetor, Risk Manager, and Custodian, if housed. They shall oversee the affairs of the chapter. The Chapter Advisor(s) should also attend the Executive Committee's meetings in an advisory capacity.

SECTION 17. The Advisory Committee shall consist of the Pontifex, as chairman, the Centurion, a Member-at-Large, and the Chapter Advisor(s), as a non-voting member. The Member-at-Large shall be any member of the chapter who is not on the Executive Committee.

SECTION 18. Regular meetings shall be held at least once a week, in all chapters, while their host institution is in session. Once each month, the meeting shall be formal and opened in accordance with the ritual.

BY-LAW III

Finances

SECTION 1. Initiation fees, pledge fees, and any annual dues shall be levied upon each member payable by the chapter to which said member belongs. These fees and dues shall be in the amounts set by the last prior convention.

SECTION 2. Pledge fees shall be paid before a prospective member is Formally Pledged into the Fraternity.

SECTION 3. An initiation fee shall be payable two weeks prior to Initiation into the Fraternity. An honorary member initiation fee shall be payable at the time an honorary member is initiated into the Fraternity.

SECTION 4. Annual dues shall be payable each spring based on each chapter's returning undergraduate membership from the fall.

SECTION 5. Risk Management Assessments shall be payable for all returning members each fall no later than October 1. All pledges shall pay the assessment at the time the pledge fee is paid.

SECTION 6. Upon installation of a provisional chapter, payment of the Chartering Fee shall entitle a new chapter to a documentary charter and the use of a set of robes and copies of the laws and ritual of the Fraternity.

SECTION 7. Assessment and special fees for national purposes may be fixed by the annual convention, whenever the same may be deemed necessary.

SECTION 8. Necessary expenses of the officers and members of the Board of Directors incurred in behalf of the Fraternity shall be paid by the Treasurer out of the National Treasury.

SECTION 9. There shall be an appropriation to each chapter, as fixed in advance by the Board of Directors, each semester.

BY-LAW IV

Publications

SECTION 1. The Board of Directors shall have charge of all official publications of the Fraternity.

SECTION 2. An official magazine, entitled The Quill & Scroll of Kappa Delta Rho, shall be published in the educational and other interests of the Fraternity, and at its expense. There shall be two issues of this magazine each year. The magazine shall be distributed to all members of the Fraternity. Further distribution of the magazine may be made at the discretion of the Board of Directors.

SECTION 3. Other official publications, such as membership directories, fraternity histories, pledge manuals, copies of the By-laws, and newsletters, may be issued and distributed from time to time in such form and under such conditions as shall be determined by the Board of Directors or directed by the convention.



BY-LAW V

Insignia

SECTION 1. The badge of the Fraternity shall be of the raised monogram type and shall consist of the three Greek letters Kappa, Delta, and Rho, all of the same size, with the letter Delta being superimposed upon the letters Kappa and Rho with its base slightly lower than their base. The badge shall be moderate in size, but may be jeweled and/or chased, and may have attached by chain, a guard pin consisting of a Greek letter chapter designation. Each member of the Fraternity shall provide himself with a badge at the time of his initiation. No member of the Fraternity shall permit anyone else to wear his badge except another member of the Fraternity, his mother, his sister, his fiancée, or his wife.

SECTION 2. The coat of arms of the Fraternity shall be as follows:

Escutcheon: On a bend azure, the Greek upper case letters Kappa, Delta, and Rho between; in sinister chief, a pair of balances with a sword palewise for a standard; in dexter base, a Grecian lamp flamed, facing sinister; and an open book; both bendwise, all of the first.

Crest: An esquire's helmet.

Supporters: Two swords, saltirewise, points downward.

Motto: Honor Super Omnia

SECTION 3. The recognition button or pin shall be a miniature of the fraternity badge or the fraternity crest.

SECTION 4. The pledge button or pin shall be a miniature shield similar to that of the coat of arms, azure with bend, or in such form as may be approved by the Board of Directors.

SECTION 5. The colors of the fraternity shall be Princeton Orange, and Middlebury (Yale) Blue.

SECTION 6. The fraternity flower shall be the red rose.

SECTION 7. In the case of death of an undergraduate brother, the undergraduate members of the chapter of which he was a member shall wear creped badges for at least a week.

SECTION 8. The names of deceased members shall be retained in the records of their respective chapters with the dates of their decease and shall be published in the National Directory under the caption "The Chapter Eternal."

BY-LAW VI

Board of Directors

SECTION 1. A director, unable to attend an annual or special meeting of the Board of Directors, shall be allowed to cast his vote in writing upon any question or matter to be acted upon at the said meeting and which has been included in the call for the meeting, provided, however, that such vote is received in advance of said meeting and is published to all the directors present at such meeting in advance of the consideration of the question as to which the vote is cast.

SECTION 2. Any question coming before the Board of Directors at an annual or special meeting may be decided by a majority vote of those present and those in writing in accordance with the permission granted in Section 1 of these By-laws.

BY-LAW VII

Undergraduate Consulting Board

SECTION 1. The Undergraduate Consulting Board shall serve in an advisory capacity to the National Fraternity President and National Executive Director. The consulting board shall make recommendations on behalf of the undergraduate members of the Fraternity and serve as the voice of the active membership. The board is an integral part of the Fraternity operational procedures by providing insight on issues dealing with the Fraternity and will communicate regularly with the undergraduate membership of Fraternity decisions.

SECTION 2. The Undergraduate Consulting Board shall consist of seven (7) undergraduate members – one from each of the five regions and two at-large members. Each member serves a one-year term from the time of selection, starting in August of each year, which coincides with school calendar. The National President and National Executive Director and/or designee will serve on the board as liaisons in an ex-officio capacity.

- 2 A. The selection of the board shall consist of an application process and submission to the National Office. After a successful and completed application process, a board member shall be selected from one of the five (5) regions – Northeast, South, Central, Midwest, and West. The two at-large members shall be selected using the same application process. The current Undergraduate Consulting Board shall run all board meetings and select the incoming board members through the application process.
- 2 B. In the event of a vacancy on the Undergraduate Consulting Board, a replacement shall be decided by the current board members by reviewing current applications or requesting new applications.

SECTION 3. Board members must be initiated members of Kappa Delta Rho, for at least a full semester as a Brother. The board members must also meet the following requirements: (a) have a minimal, cumulative grade point average of 2.70 (2.50) or a recent semester grade point average of 3.00 or higher, (b) served in a leadership position of the local chapter, (c) be a member of good standing (finances, meetings, etc.) from a chapter in good standing, (d) recommended by an advisor associated with the local chapter, and (e) made a financial donation to the Order of the Peregrine Falcon prior to submitting application.

SECTION 4. The office of Chairman, Vice Chairman, and Secretary shall be elected within the Undergraduate Consulting Board.

- 4 A. The Chairman shall be elected from within the board through a simple majority vote among members. He will be elected at the board's first meeting in August of the calendar year. He will be elected to a one-year term. He shall chair meetings of the Undergraduate Consulting Board and serve as the liaison to the National President and National Executive Director.
- 4 B. The Vice Chairman shall be elected from within the board through a simple majority vote among members, and shall perform the duties of Chairman in his absence or incapacity. The Vice Chairman will be responsible in ensuring that progress and communication between board members and their respective chapters are deliberate and consistent. He will be elected at the board's first meeting in August of the calendar year. He will be elected to a one-year term.
- 4 C. The Secretary shall be elected from within the board through a simple majority vote among members. He shall maintain accurate minutes and correspondence of the Undergraduate Consulting Board. He will be elected to a one-year term.

SECTION 5. The board shall meet at least quarterly, with the first meeting being in conjunction with the Leadership Academy which is held in August of the calendar year. Board meeting will be held in person or via conference/video call. An official board meeting will be considered a meeting called by the Chairman. An official meeting must also meet quorum requirements. Quorum is defined as a simple majority of voting members on the board.

SECTION 6. Board members are required to attend no less than 75% of the Undergraduate Consulting Board meetings via in person, phone, and/or video conferences. All members are expected to be active in all meeting discussions, and actively communicating with the Brotherhood of the regions they represent. Also, all members are required to remain in good standing and incident free with the Fraternity.

BY-LAW VIII

Ritual

SECTION 1. The ritual for initiation into membership as provided in Article V, Section 10 of the Constitution shall be the ritual in effect on February 10, 1954, as provided by the Convention of 1952 with subsequent revisions.

SECTION 2. This ritual may be revised only at an annual convention or special convention upon a two-thirds vote.

BY-LAW IX

Half-Century Club

SECTION 1. There shall be established a Kappa Delta Rho Half-Century Club to which members in good standing of the various chapters and who have completed fifty years in the Fraternity shall be eligible for membership. Certificates of membership shall be awarded from time to time by the National Board of Directors.

BY-LAW X

Judiciary Process

SECTION 1. Function

The Judiciary Committee shall be responsible for the adjudication and disciplinary processes and procedures relating to conduct issues relevant to the individual members, chapters, and alumni of the National Fraternity of Kappa Delta Rho.

SECTION 2. Membership

Subsection 1. Selection

The Judiciary Committee shall consist of no less than five members and no more than seven members selected by the Vice President of Standards and Risk Management and approved by the National President. No more than two members of the Judiciary Committee may be members of the National

Board of Directors and one of these committee members shall be the Vice President of Standards and Risk Management. Members of the Judiciary Committee may be individually or collectively authorized, at the determination of the Vice President of Standards and Risk Management to investigate, report and make recommendations of any matter relevant to a judiciary situation or affair.

Subsection 2. Vacancies

In the event of a vacancy on the Judiciary Committee, a replacement shall be decided by the Vice President of Standards and Risk Management and approved by the National President.

SECTION 3: Discipline of Members:

The governance of a chapter, or the Judiciary Committee, to discipline a member of the fraternity, whose conduct is inconsistent with the character of Kappa Delta Rho, shall be as follows:

1. Each chapter shall have governance over all of its members, including undergraduate and graduate school members of their respective chapter as well as inactive and alumni members; except as otherwise provided herein.
2. The Judiciary Committee shall exercise governance in the following cases:
 - a. Removal of undergraduate officers of the Fraternity;
 - b. Discipline of alumni members;
 - c. Discipline of a member where charges are filed against such member by a general staff member of the national fraternity or by the National Vice President of Standards and Risk Management, a member specifically delegated by the Judiciary Committee to investigate the conduct of such member;
 - d. Discipline primarily reserved to the chapters in which the chapter fails, neglects and/or refuses, upon expressed request of the Executive Vice President, Vice President of Standards and Risk Management and/or a majority of the Judiciary Committee, to investigate and/or institute and pursue disciplinary action promptly to conclusion;
 - e. All other cases not herein provided for.

SECTION 4: Discipline of Members, General Provisions

1. The discipline of a member by a chapter or by the Judiciary Committee shall be conducted using Robert's Rules of Order, Newly Revised or other available manner of running a hearing.
2. The Judiciary Committee may establish additional rules of procedure for itself specific to their individual situation provided these rules are consistent with the requirements provided herein.

SECTION 5: The Judiciary Committee Procedure

1. **GENERAL PROCEDURE:** Due Notice, as defined below, must be given to the Accused. At the time set for hearing, the Judiciary Committee, upon establishing quorum pursuant to By-Law VII, Section 6, shall hear the charges against the Accused duly allowing for the Accused to be heard and present their case. The Judiciary Committee shall decide whether the allegations are true and accurate and assess appropriate adjudication upon a finding of responsibility for the allegations. Upon mutual agreement, the Judiciary Committee and the Accused may enter into a binding stipulation to dispose of the allegations duly adjudicated.
2. **HEARING FACILITATOR:** The National Vice President of Standards and Risk Management shall serve as the hearing facilitator and chair of the hearings and will present any preliminary information the National Staff and/or the Vice President of Standards and Risk Management has gathered with members of the Judiciary Committee in advance or during a hearing. The National Vice President of Standards and Risk Management shall not vote in any hearing unless the votes cast are in equal division in which case he may, at his discretion, cast a tie-breaking vote. An Assistant Vice President of Standards and Risk Management shall be appointed annually by the Vice President of Standards and Risk Management with the approval of the National President and will only serve in the role of the hearing facilitator in the absence of the Vice President of Standards and Risk Management.
3. **ADMISSION OF CHARGE:** The Accused shall be given an opportunity to admit or deny the charges. If the Accused does not attend the hearing, after being duly served with personal process, the Judiciary Committee may consider the failure to appear as an admission of the charges. If the charge is admitted, the Judiciary Committee will then, by a majority vote, set forth sanctions.
4. **DENIAL OF CHARGE/HEARING:** If the Accused denies the charge, the Judiciary Committee will consider the evidence and arguments presented by each side, and shall determine by majority vote whether the Accused is responsible for the charge(s) duly assessed by a preponderance of the evidence.
5. If a majority of the Judiciary Committee votes in the affirmative, the Accused stands as responsible. If not, the Accused remains not responsible. If the Judiciary Committee finds the Accused responsible, it shall consider and decide, by majority vote, the sanctions to be imposed. It is the goal of the Judiciary Committee to assess sanctions that are educational in nature and not merely punitive; however, the range of sanctions will be determined by the Judiciary Committee based on the severity of the allegations and responsibility of allegations in their sole discretion.
6. **RIGHTS OF THE ACCUSED:** The Accused has the following rights:
 - (a) The right to due notice as defined below;

- (b) The right at hearing to be heard, to present evidence and information, to hear the evidence against him, and to be represented by an advisor or counselor who must be a current member of the fraternity, undergraduate, graduate student, honorary member, or alumni. As these hearings are not criminal proceedings, the presence of legal counsel is not warranted, nor permitted with the exception such legal counsel meets the aforementioned criteria;
- (c) The right to be present throughout the entirety of the proceedings except the private deliberations of the Judiciary Committee;
- (d) The right to appeal as provided herein;
- (e) The Accused may waive some or all of his rights.

7. **WARNINGS:** Any undergraduate may receive from the Executive Vice President or Vice President for Standards and Risk Management a letter of warning as a result of deficiencies in conduct or deficiencies in compliance with Fraternity constitution or policies. A copy of the warning letter shall be sent to the chapter Consul. If the member in question is the chapter Consul, a copy of the warning letter shall be sent to the alumni association president.

8. **PENALTIES FOR INDIVIDUAL MEMBERS:** By majority vote, the Judiciary Committee may impose one or more of the following sanctions or as otherwise outlined below when a majority vote is not required. The Judiciary Committee may also impose alternate sanctions it deems appropriate not listed below:

Sanctions:

- a. **Probation:** Any undergraduate member of the Fraternity may be placed on probation for misconduct or non-compliance with the Fraternity constitution or policies. Probation status may be imposed by decision of the National Executive Vice President, with approval of the Vice President of Standards and Risk Management, for a period not greater than six (6) months. With further approval of the Vice President of Standards and Risk Management, the National Executive Vice President may extend said probation period for an additional six (6) month time period. The undergraduate member shall be notified of this status by a formal letter which shall state the basis for the sanction and the required corrective action. While on probation, the undergraduate member shall be required to report in writing to the National Office on a schedule to be determined, and will meet such conditions as outlined in said probation letter.
- b. **Suspension:** An undergraduate member of the Fraternity may be suspended for serious misconduct or serious disregard of the Fraternity constitution or policies. Suspension status may be imposed by a majority vote of the Judiciary Committee for a period of not greater than one (1) year. At the conclusion of the suspension period, the member may be brought before the Judiciary Committee at the discretion of the Vice President for Standards and Risk Management to assess the future status of the member to determine if further suspension or expulsion is warranted. While on suspension status, the undergraduate

member shall not be eligible to attend any national convention, shall report in writing to the National Office, on a schedule to be determined, and shall meet such other conditions as may be adopted by the National Vice President of Standards and Risk Management in a general statement of policy.

- c. **Expulsion:** An undergraduate member of the Fraternity may be expelled for misconduct of the most serious nature or for conscious and continued flagrant violation of, or infringement upon, the principles upon which the Fraternity is founded or the Fraternity constitution and policies. An undergraduate member may be expelled by a three-fourths (3/4) vote of the chapter of which he is a member, provided that a letter of explanation is thereafter sent to the National Vice President of Standards and Risk Management. An alumnus or honorary member may be expelled by a three-fourths (3/4) vote of the chapter of which he is a member, provided that such action is approved in advance by the Judiciary Committee and the National Executive Committee. In extenuating circumstances, the National Executive Committee may expel any member by a two-thirds (2/3) vote (upon the recommendation of the Judiciary Committee). A man who is expelled from Kappa Delta Rho ceases to be a member of the Fraternity. Once the expulsion is final, his name will be recorded as being removed from the Fraternity and all membership rights and privileges are revoked.
- d. **PENALTIES AND STANDINGS FOR FRATERNTY CHAPTERS:** By majority vote, the Judiciary Committee may impose one or more of the following sanctions or as otherwise outlined below when a majority vote is not required:
 - i. **Warning:** A chapter may be placed on warning status for deficiencies in conduct or deficiencies in compliance with Fraternity rules or policies. Warning status may be imposed at the discretion of the National Executive Vice President, upon approval of the Vice President of Standards and Risk Management for a period of not greater than three (3) months and may be extended for an additional three (3) month period. The Chapter shall be notified of this status by formal warning letter which shall state the basis for the action and the required corrective action. A copy of the warning letter shall be sent to the Chapter's Alumni Corporation President and appropriate university official. While in Warning Status, the Chapter shall be required to meet other conditions as may be recommended by the National Vice President of Standards and Risk Management and approved by the Judiciary Committee.
 - ii. **Probation:** A Chapter may be placed on probation for misconduct or non-compliance with Fraternity rules or policies. Probation status may be imposed at the discretion of the National Executive Vice President, upon approval of the Vice President of Standards and Risk Management, for a period of not greater than six (6) months, and may, upon further approval of the National Vice President of Standards and Risk Management, be extended for an additional period of six (6) months. The Chapter shall be notified of this status by formal letter which shall state the basis for the sanction and the required corrective action. A copy of the probation letter shall

be sent to the Chapter's Alumni Corporation President and the appropriate university official. While on probation, a Chapter shall be required to report in writing to the National Office at least monthly as to corrective action in progress and will meet such other conditions of probation as may be adopted by the National Board of Directors in a general statement of policy. In addition, the National Executive Vice President must respond to the Chapter President in writing as to the progress of the Chapter. Determination of probation status may be appealed by the Chapter in writing to the National Vice President of Standards and Risk Management who shall render a formal decision within thirty (30) days of receipt through consultation with the Judiciary Committee.

- e. **Suspension:** A Chapter may be placed on suspension status for serious misconduct or serious disregard of Fraternity rules or policies. Suspension status may be imposed by the National Executive Vice President with the approval of the National Vice President of Standards and Risk Management for a period of not greater than four (4) years and, upon the approval of the National Executive Committee, may be extended for an additional year. The Chapter shall be notified of this status by formal suspension letter which shall state the basis for sanction and the required corrective action. A copy of the suspension letter shall be sent to the Chapter's Alumni Corporation President and the appropriate university official. During a period of suspension, the Chapter's charter shall be placed in the hands of its alumni corporation or such other trustee as may be designated by the National Executive Vice President, and the Chapter shall not be eligible to vote at any national convention. The Chapter shall be required to report in writing to the National Office at least monthly, as may be adopted by the Judiciary Committee. Determination of suspension status may be appealed by the Chapter in writing to the Judiciary Committee which shall render a formal decision within thirty (30) days of receipt.
- f. **Reorganization:** A Chapter may be placed on reorganization status for flagrant misconduct or flagrant non-compliance with Fraternity rules or policies where it is deemed that remedial action may be effective or in the case that a chapter has less than 20 members for a period of at least one (1) calendar year. Reorganization status may be imposed by the National Executive Vice President upon the approval of the Judiciary Committee and Chapter alumni corporation's Alumni Corporation, if one exists, for a period of up to two (2) years and, with the approval of the National Executive Committee, for an additional period of not greater than two (2) years. The Chapter shall be notified of this status by formal reorganization letter which shall state the basis for the action and the required corrective action. A copy of the reorganization letter shall be sent to the Chapter's Alumni Corporation President and the appropriate university official. During the period of reorganization, the Chapter shall revert to Provisional Chapter status and shall meet such other conditions as may be adopted by the National Board of Directors. During reorganization status, the Chapter shall be eligible to attend but not vote at any national convention. The National Executive Vice President, upon the approval of the Vice President of Standards and Risk Management, may determine that one or more undergraduate members of a Chapter in reorganization shall be placed on Alumni status. Determination of reorganization and

Alumni status may be appealed in writing by the Chapter to the National Board of Directors within one (1) year of the date of reorganization. The National Board of Directors shall render a final decision on the appeal at the next regularly scheduled meeting provided such appeal was received by the Director of Operations thirty (30) days prior to said meeting.

g. Revocation: The charter of a Chapter may be revoked for misconduct of the most serious nature or for the most serious non-compliance with Fraternity rules or policies and upon determination that other remedial action will not be effective. Notice of intended revocation and the basis for the action shall be provided to the Chapter in writing by the National Executive Vice President. Copies of such notice shall be sent to the Chapter's Alumni Corporation President and appropriate university official. A two-thirds (2/3) vote of the Judiciary Committee is required for the recommendation of a revocation of a charter to the National Board of Directors. The Chapter shall have the right to be heard at a hearing before the Judiciary Committee. Revocation shall be determined by a two-thirds (2/3) vote of the National Board of Directors after notice to the Chapter and opportunity for a hearing have been provided, and will take effect immediately after such vote. When a revocation becomes final, all undergraduate members shall assume Alumni status. Reactivation of the Chapter will be allowed only pursuant to rules and procedures governing admission of new Chapters.

h. Surrender or Forfeiture: A charter may be surrendered or declared forfeited when insufficient membership (20 members or less) exists for a period of at least two (2) academic years. Surrenders and forfeitures shall be effective after approval by majority vote of the National Board of Directors. Reactivation of such Chapters will be allowed only pursuant to rules governing admission of new Chapters.

9. MINUTES OF THE HEARING: Minutes shall be kept of the proceedings of the Judiciary Committee summarizing the evidence presented and including:

Date of Hearing;

Chapter Designation and Educational Institution;

Allegations;

The specific conduct, found by the Judiciary Committee to be true and to constitute a violation of the Constitution or By-Laws;

The decision of the Judiciary Committee;

The penalty imposed;

The name and position of the person who kept the minutes on behalf of the Judiciary Committee.

10. PROVIDING MINUTES OF THE HEARING: If the Accused is found responsible after the afore stated hearing, then a copy of the Minutes must be provided as follows:

- i. To the National Fraternity Headquarters: To the National Executive Vice President of the fraternity and to the National Secretary within ten (10) days of the hearing;
- ii. To the Accused: The Accused shall be provided a copy of the minutes upon request regardless of attendance at the hearing.

11. RIGHT TO APPEAL ALL SANCTIONS EXCLUDING EXPULSION FROM THE FRATERNITY: The Accused may appeal either the finding of responsibility or the penalty imposed, or both. If the hearing was held before a Chapter, then the appeal is first to the Judiciary Committee. If the hearing was held before the Judiciary Committee, then the appeal is to the National Executive Committee. A simple majority is needed (50% plus 1) to grant an appeal and overturn the decision in question.

12. RIGHT TO APPEAL EXPULSION FROM THE FRATERNITY: The Accused may appeal a recommendation of expulsion of the National Executive Committee to the National Board of Directors at their next regularly scheduled meeting provided the appeal is submitted within one (1) year from the date of the expulsion decision and with a minimum of thirty (30) days prior notification of the date of a regularly scheduled meeting of the National Board of Directors.

13. RIGHT TO APPEAL REVOCATION OF A CHARTER: The Chapter may appeal the recommendation of revocation assessed by the National Board of Directors by way of a vote at the next national convention business meeting and, if not reversed by such vote, shall become final and permanent immediately thereafter. A two-thirds (2/3) vote is needed to grant an appeal and overturn the decision in question. Notification of the intent to appeal at the next national convention business meeting must be submitted to the National Executive Vice President in writing a minimum of thirty (30) days prior to the annual national convention business meeting. Without said notice, an appeal may not be heard at the floor at the national convention business meeting.

- a. The process for appealing to the floor of the National Business Meeting shall be as follows:
 - i. The Judiciary Committee will present the information and rationale as to why the decision of revocation was reached.
 - ii. The chapter seeking to appeal the revocation decision is giving an opportunity to present their case and why their appeal should be met.
 - iii. The Judiciary Committee will be given the opportunity to ask questions of the chapter seeking the appeal and present any final information to the National Business Meeting.
 - iv. The chapter will be given an opportunity to provide additional information and answer any questions asked by the brothers attending the National Business Meeting.

- b. A vote will be taken by the brothers in attendance in accordance with the voting strength of attendees as found in the Constitution of the National Fraternity of Kappa Delta Rho Article IX: Conventions, Section 2. The chapter seeking the appeal may not vote. A simple majority is needed (50% plus 1) to grant an appeal.

14. **HOW TO APPEAL:** To appeal, the Accused must send an email or postal service letter to the National Executive Vice President of the National Fraternity, within the time limits herein provided, asking that the Chapter or Judiciary Committee's decision be reviewed and stating the grounds for review. The National Executive Vice President of the National Fraternity will direct the appeal to the National Executive Committee informing the National Vice President of Standards and Risk Management of the appeal.

15. **TIME FOR APPEAL:** The Accused shall have thirty (30) days from the date of notification by the Chapter or the National Executive Vice President regarding a finding of responsibility and any sanctions, to file an appeal as stated above

16. **WHEN DECISION IS FINAL:** A decision is considered final once the time for appeal expires or when the appeal has been denied or upheld by the appropriate appellate body.

17. **DEFINITIONS:**

CHARGE: A charge is a claim that a member of the fraternity has engaged in conduct inconsistent with the character of a worthy member of Kappa Delta Rho. A charge may be brought against an Accused by any member of Kappa Delta Rho. The charge must be in writing, briefly describing the alleged misconduct.

DUE NOTICE: Due notice is actual and personal notice to the Accused of the formal allegations, charges asserted, time, place and/or means of the official hearing.

- a. **Notice, Contents:** Notice shall include a copy of the charge and the date, time and manner of the hearing.
- b. **Manner of Giving Notice:** Notice shall be provided via email or via first class mail where practical.
- c. **Time Requirements for Service of Notice:** Notice shall be made at least seven (7) days prior to the date of a hearing.
- d. **Additional Time:** If the Accused requests more time to prepare for a hearing, additional time should be liberally granted whenever possible, but not to exceed a length of time of two (2) weeks from the originally scheduled date of the hearing.

SECTION 6: Judiciary Committee Quorum and Voting

The quorum required for Judiciary Committee Meetings shall be satisfied upon 50% plus 1 of actual or constructive presence of the Judiciary Committee. In all cases for a vote of revocation of a charter, a two-thirds (2/3) vote is required.

SECTION 7: Judiciary Committee Meetings

Judiciary Committee Meetings shall convene upon duly reasonable notification by the Vice Presidents of Standards and Risk Management when he shall deem such meeting necessary. A minimum of seven (7)-day notice shall be deemed duly reasonable notice to notify committee members of the date, time, and method (conference call, in-person, etc.) to be utilized for the meeting.

BY-LAW XI

Good Samaritan Policy

According to *The Precepts of Kappa Delta Rho*, brothers are to lead an honorable life by embracing the principles and spirit of the *Kappa Delta Rho Gentleman* and treating all individuals with dignity and respect. Therefore, toward this end, undergraduate members are encouraged to get emergency assistance when an individual's appearance or behavior would reasonably cause one to be concerned for another's well-being. In most instances, early intervention will result in a favorable outcome for the individual in need.

When an undergraduate member fails to respond when an individual's appearance or conduct would reasonably cause one to be concerned for another's well-being, his failure to respond shall be deemed conduct unbecoming of a KDR gentleman.

The National Fraternity of Kappa Delta Rho, Inc. has adopted the following "Good Samaritan Policy" to promote a health-focused response to the incident rather than a disciplinary consequence:

SECTION 1: A Fraternity member who assists another individual in receiving appropriate medical care, then that member, as well as those who are assisted, may receive leniency from the National Judicial Committee for disciplinary action with respect to the incident. Additional members who are assisting with medical care in this situation may also receive leniency. A repeated use of this policy by a member will receive stricter scrutiny by the National Office and will initiate disciplinary processes by the Judicial Board.

In order to be considered for leniency from the National Judicial Committee, the following qualifications must be met for the "Good Samaritan Policy":

1. A Fraternity member must notify a law enforcement agency after the emergency phone call is made;

2. A Fraternity member must identify himself (by stating his name) to law enforcement and medical personnel when reporting a critical care situation of another individual;
3. A Fraternity member must remain with the individual(s) needing medical attention until medical personnel and law enforcement arrives on the scene.

This may be the case even if the member who is assisting was a contributing factor to the cause of the emergency.

SECTION 2: The Fraternity has a Safe Harbor policy for its members. The Fraternity believes that students who have a drug and/or addiction problem deserve help. If any Fraternity member brings their own use, addiction or dependency to the attention of the Executive Director that is independent of any investigation, request for drug/alcohol testing or other action by the National Fraternity in a good faith effort to seek assistance, then conduct allegations concerning such addiction, dependency or use will not be pursued provided, however, that any other conduct, even that which was the result of such addiction, dependency or use may be investigated and lead to sanctions. The member's decision to self-report their addiction, dependency or use may be considered by the fraternity in sanctioning the member for the conduct that was the result of addiction, dependency or use. A written action plan must be submitted to the Executive Director by a professional healthcare provider and/or advisor, and may be used to track cooperation with the Safe Harbor program by the Fraternity member. Failure to follow the action will nullify the Safe Harbor protection and disciplinary processes will be initiated by the National Judicial Committee.

BY-LAW XI XII

Elmon M. Williams Leadership Academy

SECTION 1. Each year the National Fraternity shall hold the Elmon M. Williams Leadership Academy for the purpose of educating our Brotherhood on but not limited to leadership skills, risk management, our espoused fraternal values, service and philanthropy.

SECTION 2. The Elmon M. Williams Leadership Academy will take place no later than the second week in August of any given year. During a convention year the academy will be held in conjunction with the National Convention. In non-convention years the Elmon M. Williams Leadership Academy dates and places shall be fixed by the Executive Vice President.

BY-LAW XII XIII

Amendments

SECTION 1. These By-laws may be amended by a two-thirds vote at any convention. These Bylaws may also be amended by a three-fourths vote of the Board of Directors at any meeting at which at least ten-day notice of the proposed amendment was given.