

## THE CODE (CONSTITUTION AND LAWS)

### FOREWORD

The 39<sup>th</sup> edition of The Code of Regulations of Beta Theta Pi is based on the 38<sup>th</sup> edition published in 2014, including all amendments subsequent thereto.

This new edition represents another step forward in the development of The Code initially given to us by its framers in 1878. The original Code was the first non-secret document of its kind among social fraternities, and the present edition follows this tradition.

The Code represents the authority for the governance of our association. It brings every member under its rules and regulations.

This edition has been corrected to include changes authorized by the 177<sup>th</sup> General Convention in 2016.

### CERTIFICATE

I hereby certify that the Code of Regulations consisting of The Constitution and The Laws and the Appendices thereto as herein presented are accurate in all details and form the basis for the government of Beta Theta Pi Fraternity.

S. Wayne Kay  
General Secretary

## CONTENTS

### ARTICLES OF INCORPORATION

#### THE CONSTITUTION

Name and Objects	Article I
Membership	Article II
Chapters and Alumni Associations	Article III
The General Convention	Article IV
Board of Trustees	Article V
General Officers and Their Duties	Article VI
Finances	Article VII
Amendments	Article VIII

#### THE LAWS

The General Convention	Chapter I
Board of Trustees	Chapter II
The General Secretary	Chapter III
The General Treasurer	Chapter IV
Fraternity Magazine	Chapter V
The Chapters	Chapter VI
Transfers	Chapter VII
Ritual	Chapter VIII
Alumni Associations	Chapter IX
Fees	Chapter X
Discipline	Chapter XI
Notice	Chapter XII
Scholarship	Chapter XIII
Miscellaneous	Chapter XIV
Seals and Emblems	Chapter XV
Amendments	Chapter XVI

**BETA THETA PI**  
**Incorporated under the Laws of Ohio**  
**ARTICLES OF INCORPORATION\***

- FIRST:** The name of the corporation is BETA THETA PI.
- SECOND:** The place in the State of Ohio where its principal office is located is the City of Oxford, Butler County.
- THIRD:** Said corporation is formed for the purpose of the promotion of the moral and social culture of its members; the establishment of confidence and friendly relations between students of various colleges and universities; and the perpetuation of a fraternity that recognizes mutual assistance in the honorable labors and aspirations of life, unsullied friendship, unfaltering fidelity and the cultivation of intellect, as objects worthy of the highest aim and purposes of associated efforts; and the holding and control of such real and personal property as the foregoing objects may render expedient.
- FOURTH:** The members of the corporation shall be the individual members of Beta Theta Pi who have not died, resigned or been expelled.
- FIFTH:** All the rights and privileges of members at an annual meeting shall be exercised by the delegates to a General Convention elected as provided in the Code of Regulations, when assembled as directed in The Code of Regulations. Only those members elected in accordance with the Code of Regulations as delegates to a General Convention or other meeting of members shall be entitled to a vote; each such delegate shall have a single vote unless otherwise provided by the Code of Regulations.
- SIXTH:** The corporate powers, property and affairs of the corporation shall be exercised, conducted and controlled by the Board of Trustees, each of whom shall be a member of the corporation.
- SEVENTH:** No part of the net earnings of the corporation shall ever inure to the benefit of any private individual or member and in no event shall any assets of the Fraternity be distributed to or for the benefit of any private individual or member, and in the event of the termination, liquidation, or dissolution of the corporation its assets shall be distributed to an educational or other charitable organization or expended for educational or charitable purposes.

\* Incorporated on March 16, 1895, as amended by the 110th General Convention in 1949, the amendment being filed January 14, 1950.

THE CONSTITUTION  
OF BETA THETA PI  
(Articles of Association)

**PREAMBLE**

**For the better accomplishment of the objects and designs of Beta Theta Pi, a fraternity established by John Reily Knox, Samuel Taylor Marshall, David Linton, James George Smith, Charles Henry Hardin, John Holt Duncan, Michael Clarkson Ryan and Thomas Boston Gordon, “of ever-honored memory,” at Miami University, in the State of Ohio, in the month of August 1839, and now organized as a not-for-profit corporation under the laws of the State of Ohio, the General Convention of Beta Theta Pi assembled at Marriott's Marco Island Resort, Marco Island Florida, on the 7th day of August 1994, adopts the following Constitution and Laws, which shall be and are The Code of Regulations of Beta Theta Pi:**

**ARTICLE I NAME AND OBJECTS**

**SECTION 1. *Name:*** The name of this fraternity is BETA THETA PI.

**SECTION 2. *Objects:*** It shall be constituted as hereinafter provided and shall have for its objects the promotion of the moral and social culture of its members, the establishment of confidence and friendly relations among the universities and colleges of the United States and Canada, in securing unity of action and sympathy in matters of common interest among them, and the building up of a fraternity that recognizes mutual assistance in the honorable labors and aspirations of life, devotion to the cultivation of the intellect, unsullied friendship, and unflinching fidelity, as objects worthy of the highest aim and purpose of associated effort.

**ARTICLE II MEMBERSHIP**

**SECTION 1. *General:*** The fraternity shall consist of the individual members of all chapters of Beta Theta Pi and the individual alumni who have been initiated by any chapters and have not died, resigned or been expelled.

**SECTION 2. *Qualifications:*** Any regularly enrolled male student, graduate or undergraduate of a college or university for which there is an established chapter or colony of Beta Theta Pi may become a member of the fraternity provided:

- a) He is not a member of any similar fraternity or association except a local fraternity or association seeking charter as a chapter of Beta Theta Pi;
- b) He completes the pledgship normally proscribed by the chapter proposing to initiate him, unless the period of pledgship is waived by written approval of the General Secretary;

- c) The chapter to which his name is proposed shall express confidence in his character and qualifications, including those set forth in Chapter XIII of the Laws concerning the scholarship requirement, by electing him at a meeting duly called, by vote of its collegiate members upon such vote as its collegiate members shall determine with complete autonomy;
- d) He is formally initiated into the chapter so electing him.

**SECTION 3. *Membership Eligibility:*** Membership selection shall not, in any way, be affected by race, color, creed, religion, age, disability, ethnic background, sexual orientation or national origin.

**SECTION 4. *Equality of Members:*** All members shall have equal rights in the fraternity.

**SECTION 5. *Status of Members:*** Every member of the fraternity will be either:

- A. A Collegiate Member; or
- B. A Temporarily Inactive Collegiate Member; or,
- C. An Alumnus Member; or,
- D. A Suspended Member

**SECTION 6. *Definitions:***

A. Collegiate Member:

- (1) Every member will be considered a collegiate member until:
  - (a) he graduates from the college or university at which his chapter is established unless such member elects to continue as a collegiate member in accordance with Section 6 C (1) below.
  - (b) he permanently leaves the college or university at which his chapter is established unless he transfers to another chapter.
  - (c) he is designated an alumnus member by the Board of Trustees or the General Convention.
- (2) Collegiate members include Suspended Members but do not include Temporarily Inactive Collegiate Members or Alumnus Members.

B. A Temporarily Inactive Collegiate Member:

- (1) Grounds to Become Temporarily Inactive; A member of the fraternity who would otherwise be a Collegiate member may become temporarily inactive in the fraternity, in accordance with the procedure established herein, for any of the following reasons:

- (a) Study abroad, or internships or co-ops away from the city where the University is located,
- (b) Missionary work required by his educational institution,
- (c) Financial hardship, provided that the number of members of any chapter who may become temporarily inactive because of financial hardship during any academic quarter or semester shall be limited to three per chapter/colony, or
- (d) Withdrawal from the college or university at which his chapter is established which is not considered permanent.

(2) Procedure to become Temporarily Inactive: Temporarily inactive status may be granted to a member only if the chapter president certifies that the chapter has approved the temporary inactive status of that member, specifies how the member qualifies for such status and certifies that the member is not paying the chapter any type of dues or fees for the period of inactive status or participating in any other fraternity activities. Temporary inactive status can only be granted for one semester or quarter and automatically terminates at the end of such period. Such status may be revoked by the General Secretary, District Chief or Administrative Office upon receipt of information showing that grounds for such status did not exist, and any revocation shall be effective at the beginning of the period for which the status was granted. A revocation of Temporary status may be reviewed by the Board of Trustees.

C. Alumnus Member: An alumnus member is a member of the fraternity who:

- (1) Has graduated from the college or university at which his chapter is established, unless such member elects to continue as a collegiate member while enrolled in a professional or graduate school of an institution where there is an established chapter of Beta Theta Pi;
- (2) Has permanently left the college or university at which his chapter is established unless he transfers to another chapter; or
- (3) Has become an alumnus member by designation of the Board of Trustees or the General Convention in accordance with Article II, section 6, A (1) (c).

D. Suspended Member: A suspended member is a member of the fraternity whose rights and privileges of association in the fraternity have been suspended for a specific period of time as a result of a disciplinary proceeding. At the end of the period of suspension, the member's status returns to the status he had prior to suspension. The suspension of a member shall not change the financial obligation of such member or the member's chapter to the General Fraternity.

**SECTION 7. *Reinstatement of Former Members:*** No person who shall have been expelled, or who shall have resigned from the fraternity, may be reinstated to membership except by a majority vote of the General Convention or the Board of Trustees.

**SECTION 8. *Maintenance of Membership:*** No member of the fraternity may relinquish his membership in any chapter of the fraternity while he continues a student in the institution for which said chapter was established, and still retain his membership in the fraternity at large, except by special authority from the Board of Trustees.

**SECTION 9. *Membership in Similar Organizations:*** It shall be grounds for expulsion if any member becomes a member of any other similar college fraternity.

**SECTION 10. *Initiation of Members of a Local Fraternity or Society to which Charter has been Granted:*** All members of a local fraternity or society, to which a charter has been granted, may be initiated and admitted to membership at the same time as or after the charter is conferred.

**SECTION 11. *Inclusiveness of the Chapter:*** No chapter shall permit discrimination in membership selection, initiation, chapter operations, or other activities of the fraternity based upon any person's race, color, creed, religion, age, disability, ethnic background, sexual orientation, or national origin.

**SECTION 12. *Special Initiation:***

- a) *Initiation upon recommendation of the chapter:* A chapter may initiate any male non-student deemed worthy by his efforts for and continued interest in a chapter of Beta Theta Pi provided:
  - 1) He meets the qualifications set out in subsections (a), (c), and (d), of Section 2 of Article II of the Constitution;
  - 2) His qualifications have been presented in the written form of a recommendation from the chapter to the District Chief; and the District Chief had approved such a request and notified the Executive Director of such approval;
  - 3) Anyone so initiated, must pay the portion of the General Fraternity membership fee payable upon initiation. Such fee shall be deemed to include the Baird Fund membership fee.
  
- b) *Initiation upon recommendation of the Board of Trustees:* Any male deemed worthy by his efforts for and continued interest in Beta Theta Pi may be elected by the Board of Trustees for initiation into the Fraternity provided:
  - 1) Those elected shall be initiated at such time as the Board of Trustees may direct.
  - 2) Those elected under this section shall be enrolled in the General Fraternity Roll Book.
  - 3) No student enrolled in an institution where there is a chapter or colony of Beta Theta Pi may be initiated under the provision of this section.

- 4) Anyone so initiated shall be required to pay an amount set by the Board of Trustees, not to exceed the cost of the Badge, Shingle, and the Baird Fund fee.
- 5) No more than 3 men per year may be initiated under this section unless the Trustees find that special circumstances justify more than that number in a particular year.
- 6) The man so elected under this section meets the requirements of Article II, Section 2 (a).

**SECTION 13. *General Fraternity Roll Book:*** There shall be created a General Fraternity Roll Book which may be used by the Board of Trustees for the initiation of colony members and certain other individuals initiated under the provisions of Article II, Section 10 above.

**SECTION 14. *Obligation to Register Address:*** It shall be the obligation of every member of the fraternity to register his current mailing address with the Administrative Office and to advise the Administrative Office promptly of changes of address. It shall be obligation of each chapter and colony of the fraternity to advise the Administrative Office, on such forms as the Executive Director may provide from time to time, of its address and of the names and both the campus and home addresses and phone numbers of its officers and to advise the Administrative Office promptly of changes thereof.

### **ARTICLE III CHAPTERS AND ALUMNI ASSOCIATIONS**

**SECTION 1. *General:*** The fraternity organization shall consist of the chapters and alumni associations already established, and such chapters and alumni associations as may hereafter be established. All chapters and alumni associations shall, except as otherwise provided, have equal rights in the fraternity.

**SECTION 2. *Normal Establishment of Chapters:*** Chapters of Beta Theta Pi shall be established only for students enrolled in universities and colleges of good standing and repute upon the petition in writing of not less than five undergraduates of such regularly established university or college. The character and qualifications of such petitioners must be vouched for by at least two members of the fraternity. The establishment of a chapter for students at the university or college named in the petition must be recommended by at least two of the three chapters situated nearest the location of the proposed new chapter.

Such petition shall contain such information regarding the character and standing of the applicant and the reputation and resources of the academic institution at which the proposed chapter is to be established, as may be required by the General Secretary. The applicant shall transmit such petition to the General Secretary in care of the Administrative Office.

The Board of Trustees shall make such investigation of the facts and circumstances as it deems advisable, and after a majority of the members of the Board of Trustees shall have voted in favor of granting the charter, the petition shall be submitted to the next General Convention

for its action therein; and if such convention by a three-fourths vote of the chapters represented at the Convention, shall so direct, a charter shall issue to the petitioners named in the application, by authority of which they shall be constituted a chapter of Beta Theta Pi. The General Secretary shall notify all the chapters, in writing, of the proposed submission of any application for a new chapter, at least two months prior to the date of opening of the convention which is to take action thereon.

**SECTION 3. *Establishment of Colonies:*** Prior to a colony being established, the Board of Trustees shall make such investigation of the facts and circumstances as it deems advisable and, upon the Board's preliminary approval in favor of the establishment of a colony, the Board of Trustees or a General Convention by a two-thirds vote may, upon petition in writing of not less than five undergraduates of a regularly established university or college at which there is no chapter of Beta Theta Pi, authorize the initiation of regularly enrolled students, undergraduate or graduate, at that institution by a chapter or other members of the fraternity designated by the Board of Trustees. These students so initiated at such institutions shall constitute a colony of Beta Theta Pi. Upon approval of the Board of Trustees prior to authorization by a General Convention, the colony shall constitute a provisional colony of Beta Theta Pi, and upon approval by a General Convention the colony shall acquire full colony status and shall cease to be a provisional colony.

**SECTION 4. *Emergency Establishment of Chapters:*** During the recess of the General Convention if, in the judgment of the Board of Trustees, in the light of its knowledge of the facts, special and extraordinary reasons exist for the establishment of a chapter prior to the next meeting of the General Convention, the General Secretary shall submit the application therefor, to be made in all particulars as provided in Section 2 hereof, for the consideration of the chapters, together with a full statement of such special and extraordinary reasons and of such facts and arguments (both favorable and unfavorable to the granting of the charter) as have been presented to him, and if, upon such submission, three-fourths of the chapters (meeting the requirements of Article IV, Section 5 at the time of such notice) shall vote by ballot, signed by the President and Secretary of the chapter, in favor of granting such application, then a charter shall be issued, and the new chapter may be duly established and organized under the direction of the General Secretary.

**SECTION 5. *Installation of Chapters:*** The General Secretary shall transmit the charter of each new chapter to some discreet and suitable member (to be selected by the President), who shall be authorized to install the chapter, to initiate those petitioners who are not already members of the fraternity, to give them the necessary instructions for the proper execution of the work of the fraternity, to open and establish the proposed new chapter, and place such charter in its keeping.

**SECTION 6. *Status of Chapters:***

(A) General Categories: A chapter of Beta Theta Pi will be designated as either:

(1) In Good Standing;

- (2) On Warning;
- (3) On Probation;
- (4) Subject to Suspension
- (5) Suspended;
- (6) Under Reorganization;
- (7) Disbanded; or
- (8) Revoked.

A chapter may be designated as any status without having first received another designation, subject only to any limitations set forth elsewhere in the Constitution.

(B) Definitions:

- (1) *Definition of a Chapter in Good Standing:* A chapter is in good standing if (1) its charter is not under suspension, and (2) it has paid or has arranged to pay all money owed by it to the General Fraternity, and (3) it has not been given a different status designation.
- (2) *Definition of a Chapter on Warning:* A chapter which is placed on warning is (1) a chapter that has failed to meet or has had difficulty meeting the standards of a chapter of Beta Theta Pi, and (2) has been designated placed on warning by the General Secretary, the Board of Trustees or the General Convention. When a chapter is placed on warning, the designation shall specify the deficiencies which the chapter must address and correct. A chapter on warning may continue to operate as a chapter of Beta Theta Pi under its own charter, but only with such restrictions, limitations or conditions as might be imposed by the General Secretary, Board of Trustees or General Convention.
- (3) *Definition of a Chapter On Probation:* A chapter that is placed on probation is (1) a chapter that has failed to meet or has had difficulty meeting the standards of a chapter of Beta Theta Pi, (2) has been placed on probation by the General Secretary, the Board of Trustees or the General Convention, and (3) is determined to have more serious deficiencies, by the party making the designation, than a chapter on warning. A chapter on probation may continue to operate as a chapter of Beta Theta Pi under its own charter, but only with such restrictions, limitations or conditions as might be imposed by the General Secretary, Board of Trustees or General Convention. When a chapter is placed on probation, the designation shall specify the deficiencies which the chapter must address and correct. The chapter by virtue of such designation will be on notice that more serious action may be taken if the deficiencies are not corrected, and the notice advising the chapter of such designation shall so state.
- (4) *Definition of a Chapter Subject to Suspension:* A chapter that is designated as being subject to suspension is (1) a chapter that has failed to meet the standards of, (2) has been designated as subject to suspension by the General

Secretary, the Board of Trustees or the General Convention, and (3) is determined, by the party making the designation, to have extremely serious deficiencies which threaten its ability to continue as a functioning chapter of Beta Theta Pi. When a chapter is designated subject to suspension, the designation shall specify the deficiencies which the chapter must correct and may specify a timetable for corrective action. By virtue of such designation, the chapter will be on notice that more serious action may be taken if the deficiencies are not corrected, and the notice advising the chapter of such designation shall so state. A chapter subject to suspension may continue to operate as a chapter of Beta Theta Pi under its own charter, but with such restrictions, limitations or conditions as may be imposed by the General Secretary, Board of Trustees or General Convention, unless the charter is also suspended in which case it may act as a chapter of Beta Theta Pi only as provided in paragraph (5) below.

- (5) *Definition of a Suspended Chapter:* A suspended chapter is a chapter the charter of which has been suspended. A suspended chapter has no inherent authority to act as a chapter of Beta Theta Pi. Its authority to act as a chapter is limited and extends only to the extent of the authority given to it by the General Secretary, the Board of Trustees or the General Convention, and such chapter is at all times subject to such limitations as are imposed by the party granting the authority.
- (6) *Definition of a Chapter Under Reorganization:* A chapter under reorganization is one which is being reorganized under the order of the General Secretary, the Board of Trustees or the General Convention to determine which members are willing to follow the standards and principles of Beta Theta Pi. The charter of a chapter Under Reorganization shall, by virtue of such designation, be suspended (and, as a consequence, the chapter's authority to act shall be that of a suspended chapter). As a part of the reorganization some Collegiate Members may be designated as Alumnus Members and other disciplinary action may be taken with respect to members as provided in the Laws. When the reorganization is deemed to be successfully completed, the chapter's designation may be changed to a different status.
- (7) *Definition of a Disbanded Chapter:* A disbanded chapter is one (1) the charter of which has been suspended and (2) the members of which have been ordered to disband. Said members shall be designated as Alumnus Members, although other disciplinary or superseding action may be taken with respect to the members as provided in the Laws. A disbanded chapter may not continue to operate as a chapter of Beta Theta Pi for any purpose and is not to be counted as a chapter of the fraternity.

(8) *Definition of a Revoked Chapter:* A revoked chapter is one that once existed but does not now exist because its charter was revoked by the General Convention under the provisions of this Code.

- (C) *Who may Suspend, Reorganize, or Disband a Chapter:* The charter of any chapter may be suspended, the chapter may be ordered reorganized, or the chapter ordered disbanded by the General Secretary, the Board of Trustees, or by a 2/3 vote of the General Convention. The General Secretary may delegate to a District Chief the power to suspend the charter of a chapter in his district and shall review and may modify or reverse any action taken by a District Chief under this delegation of authority.
- (D) *Who May Modify or Lift Designation:* The designation of a chapter as being on warning, on probation, suspended, under reorganization or disbanded, if imposed by the General Secretary, may be appealed to the General Secretary, the Board of Trustees or the General Convention and lifted or modified if appropriate.

The designation of a chapter as being on warning, on probation, suspended, under reorganization or disbanded, if imposed by the Board of Trustees, may be appealed to the Board of Trustees or the General Convention and lifted or modified if appropriate.

The designation of a chapter as being on warning, on probation, suspended, under reorganization or disbanded, if imposed by the General Convention, may be lifted only by the General Convention. A chapter's designation as being on warning or on probation may be modified or lifted by a majority vote of the General Convention. A chapter's designation as suspended, under reorganization or disbanded may be lifted by a two-thirds vote of the General Convention.

The General Secretary, Board of Trustees or General Convention when designating or modifying a chapter status may also provide that a chapter's designation be automatically modified or lifted in the event that certain conditions are met and may specify who would make that determination.

- (E) *Notice to Interested Parties of Certain Chapter Designations:* If a chapter is designated as being on probation, suspended, under reorganization, or disbanded, notice of such designation, the reasons therefor, and, where applicable, the fact that more serious action may be taken if the deficiencies are not corrected shall be promptly sent by the General Fraternity to the parents of the Collegiate Members of the chapter, the chapter's advisors, the officers of the chapter's house corporation and such living alumni of the chapter as determined appropriate by the Board of Trustees, based on the records of the Administrative Office. The Board of Trustees or the General Convention may also give notice to other parties of a chapter's designation, together with information about the reasons therefor, as deemed appropriate under the circumstances.

- (F) *Procedure for the Disbanding of Chapters:* The General Secretary or Board of Trustees shall designate discreet persons, preferably other than the Executive Director or his assistants, to work with the officers of the chapter's house corporation to carry out the details of disbanding a chapter, including obtaining the property of the General Fraternity, relocating of residents of the chapter house, and securing the chapter house.

**SECTION 7. *Revocation of Charter:*** The General Convention may with or without recommendation of the Board of Trustees, by three-fourths vote of all the chapters represented at that convention, revoke the charter of any chapter; provided, however, that the General Convention shall not revoke any charter upon the recommendation of the Board of Trustees unless written notice of such recommendation of the Board of Trustees shall have been given to such chapter.

**SECTION 8. *Form of Charters:*** Charters shall be signed by the President and General Secretary of the fraternity, shall be in such form as may be approved by the Board of Trustees, and shall have affixed thereto the Great Seal of the Fraternity.

**SECTION 9. *Procedure for Naming Chapters:*** Chapters hereafter established shall be named in Greek alphabetical sequence. After the Greek alphabet has been exhausted chapters shall be given double letter Greek names with the first letter of the Greek alphabet being used for the first name and the second Greek letter being determined by using the entire Greek alphabet in alphabetical sequence, followed by the second letter of the Greek alphabet being used for the first name and the second Greek letter being determined by using the entire Greek alphabet in alphabetical sequence, etc., e.g. Alpha Alpha, Alpha Beta, ..., Beta Alpha, Beta Beta, etc. A Convention which grants a charter to an inactive chapter whose chapter designation has been taken by another chapter and in other extraordinary circumstances deemed appropriate by such Convention, may grant a special designation out of the preceding sequence when granting the charter to such chapter. The full name of a chapter shall be in the form set forth in Chapter VI of the Laws and shall be specified in the chapter's charter.

Colonies chartered at the same Convention shall be named in order of their longevity as a colony, with the oldest colony being named first. Should a chapter become inactive, its designation and its position on the roll of chapters shall remain intact, and its charter, records and archives shall be held by the Administrative Office.

**SECTION 10. *Jurisdiction and Powers of the Chapters:*** Each chapter shall have jurisdiction over all members of the fraternity enrolled in the institution for the students of which it is established whether they be members initiated by such chapter or not, provided, however, such jurisdiction shall not exclude the jurisdiction of the Convention and of the Board of Trustees; each chapter may make such regulations and adopt such order of business as it may deem expedient, provided they be not inconsistent with this Constitution and the Laws of the fraternity. The transfer of collegiate members from one chapter to another may be regulated by the Laws of the Fraternity.

**SECTION 11. *Closed Meetings:*** Ordinary meetings of the chapter shall be closed, but this restriction may be removed by vote of the chapter.

**SECTION 12. *Jurisdiction of College or University Authorities:*** Chapters must observe the rules and regulations of the institution in which their members are enrolled and must demand strict loyalty and obedience on the part of their members to the university or college authorities, provided, however, that the jurisdiction of college or university authorities and rules and regulations promulgated by them may not alter, amend or contravene the requirements stated in Article II, governing membership in the fraternity.

**SECTION 13. *Alumni Associations:*** Alumni associations of the fraternity may be authorized and may continue to exist under such regulations and at such places as may be provided by the Laws of the fraternity.

## **ARTICLE IV THE GENERAL CONVENTION**

**SECTION 1. *Authority:*** The supreme legislative authority of the fraternity shall be vested in a General Convention.

**SECTION 2. *Sessions of Convention:*** The General Convention shall hold its sessions annually, except in periods of national emergency, when by two-thirds vote of the Board of Trustees the annual convention may be omitted and the powers of the convention with the exception of the right to grant charters and amend this Constitution, may be exercised by the Board of Trustees. The Board of Trustees, upon request of a majority of the chapters by written requests filed with the General Secretary, shall call a convention to convene within eight months after the last request necessary for a majority shall have been filed; provided, however, that such majority is obtained within three months after the first request is filed. Such requests may be in the form of a joint petition or in the form of letters, or both, but the same shall be signed by the President and Secretary of the chapter.

In the event of the omission of the annual convention under this section, the Board of Trustees shall cause to be transmitted to each chapter an annual report of its proceedings and the report of the General Treasurer for the preceding fiscal year.

**SECTION 3. *Jurisdiction of Convention:*** The General Convention shall have exclusive jurisdiction in all matters not specifically reserved to the chapters by the provisions of this Constitution, subject to disapproval, however, as hereinafter provided. It shall also have jurisdiction over the conduct of all members of the fraternity, while they are in attendance at a General Convention, with power to apply any discipline short of expulsion from the fraternity. It may pass laws for the governing of the fraternity, its chapters and alumni associations. It may establish such offices not herein provided for as may be found expedient.

**SECTION 4. *The General Convention:*** Delegates selected by the several chapters entitled to representation and by the several alumni associations entitled to representation shall constitute the General Convention.

**SECTION 5.** *Chapters and Alumni Associations entitled to Representation at the Convention:*

- 1) All Chapters are entitled to representation except:
  - (a) Chapters which are suspended, except that suspended chapters may be entitled to representation if the Board of Trustees so directs pursuant to Chapter II of the Laws,
  - (b) Chapters which have not paid by July 31<sup>st</sup> or the first day of General Convention, whichever date may occur first, all fees and assessments which have accrued or been billed, including all initiation fees for those initiated before July 31<sup>st</sup>, and
  - (c) Chapters which have failed to submit a scholarship report in a timely manner for three consecutive years as required by Chapter XII of the Laws.

Chapters which are not entitled to representation prior to the opening of the convention, but which at that time or during the Convention, meet all of the foregoing requirements may, upon certification by the Committee on Credentials and Registration, become entitled to representation thereafter. Chapters which during the convention cease to be entitled to representation, shall thereafter cease to be entitled to vote. The identity and number of chapters entitled to representation for voting purposes shall be determined at the time of each vote. A determination of whether a chapter is entitled to representation may be made from time to time during the convention notwithstanding the provisions of Section 9 of this Article IV.

- 2) Alumni Associations entitled to representation shall be determined under Chapter IX of the Laws.

**SECTION 6.** *Quorum:* Delegates in attendance from at least 50% plus one of the Chapters Entitled to Representation shall be required to form a quorum, and such quorum shall be required to be present for any and all business to be transacted; but a smaller number may meet, organize, and adjourn the Convention from day to day. Delegates shall be chosen as provided in the Laws.

**SECTION 7.** *Chapters Represented at the Convention; Voting:* Chapters which are entitled to representation and have accredited, registered delegates shall be the chapters represented at the Convention. Each chapter represented at the Convention and each alumni association which is entitled to representation and which has an accredited, registered delegate, shall be entitled to one vote in the convention on all matters except the granting and revoking of charters and the election of General Officers and Trustees of the fraternity, on which only delegates of chapters shall be eligible to vote. All matters, other than those where the rules of parliamentary procedure specify differently, presented to the Convention for vote shall be

decided by a majority of those delegates who are entitled to representation and to vote on such matters and who are present at the time of the vote, except that the suspension of charters, or the lifting thereof, shall require a two-thirds majority of such delegates and the granting and revocation of charters shall be governed by the provisions of Article III.

No chapter delegate may vote on any question involving the revocation, suspension or discipline of the chapter represented by him. In determining questions by the convention, any delegate entitled to vote on the question may demand a roll call vote.

Contrary provisions of the Code of Beta Theta Pi notwithstanding, a colony whose charter is granted by a General Convention and which otherwise meets all of the requirements of a chapter entitled to representation shall be considered a Chapter of Beta Theta Pi entitled to representation for the remainder of that Convention and its delegate shall be a full voting delegate on all matters, other than on charter petitions.

**SECTION 8. *Publication of Proceedings:*** The proceedings of the General Convention shall be published and sent to the chapters in the manner set forth by the Laws of Beta Theta Pi.

**SECTION 9. *Chapter Disapproval of Convention Actions:*** Actions of the General Convention shall be in full force and effect from the date of the adjournment of the Convention; provided, however, that if within three months after the publication of the proceedings of the Convention, more than one-half of the chapters shall have filed with the General Secretary notice of their disapproval of any actions, or any part thereof, the action so disapproved shall be inoperative and void. The following actions of the General Convention can not be disapproved:

1. Granting of charters;
2. Disbandment, revocation, reorganization, or suspension of charters/chapters;
3. Election of General Officers and Trustees;
4. Amendments to this Constitution.

## **ARTICLE V BOARD OF TRUSTEES**

**SECTION 1. *Powers:*** The powers, business, and property of the fraternity shall be exercised, conducted, and controlled by the Board of Trustees, subject to the Laws of the fraternity and the orders of the General Convention.

**SECTION 2. *Number and Election:*** The number of members of the Board of Trustees shall be no less than eight and no more than 12. They shall be elected for the term and in the manner prescribed by Article VI, Section 1 hereof.

**SECTION 3. *Qualifications:*** Trustees must be members of the fraternity.

**SECTION 4. *Vacancies:*** The Board shall select persons to fill vacancies on the Board or to fill offices, which become vacant during the term of the holder thereof (or before the convention recommendation can be followed by the Board, as contemplated in the situation

described below), until the meeting of the next General Convention at which time the remainder of any unexpired terms shall be filled by election by the convention.

In the event that a vacancy or vacancies on the Board are created by an increase in the size thereof, then the convention making the change in size shall (by vote of the undergraduate delegates using the same voting procedure used in the selection of Board members) recommend the member or members to fill those positions, and the Board shall follow such recommendations by appointing those recommended once the constitutional change altering the size of the Board becomes effective. Those recommended by the convention may be sworn in at the convention with their election to office becoming effective upon the effective date of the change and their appointment by the Board, instead of at the time provided in Chapter I of the Laws.

**SECTION 5. *Quorum, Meetings:*** The Board shall hold regular meetings at such times and places as it may determine. Special meetings may be held upon call of the President. He shall call a meeting upon the request of any two members of the Board. A majority of the Trustees shall constitute a quorum for the transaction of business.

**SECTION 6. *Report of Proceedings:*** The Board shall cause to be transmitted to each General Convention: 1) a Board of Trustees' report reporting all activities and actions of the Board since its last such report; 2) the reports required of officers by the Constitution or Laws.

**SECTION 7. *Reports and Investigations:*** The Board may at any time require a report from any officer, chapter or alumni association or cause an investigation to be made of any situation involving the fraternity, its officers, members, chapters or alumni associations.

**SECTION 8. *Publication of Votes:*** The Board shall cause to be published the votes of the chapters upon amendments to the Constitution.

**SECTION 9. *Removal of Officers:*** If any officer or Trustee of the fraternity be guilty of any conduct prejudicial to the interests of the fraternity, he may be removed by the Board of Trustees upon due notice. A Trustee may be removed pursuant to this section by a vote of two-thirds of the Board of Trustees in office and the Trustee whose removal is in issue shall not be entitled to vote on the question of removal. If any Trustee is marked absent on the roll of three regular board meetings in his term, he shall automatically relinquish his position on the Board of Trustees unless, by three-fourths vote of the remaining Board members, he is asked to remain.

**SECTION 10. *Discipline:*** The Board shall have original jurisdiction in all cases of discipline of those no longer Collegiate Members and in all other cases of discipline provided for in the Laws.

**SECTION 11. *Expulsion:*** The Board must report to the next convention the name of any member expelled from the fraternity.

**SECTION 12. *Advisory Council:*** Former members of the Board of Trustees and Foundation Board of Directors shall constitute an Advisory Council, with the privilege of

attendance at regular meetings of the Board of Trustees without vote. They may perform such other duties as may be designated by the Board of Trustees.

## **ARTICLE VI GENERAL OFFICERS AND THEIR DUTIES**

**SECTION 1. *General Officers:*** The General Officers of the fraternity shall be a President, a General Secretary, a General Treasurer and five to nine Vice Presidents, each of whom shall be a member of the Board of Trustees, and their respective terms of office as such officers shall coincide with their terms of office as trustees. Each of said general officers shall hold office for a term of three years and until his successor is elected and qualified. The terms of the President, General Secretary and General Treasurer shall be staggered such that they expire in consecutive years. The terms of the Vice Presidents shall be staggered such that three of the nine such terms expire each year.

**SECTION 2. *Duties of President:*** The President of the fraternity shall preside at the meetings of the Board of Trustees. He shall sign all charters and designate discreet persons to install new chapters. He shall perform all other duties as provided for in the Code of Beta Theta Pi or assigned by the Board of Trustees.

**SECTION 3. *Duties of Vice President:*** The Vice Presidents of the fraternity shall have such duties as shall be assigned to them, respectively, by the Board of Trustees.

**SECTION 4. *Duties of General Secretary:*** The General Secretary, subject to the authority of the Board of Trustees and the General Convention, shall be the chief executive officer of the fraternity. He shall have supervisory authority over all general fraternity officers except for other members of the Board of Trustees, or their assistants and directors of the Beta Theta Pi Foundation and its employees. The General Secretary may take any action designated by the Code to be performed by any officer over which he has supervisory authority. He shall have supervision of the chapters and alumni associations, with all that pertains to them. All records of the fraternity, except financial records, shall be maintained under his supervision. He shall perform such duties as shall be provided by the Code of Beta Theta Pi or assigned by the Board of Trustees or the General Convention. The General Secretary shall report the affairs of his office to each General Convention. He may, in writing, with the consent of the Board of Trustees, but for no longer than the balance of his term as General Secretary, delegate various powers and responsibilities of his office to the Executive Director, the District Chiefs, or to other general fraternity officers. He may at any time, in writing and with or without the consent of the Board of Trustees, withdraw a delegation of authority made by him.

**SECTION 5. *Duties of General Treasurer:*** The General Treasurer shall oversee the collection and holding of funds of the fraternity and the payment of appropriations of the General Convention. He shall present an annual report, properly audited by certified public accountants, together with his books and vouchers, to the Board of Trustees. Before entering upon his duties he shall give bond in a sum and with security to be approved by the Board of Trustees.

## ARTICLE VII FINANCES

**SECTION 1. *General:*** The General Convention shall have power to raise money by 1) the levy of fees and assessments upon the chapters; 2) by the sale, lease, pledging, mortgaging or disposing of any property owned by the fraternity.

**SECTION 2. *Fiscal Year:*** The fiscal year shall close with the month of May unless changed by the Board of Trustees.

**SECTION 3. *Distribution of Funds:*** No part of the net earnings of the fraternity shall ever inure to the benefit of any private individual or member, as such, and in no event shall any assets of the fraternity be distributed to or for the benefit of any private individual or member, as such, and in the event of the termination, liquidation, or dissolution of the fraternity its assets shall be distributed to an educational or some other form of charitable organization or expended for educational or other charitable purposes.

**SECTION 4. *Establishment of Funds:*** The General Convention, Board of Trustees and Foundation Directors shall have power to establish endowment, building, or other permanent funds or foundations, and to provide for the investment and reinvestment thereof, the use of the income arising therefrom and for periodic accounting.

**SECTION 5. *Indemnity:*** The Fraternity may, to the full extent permitted by the Ohio Non-profit Corporation law, indemnify all persons whom it may indemnify pursuant thereto.

## ARTICLE VIII AMENDMENTS

**SECTION 1. *General:*** Except as limited by Section 2 of this article, this Constitution may be amended or repealed by a two-thirds vote of any General Convention; provided however, that such action shall not be effective if within three months after publication of the proceedings of the General Convention, or the mailing of the complete text of such change to the chapters, whichever is the earlier, greater than one-third of the chapters, by the votes deposited with the General Secretary, have filed notice of their disapproval of such amendment or repeal.

**SECTION 2. *Restriction on Amendments:*** No amendment to this Constitution may alter or change Section 3 of Article VII hereof pertaining to distribution of funds and if this Constitution is repealed in the manner provided in Section 1 of this Article, the action authorizing such repeal shall provide for carrying out the terms of said Section 3 of Article VII or for the incorporation of a similar provision in a new Constitution.

## LAWS

### CHAPTER I THE GENERAL CONVENTION

**SECTION 1. *General: Time of Convention:*** The General Convention of the fraternity, hereinafter in these Laws called the Convention, shall be constituted as provided in Article IV of the Constitution at such time and place as may be determined by the Board of Trustees.

**SECTION 2. *Delegates:*** Delegates shall at the time of their selections be collegiate members of the chapters entitled to representation or members of the alumni associations they represent.

**SECTION 3. *Selection of Delegates:*** On or before April first of each year, each chapter then in good standing shall select its delegate to the Convention, and one or more alternates. The chapter secretary shall send to the General Treasurer and Executive Director official notice of such selection and shall give them the names and addresses of the delegate and the alternates so selected. In case such delegate or his address is changed before the time set for the Convention, the chapter secretary shall send the Executive Director prompt notification thereof. Each duly authorized alumni association desiring representation in the General Convention shall be entitled to representation in the manner prescribed in Chapter IX of the Laws.

**SECTION 4. *Duties of Chapter Delegates:*** It shall be the duty of each chapter delegate to attend each session of the Convention.

Any chapter delegate or his duly authorized representative who fails to attend each and every session of the Convention, shall be held up for censure by the General Convention, prior to adjourning sine die.

The Board of Trustees may take one or more of the actions set forth herein against a chapter whose delegate has failed to attend any or all of the sessions of the convention:

- 1) To secure the return of the travel allowance paid to the chapter delegate;
- 2) To suspend or limit the initiation privileges of said chapter for such time and in such manner as it shall determine;
- 3) To suspend the voting privileges of said chapter at the convention until said voting privileges are reinstated by vote of the General Convention.

**SECTION 5. *Expenses of Convention Delegates:*** The General Treasurer, at least two weeks before the General Convention, shall direct the Executive Director to send to the delegate designated by each chapter and colony whose fees and assessments have been paid, a check for a minimum of nine (9) cents per mile, or such other amount designated by the Board of Trustees, for transportation from his home in the United States or Canada (as shown on the records of the General Fraternity) to the place of the Convention and return; provided, however, that if the Kettering chapter sends two delegates to Convention, each delegate shall receive a check for reimbursement of mileage expenses determined as provided above. If the Kettering chapter sends

two sophomore fellows, each sophomore fellow will receive the standard allowance for sophomore fellows. Any outstanding convention fees owed by the delegate shall be deducted from his travel expense reimbursement. The delegate shall return any portion of such travel expense reimbursement not actually used for the purpose of transportation to the General Convention. The mileage rate to be paid delegates to each convention shall be determined by the Board of Trustees prior to May 1, of the year in which the convention is held.

**SECTION 6. *Credentials for Delegates:*** The Executive Director shall prepare a form of credentials for the use of the chapters in accrediting delegates to the Convention, and this, together with the receipt or certification of the General Treasurer showing that all fees and assessments as required by Chapter X have been paid, shall constitute complete credentials of said delegates.

**SECTION 7. *Proxies; Alternates:*** Any regularly selected delegate may, in case of inability to attend the Convention or any session thereof, give his proxy to another member of the same chapter or alumni association if said proxy shall be a regularly selected alternate; provided, however, where in cases of emergency a proxy is given to a member not an alternate of the same chapter or alumni association such proxy representation shall be subject to approval of the Committee on Credentials and Registration; and provided, further, that any chapter, if notified that its delegate is unable to attend the Convention, may select another of its members in the place of such delegate.

**SECTION 8. *Call to Order:*** The Convention, having met pursuant to the provisions of the Constitution, shall be called to order by the General Secretary, if that officer be present, or if not, then by the President of the Fraternity, if that officer be present, or if not, then by the delegate of the oldest chapter represented.

**SECTION 9. *Opening of the Convention:*** The proceedings of the Convention shall be opened in the manner prescribed in the Ritual.

**SECTION 10. *Committees on Permanent Organization and Credentials:*** Before the opening of the Convention, the General Secretary shall appoint 1) a Committee on Permanent Organization, to consist, so far as practicable, of a chairman and not less than seven members, 2) a Committee on Credentials, to consist of a chairman and not less than three members.

**SECTION 11. *Nomination and Election of Convention Officers:*** The Board of Trustees shall appoint by April 1, following officers of the Convention: President, one or more Vice Presidents, a Parliamentarian, a Secretary, one or more Assistant Secretaries, a Marshal, one or more Assistant Marshals, a Floor Manager, one or more Assistant Floor Managers, a Chorister, and such other Convention officers as said committee may deem appropriate, and report the same to the Convention. After its report, other nominations may be made from the floor before said officers are elected.

**SECTION 12. *Duties of Convention Officers:*** The President, the Vice Presidents, the Secretaries and the Parliamentarian shall perform the duties usually devolving upon such

officers, subject to the orders of the Convention and the requirements of the Constitution and Laws.

**SECTION 13. *Duties of the Marshal:*** The Marshal shall have charge of the approaches to the Convention while in session; shall preserve order under the direction of the presiding officer; shall have a care that none not duly qualified enter or without permission retire; shall make and publish all official proclamations; form and conduct all necessary procession and generally have supervision over the conduct of all members in attendance and shall report to the Convention any misconduct of members.

Only initiated Betas shall be duly qualified to enter sessions of the Convention, except that pledges of chapters and colonies may be admitted at the discretion and direction of the Convention President for such period of time as he deems appropriate.

**SECTION 14. *Duties of Chorister:*** The Chorister shall lead the singing of the Convention.

**SECTION 15. *Standing Committees of the Convention:*** The standing Committees of the Convention shall be:

- 1) Committee on Nomination of General Fraternity Officers
- 2) Committee on Charters
- 3) Committee on Credentials and Registration
- 4) Committee on Risk Management
- 5) Committee on Chapters
- 6) Committee on General Fraternity Finance
- 7) Committee on Constitution and Jurisprudence
- 8) Committee on Miscellaneous Affairs

These committees may be combined or divided in such manner as the General Secretary may see fit for the efficient consideration of business, provided each committee consists of a minimum of five members.

Prior to the convening of any General Convention, the General Secretary may select or designate the composition of standing committees and such other committees as he shall have determined to be necessary. Such designation or selection may be made in whole or in part by chapter delegate designation. The selection so made shall be forwarded promptly to all chapters. The President of the Convention shall appoint all standing committees and such other committees as are necessary, the membership of which has not been designated by the General Secretary; he shall also fill any vacancies which there may be in the composition of any of them at the time of or after the convening of the Convention.

**SECTION 16. *Special Committees:*** Special committees may be appointed by the presiding officer at the pleasure of the Convention.

**SECTION 17. *Reports and Resolutions in Writing:*** Unless otherwise ordered by the President of the Convention, all committee reports, resolutions or proposals intended for consideration by the Convention must be in writing, duly signed, and filed with the Convention Secretary before action can be had thereon. All such reports, resolutions or proposals shall be incorporated in the minutes of the Convention.

**SECTION 18. *Reference of Resolutions, Reports or Proposals:*** All resolutions, reports other than committee reports, or proposals shall be referred to the appropriate committee for consideration and report unless the Convention shall by a two-thirds vote waive said requirement, in which case the same may be acted upon directly and without reference.

**SECTION 19. *Proposals for Legislative Enactments by the Convention; Requirements; Policies:*** Every proposal to change, alter, amend or add to the Constitution and the Laws of the Fraternity shall have a brief title showing its object and by whom it is proposed, and shall begin with the words, "Be it enacted by the . . . General Convention of Beta Theta Pi that. . ." Each provision of every such proposal shall be drawn in a distinct paragraph.

Any proposal to change the Constitution or the Laws of Beta Theta Pi must be presented by the proposer in writing to the Executive Director on or before the 1st of February prior to that year's convention with the signature, chapter and roll number of the proposer, in order to be considered for a vote at that year's convention. This shall not preclude proposals submitted after the February 1<sup>st</sup> cut off date from being presented for discussion at the convention, but proposals presented after the 1st of February cannot be acted upon until the following year's convention.

Upon receipt of all proposals, the Board of Trustees or their designee shall coordinate review of all proposals to ensure that they are complete, timely and relevant. The Board of Trustees or their designee will correspond with all proposal authors as to any recommended changes or proposal deficiencies and allow for appropriate corrections to be made up until the deadline for distribution of proposed legislation to all chapters, provided that the deadline is at least one month after the deadline for submission. It shall be left to the discretion of the Board of Trustees to ensure final legislative proposals are complete and relevant in order that they may be approved and then submitted to the convention delegates for consideration. Any proposals that are not deemed complete and relevant by the deadline for distribution to all chapters will be sent back to the author for further consideration, amendment, and ultimate proposal at the next annual Convention. All submissions shall be returned to the submitting brothers at least two weeks prior to the distribution deadline. If such time is not given, it all be in order to submit the amendment or legislation at the time of Convention President, who shall order the proposal to an appropriate committee

The Board of Trustees or their designee shall, by the 1st of April: (1) send all such approved proposals to the chapters so that each chapter's members may have an opportunity to discuss the proposals and instruct its delegate before he comes to convention; (2) send such proposals to the appropriate convention committee(s) for consideration; and (3) post all such proposals to the Beta Theta Pi website so that Beta's general public may have a chance to make comments on the proposals.

A Convention may adopt policies to govern the administration of the fraternity and may alter, amend, repeal, or add policies from time to time. All Statements of Positions and policies heretofore adopted by a Convention are hereby designated as policies. A Convention may also create General Fraternity awards. A Convention or the Board of Trustees may specify, amend and modify the criteria for such awards. All policies shall be placed in an Appendix to the Laws and all changes in the policies shall be reflected in the Appendix.

All chapter presidents and chapter advisors shall be notified of the deadline to submit changes to the Constitution or Laws of Beta Theta Pi via email by December 1st. The notification shall detail the deadline, proper means of submitting amendments and legislation, and any information necessary for submission. The subject line of the email shall read, "Proposing Amendments at the General Convention".

**SECTION 20. *Order of Business:*** The following shall be the order of proceedings at each session of the Convention:

- Reading and approval of the minutes of the previous session.
- Reports from the Board of Trustees and the general officers.
- Reports of standing committees.
- Reports of special committees.
- Petitions and Communications.
- Motions and resolutions.
- Miscellaneous business.
- Taking of the roll.
- Recess or adjournment.

**SECTION 21. *Election of General Officers and Trustees by the Convention:*** The election of General Officers and Trustees of the Fraternity shall be held during a regular legislative session of each Convention. The term of office of any General Officer or Trustee so elected shall not commence until the Convention shall have adjourned sine die.

**SECTION 22. *Committee of the Whole:*** While in committee of the whole upon the condition of the fraternity, the presiding officer shall call a member of the Convention to the chair. Any member present whether a delegate or not, shall have the privilege of speaking upon subjects pertinent to the Fraternity. The motion to rise and report will always be in order, provided the mover gives reasonable notice thereof to the chair; but the previous question, or any other privileged motion, shall not be entertained.

**SECTION 23. *Roll:*** Roll shall be taken at least once during each session of the Convention at the order of the President. The absentees shall be noted and their names shall be published in the minutes of the Convention.

**SECTION 24. *Rules of Order:*** Parliamentary rules, as contained in the latest edition of Robert's Rules of Order Newly Revised, shall govern the proceedings of the Convention, except in cases where such rules are in conflict with the Constitution or Laws of the fraternity. Any

member of the Fraternity may speak on and may make a motion with respect to any subject under consideration.

**SECTION 25. *Preparation of Proceedings:*** The Secretary shall prepare the proceedings of the Minutes of the Convention. Immediately after adjournment of the Convention, a complete certified transcript of its proceedings shall be transmitted by the Secretary to the General Secretary and a second copy thereof to the Administrative Office. The Convention Secretary and the Board of Trustees shall have the power to edit the language of changes to the Code enacted by the General Convention in order to assure that the enacted language properly expresses the intended change.

**SECTION 26. *Convention Minutes:*** The Minutes of the Convention (including committee reports) shall be provided by the General Fraternity upon request. The Administrative Office shall distribute copies of said Minutes to all chapters by October 15.

**SECTION 27. *Adjournment Sine Die:*** The Convention shall adjourn sine die, only in the manner set forth in the Ritual.

**SECTION 28. *Suspension of By-Laws:*** Any of the sections of this chapter may be suspended for a particular Convention by a two-thirds vote of the delegates.

## **CHAPTER II BOARD OF TRUSTEES**

**SECTION 1. *Fixing Time and Place of Convention:*** On or before the last day of August in each year, the Board of Trustees shall select the time and place for the General Convention; and shall send official notification of such selection to each chapter, colony, and alumni association not later than the fifteenth day of September following confirmation of the time and place. In the unlikely event that the date and or place of Convention must be changed, the Board of Trustees will send notification immediately, and follow up when the alternative is finalized.

**SECTION 2. *Powers as to Magazine:*** The Board of Trustees shall choose annually an editor and publisher for the magazine. The editor and publisher and the publication of the magazine shall be under the direction and control of the Board of Trustees.

**SECTION 3. *Chapter Charter in Keeping of Board:*** The charter of any chapter which has been, by direction of any General Convention, Board of Trustees, or General Secretary suspended or placed in the keeping of the Board of Trustees may be used under the direction, control and supervision of the Board of Trustees subject, however, to such limitations or directions, if any, placed on such use by the Convention.

**SECTION 4. *Disapproval of Board of Trustees:*** The Board of Trustees, a majority of all the members thereof concurring, may, within one month after the publication of the proceedings of any General Convention, declare and publish in the magazine or notify each chapter by mail of its disapproval of any Law, Order or Resolution or any part thereof, passed by such Convention, except those granting or revoking charters or pertaining to actions taken pursuant to Chapter XI of the Laws, and such law, order or resolution, or part thereof so disapproved, shall

be of no force and effect unless repassed by the next succeeding General Convention. After passage by such succeeding Convention, said Board of Trustees shall have no further power of disapproval as to such Law, order or resolution or any part thereof.

### **CHAPTER III THE GENERAL SECRETARY**

**SECTION 1. *Other General Fraternity Officers:*** To enable the General Secretary to carry out his responsibilities as the chief executive officer of the fraternity, he may appoint, in the manner set forth in this chapter, those Assistants, Commissioners, Counselors, Advisors and other General Fraternity Officers deemed necessary by the General Secretary or by the Board of Trustees. The General Secretary shall supervise the Administrative Office and Executive Director. He will also carry out the other responsibilities as set out below.

**SECTION 2. *District Chiefs:*** The General Secretary, with the approval of the Board of Trustees, shall appoint for each District a District Chief, to be known also as an Assistant General Secretary, who shall report directly to the General Secretary and who shall have supervision of all chapters within his District; subject, however, to the authority of the General Secretary except as may be otherwise provided for in the Laws of the Fraternity; and, with the same approval, shall have authority to provide such additional assistants as may be necessary for the proper performance of his duties.

- A. Reports by District Chiefs: Each District Chief shall prepare for publication in the magazine an annual report describing the strengths, weaknesses, and condition of each of the chapters and colonies in his district together with such other matters as he may deem of general interest, edited under the supervision of the General Secretary, and shall prepare such other reports as may be called for by the General Secretary.
- B. Districts: The General Secretary, with the approval of the Board of Trustees, shall from time to time divide or regroup the General Fraternity into such territorial districts as he may deem advisable for effective administration.

**SECTION 3. *Regional Chiefs:*** The General Secretary, with the approval of the Board of Trustees, may appoint Regional Chiefs who shall be qualified to recruit, place, train, coach, and remove advisors and other General Fraternity Officers within their assigned region. The Regional Chiefs shall serve as the direct supervisor for the District Chiefs and Assistant District Chiefs within their assigned region and shall assist the District Chiefs and the General Fraternity in conducting such educational and operational initiatives as directed by the General Secretary and the Board of Trustees. They shall report to the General Secretary or his designees and shall assist in such other tasks and shall perform such other duties (including assisting with duties of the General Secretary in chapter and membership accountability), as directed by the General Secretary and the Board of Trustees from time to time.

**SECTION 4. *Administrative Office:*** The General Secretary, with the approval of the Board of Trustees, shall have authority over the Administrative Office of the fraternity located in Oxford, Ohio.

- A. **Executive Director:** The General Secretary, with the approval of the Board of Trustees, shall appoint an Executive Director, and authorize the employment of the Administrative Office staff.
- B. **Keeping of the Rolls:** The official roll of each chapter shall contain the full name of each chapter member and shall be kept at the Administrative Office under the direction of the Executive Director. No names shall be put upon the roll save those officially reported upon the forms prescribed; and the name of no new member shall be entered upon the roll until after official certification, by the General Treasurer, that the fees required from each initiate, pursuant to Chapter X hereof, have been paid.
- C. **Cancellation of Names from the Roll:** The Executive Director shall cancel from the rolls of the fraternity the names of all persons who have been expelled or who have resigned without deleting the number assigned, which thereafter shall remain void, succeeding numbers not being changed; there shall be noted the words ``expelled" or ``resigned" with the date the action was taken.

**SECTION 5. *Historian; Archivist; Chorister:*** The General Secretary, with the approval of the Board of Trustees, may appoint a Historian, Archivist, and Chorister, as necessary, with their prescribed duties and responsibilities outlined in their letter of appointment and the Code of Beta Theta Pi, subject, however, to the authority of the General Secretary except as may be otherwise provided for in the Laws of the Fraternity; and, with the same approval, shall have authority to provide such additional assistants as may be necessary for the proper performance of his duties.

**SECTION 6. *Commissioners:*** The General Secretary, with the approval of the Board of Trustees, may appoint Commissioners as necessary, with their prescribed duties and responsibilities outlined in their letter of appointment and the Code of Beta Theta Pi, subject, however, to the authority of the General Secretary except as may be otherwise provided for in the Laws of the Fraternity; and, with the same approval, shall have authority to provide such additional assistants as may be necessary for the proper performance of his duties.

**SECTION 7. *Chapter Counselors and Advisors:*** Chapter Counselors and Advisors, shall be appointed by the General Secretary on the advice of the District Chief. The appointing officer shall prescribe their duties and functions and shall have and retain general supervision of all said counselors and advisors who nevertheless shall, except as the appointing officers may direct, perform their duties and functions under the supervision of the appropriate District Chief.

**SECTION 8. *Miscellaneous Duties of the General Secretary:***

- A. ***Special Roll Record of Former Members:*** The General Secretary shall cause to be kept a special record, not for publication, of all persons who have ceased to be members of the fraternity by resignation or expulsion, with a concise statement of the facts in each case.
- B. ***Preparation of Petitions:*** A petition presented to the fraternity from a colony seeking a charter for a chapter shall be prepared under the supervision of the

General Secretary. In each instance the expense of such printing shall be borne by the petitioning body.

#### **CHAPTER IV THE GENERAL TREASURER**

**SECTION 1. *Funds of the Fraternity:*** The General Treasurer shall cause the funds of the fraternity to be deposited to the account of the fraternity in a bank or banks selected by him, subject to the approval of the Board of Trustees. All funds so deposited shall be withdrawn by check signed by the General Treasurer or such others as the Board of Trustees may by resolution authorize.

**SECTION 2. *Trustee of the Baird Fund and the Beta Theta Pi Foundation:*** The General Treasurer shall be, ex officio, a Trustee (a) of the Baird Fund of Beta Theta Pi and (b) of the Beta Theta Pi Foundation.

**SECTION 3. *Assistant General Treasurer:*** The General Treasurer may, by and with the consent of the Board of Trustees, appoint one or more Assistant General Treasurers and prescribe their duties, functions and responsibilities.

**SECTION 4. *Reports on Chapter Finances:*** The General Treasurer shall report to the Board of Trustees and the Convention the financial position of the Fraternity. Said report shall be prepared in such form as the Board of Trustees shall approve and direct.

**SECTION 5. *The Budget:*** The General Treasurer shall each year and prior to the opening of the Convention submit to the Board of Trustees a proposed budget for the ensuing year.

**SECTION 6. *Expenses of Officers:*** The General Treasurer shall pay the reasonable expenses of officers of the fraternity incurred in the transaction of Fraternity business and of any other member of the Fraternity deputized by the Board of Trustees or the General Convention to do special work for the Fraternity.

#### **CHAPTER V FRATERNITY MAGAZINE**

**SECTION 1. *Name:*** The Fraternity shall publish a magazine or periodical under the name The Beta Theta Pi, which title may be printed in Greek letters.

**SECTION 2. *Copies for Members:*** Each member of the Fraternity shall be entitled to receive either at his chapter house or at his home a copy of each issue of the magazine.

**SECTION 3. *Life Subscriptions:*** Every member of the Fraternity who is a member of the Baird Fund shall be entitled to receive the magazine for life. Every member of the Fraternity not a member of the Baird Fund may become a member of the Baird Fund by paying to the General Treasurer the Baird Fund fee prescribed in Chapter X of the Laws.

**SECTION 4. *Required chapter reports:*** Each academic year each chapter and colony shall prepare a report for publication in at least two issues of the magazine, or in such greater number of issues as the Board of Trustees may determine.

## **CHAPTER VI THE CHAPTERS**

**SECTION 1. *Chapter Name:*** The full name of each chapter shall be in the following form: the Miami chapter, the Alpha of Beta Theta Pi; the University of Michigan chapter, the Lambda of Beta Theta Pi; the St. Lawrence chapter, the Beta Zeta of Beta Theta Pi.

**SECTION 2. *Officers:*** The officers of each chapter shall be collegiate members of the fraternity in good standing and regularly enrolled in the college or university at which the chapter is located, consisting of a president, a recording secretary, a corresponding secretary, a pledge educator, a risk manager, a rush chairman, an alumni secretary, a treasurer, an archivist, and such other officials as the respective chapters may require.

**SECTION 3. *Duties of Officers:*** The president and other officers of each chapter shall perform the usual duties of such officers, together with such other duties as the chapter may require of them. The president of each chapter shall be charged with the responsibility of the safekeeping of all property of the General Fraternity loaned to his respective chapter.

**SECTION 4. *Treasurer; Accounting System:*** The treasurer shall promptly collect all dues and assessments levied by the chapter or by the Convention. He shall keep accurate account thereof in accordance with the uniform accounting system of the fraternity; provided, however, the Board of Trustees may give permission for the use of any other accounting system which it shall approve.

The treasurer, as the appropriate officer of the chapter, shall be responsible for the collection and immediate payment of General Fraternity fees, as set forth in Chapter X, of the Laws.

**SECTION 5. *Books; Inspection and Audit:*** The books of the chapter treasurer or those of other chapter officers handling money shall at all times be open to the inspection and audit of the General Treasurer, the District Chief, or other properly accredited fraternity official, or the General Convention.

**SECTION 6. *Recording Secretary; records to be kept:*** The recording secretary of the chapter shall keep a faithful record of all meetings and proceedings of the chapter and preserve, in order and for reference, all records, reports, and other documents of importance.

**SECTION 7. *Inspection of Records:*** The permanent records of the chapter shall be kept in a record book which shall be open to the inspection of the members of the chapter, the general officers, the District Chief, and the General Convention.

**SECTION 8. *Chapter Roll:*** Each chapter shall keep a roll, in the uniform official roll book of the fraternity, with entries in the order of initiation or transfer, beginning with the charter members. A number once assigned to a member shall not thereafter be changed.

**SECTION 9. *Corresponding Secretary; Duties:*** The secretary of the chapter shall promptly conduct the official correspondence, with the help of such assistants as the chapter may appoint. It shall be the duty of the Corresponding Secretary:

- (a) As soon as selected, to notify the Administrative Office of his selection, and also to furnish promptly to the Administrative Office the names of all officers of the chapter on the forms provided by the General Fraternity as soon as selected;
- (b) To send to the Administrative Office within 72 hours after initiation, an initiation report of each initiate, and within 72 hours of date of affiliation, the notice of admission of each affiliate;
- (c) On receipt of special instructions from the General Secretary to send to that officer a chapter report prepared according to such instructions;
- (d) Promptly to make out and forward to their destinations such other reports, statements, and notices as may be called for by the General Convention, the General Secretary or the District Chief;
- (e) To familiarize himself with the constitution and laws of the fraternity; to follow carefully and promptly all instructions from the General Secretary, the Board of Trustees, the Administrative Office and the District Chief; to keep careful watch of the chapter's roll of members; to report to the General Secretary and Administrative Office each suspension, expulsion, or proposed resignation from the fraternity; and to do such work of a general character as may be required of him by the chapter or by the General Secretary; and
- (f) To send promptly to the editor of the fraternity magazine all items of interest relating to the welfare, progress, and contemporary history of his chapter, and to see that all letters sent to him by the editor are answered promptly.

**SECTION 10. *Alumni Secretary; Duties:*** It shall be the duty of the alumni secretary to keep a careful record of the names and addresses of the alumni of the chapter. He shall carry on all correspondence necessary to keep the alumni informed regarding conditions in the chapter. He shall have as special duties the editing of the chapter letter to the alumni and the correction and completion of the individual alumni records in the official roll book.

**SECTION 11. *Archivist; Duties:*** The archivist shall be the custodian of all books, pamphlets, periodicals, and other documents of a permanent character, including the filed correspondence and records belonging to the chapter. He shall see to it that all records, correspondence, books, and such documents as require it are bound and properly cared for.

**SECTION 12. *Duties of the Risk Manager:*** It shall be the responsibility of the Risk Manager to adhere to and perform those duties required by the General Fraternity's risk management policy.

## **CHAPTER VII TRANSFERS**

**SECTION 1. *Certificate of Good Standing:*** When a member of a chapter who is in good standing leaves the institution where the chapter is situated, the secretary shall, at his request, give him a certificate in the following form:

Oxford, Ohio, August 8, 1839 This is to certify that JOHN REILY KNOX is a member in good standing of the Miami chapter, the Alpha of Beta Theta Pi, having been initiated on the eighth day of August, 1839, and having been assigned number 1 on the official roll of the chapter. JOHN HOLT DUNCAN, President JAMES GEORGE SMITH, Secretary

**SECTION 2. *Requirements for Transfer:*** When such a member matriculates and registers in another institution at which there is a chapter of the fraternity, he may become a member of such chapter, provided that the chapter shall have expressed its confidence in his character and qualifications by electing him to membership and provided he has received and delivered to said chapter a transfer certificate issued in due form by his chapter of initiation or of previous adoption; and provided that the chapter to which he is transferring confirms with the Administrative Office that he is officially enrolled in the fraternity.

**SECTION 3. *Report of Transfer:*** It shall be the duty of the corresponding secretary of the chapter to which a member is transferred to record, in the official roll book of the chapter, his admission to collegiate membership as in the case of admission by initiation, and also to report such admission upon the regular form for notice of admission.

## **CHAPTER VIII RITUAL**

**SECTION 1. *Pre-Initiation Practices:*** Initiation and pre-initiation ceremonies in the fraternity shall be limited by the respective chapters to (1) an examination on fraternity history and lore, (2) the prescribed and printed Ritual of the fraternity including the Wooglin Ceremony, the Dragon Ceremony and the Initiation Ceremony, and (3) local ritual ceremonies submitted in writing and pre-approved by the District Chief. None of the above shall be performed outside the chapter house or hall, unless such activities can properly and safely be performed elsewhere and prior permission has been obtained from the District Chief.

The District Chief is authorized to grant permission to the chapters to hold the requested ceremonies outside the chapter house only when, in his discretion and judgment, such activities can properly and safely be performed outside the chapter house. Request for such permission must be submitted in writing to the District Chief at least five (5) days prior to the proposed period. The decision of the District Chief may be appealed to the General Secretary or Board of Trustees.

Hazing activities, including, but not limited to, physical punishment, public embarrassment, and distasteful practices generally, are absolutely forbidden. The District Chief is authorized to grant permission to the chapters to perform local ritual ceremonies that are consistent with the principles and ritual of the fraternity [except the initiation ceremony which cannot be changed under any circumstances]. Request for such permission must be submitted in

writing to the District Chief at least five (5) days prior to the ceremony. The decision of the District Chief may be appealed to the General Secretary or Board of Trustees.

**SECTION 2.** *The Bound Ritual of the Fraternity shall include all of the following:* The Ritual for Opening and Closing the Chapter Meeting (short and long form), The Pledge Ceremony, the Wooglin Ceremony, the Dragon Ceremony, the Ritual of Initiation, the Eye of Wooglin, the Fraternal Milestones Ceremony, the Founders Commemoration Ceremony, the Loving Cup Ceremony, the Allegory of the Beta Temple, the Installation of General Fraternity Officers, the Installation of Chapter Officers, the Opening and Closing Ceremonies of the Convention, the Oxford Cup Ceremony, the Memorial Service for the Dead, the Public Funeral Service, the Ritual Glossary of Terms, Ritual: What Every Beta Should Know and the History of the Ritual. All of the ceremonies of the fraternity shall have such content and shall be in such form as may be approved by the General Convention from time to time.

**SECTION 3.** *Cauldron Scene:* The use of fire and inflammable chemicals in the Cauldron Scene is prohibited.

## **CHAPTER IX ALUMNI ASSOCIATIONS**

**SECTION 1.** *Organization:* Area associations of alumni members of the fraternity may be organized by taking the following actions:

- 1) There must be at least eight founding members interested in forming the association.
- 2) The interested parties must file with the Alumni Affairs Commissioner an application containing such information as the Board of Trustees directs. Such applications shall include a brief abstract of goals and procedures of the association, such as a constitution.
- 3) Such application is approved by the Board of Trustees. At the time of such approval the Board of Trustees shall name such alumni association.

**SECTION 2.** *Representation at Conventions:* Alumni associations shall be entitled to representation in the General Convention if they have met the requirements set forth in Chapter IX, Section 1 of the Laws of Beta Theta Pi and have completed the following to the satisfaction of the Alumni Affairs Commissioner:

- 1) The Alumni Association shall provide the Alumni Affairs Commissioner with a list of officers which shall include their addresses and phone numbers,
- 2) An annual report of activities and events shall be submitted to the Alumni Affairs Commissioner,
- 3) The Alumni Association holds a minimum of two functional meetings in the year preceding the opening of that General Convention, and
- 4) The Alumni Association shall designate an official delegate and alternate delegate and submit their names to the Alumni Affairs Commissioner.

**SECTION 3. *Alumni Affairs Commissioner:*** The Alumni Affairs Commissioner shall be named by the Board of Trustees. He shall have the duties specified in this Chapter IX together with such other duties as may be assigned to him by the Board of Trustees. If the office of Alumni Affairs Commissioner becomes vacant or the Board of Trustees has not designated an Alumni Affairs Commissioner, the General Fraternity's Director of Alumni Advancement and Relations shall serve as Alumni Affairs Commissioner until such commissioner is appointed.

## **CHAPTER X FEES**

**SECTION 1. *General Fraternity Fee:*** Each chapter shall be responsible for and immediately pay to the Administrative Office the following fees (United States Funds or equivalent);

- (a) Effective June 1, 2005, a General Fraternity membership fee of three hundred ten dollars (\$310) payable eighty-five dollars (\$85) upon pledging any student eligible for membership, which sum shall not be refundable, and two hundred-twenty five dollars (\$225) payable upon initiation of such student.

Effective June 1, 2006, a General Fraternity membership fee of three hundred twenty dollars (\$320) payable ninety-five dollars (\$95) upon pledging any student eligible for membership, which sum shall not be refundable, and two hundred-twenty five dollars (\$225) payable upon initiation of such student.

Effective June 1, 2007, a General Fraternity membership fee of three hundred thirty dollars (\$330) payable one hundred five dollars (\$105) upon pledging any student eligible for membership, which sum shall not be refundable, and two hundred-twenty five dollars (\$225) payable upon initiation of such student.

Effective June 1, 2008, a General Fraternity membership fee of three hundred forty dollars (\$340) payable one hundred fifteen dollars (\$115) upon pledging any student eligible for membership, which sum shall not be refundable, and two hundred-twenty five dollars (\$225) payable upon initiation of such student.

Effective June 1, 2009, at the discretion of the Board of trustees, a cost of living factor up to the percentage rise in the consumer price index for the previous calendar year shall be applied annually to both the pledging and initiation portions of the General Fraternity membership fee. The calculation shall be based on the previous year's fee and rounded upward to the nearest dollar.

- (b) A Baird Fund membership fee of thirty dollars (\$30.00) is included in the membership fee set out in subparagraph (a).
- (c) Effective June 1, 2005, annual dues shall be seventy-five dollars (\$75) per collegiate member, payable in two equal installments due October 1 and March 1 each year.

Effective June 1, 2006, annual dues shall be ninety (\$90) per collegiate member, payable in two equal installments due October 1 and March 1 each year.

Effective June 1, 2007, annual dues shall be one hundred five dollars (\$105) per collegiate member, payable in two equal installments due October 1 and March 1 each year.

Effective June 1, 2008, annual dues shall be one hundred twenty dollars (\$120) per collegiate member, payable in two equal installments due October 1 and March 1 each year.

Effective June 1, 2009, at the discretion of the Board of Trustees, a cost of living factor up to the percentage rise in the consumer price index for the previous calendar year shall be applied annually to the annual dues. The calculation shall be based on the previous year's fee and rounded upward to the nearest dollar.

- (d) Effective June 1, 2005, annual Heritage Fund dues shall be eleven dollars (\$11) per collegiate member, payable in two equal installments due October 1 and March 1 each year.

Effective June 1, 2006, at the discretion of the Board of Trustees, a cost of living factor up to the percentage rise in the consumer price index for the previous calendar year shall be applied annually to the Heritage Fund dues. The calculation shall be based on the previous year's fee and rounded upward to the nearest dollar.

The total number of collegiate members in Section (c) and (d) should be based on head counts stated on the official chapter roll for the October 1 payment or a mid-year adjustment for the March 1 payment. This total shall also include any remaining pledges for each term after their affiliation. The Administrative Office is directed to establish, as soon as reasonably possible and in such a manner as directed by the Board of Trustees, the Heritage Fund as a perpetual endowment for the Hall of Chapters, Archives, Museum, Beta Theta Pi Foundation and Administrative Office.

- (e) Exchange rate: The Board of Trustees shall fix from time to time, the equivalent fund exchange rate as described in this Section 1.

**SECTION 2. *Failure to Pay Fees:*** Any chapter failing to pay fees within thirty (30) days of the billing date shall be delinquent and the Administrative Office may impose an additional fee of 1.5% per month; furthermore, after delinquency of ninety (90) days past the original billing date, the delinquent chapter will be placed on Suspension for financial delinquency. Fees for the purposes of this section shall include all fees owed by members, pledges or chapters to the General Fraternity including, but not limited to, fees for fraternity materials and supplies, workshops and conventions. In addition, the delinquent chapter will be required to submit a written explanation of the delinquency along with the chapter's current

financial statement to the General Fraternity, the District Chief, and the chapter's alumni association or house corporation. To be removed from Suspension, the chapter must demonstrate fiscal responsibility to the satisfaction of the General Secretary.

**SECTION 3.** *Baird Fund Fees:* Any member not a member of the Baird Fund may become such a member by the payment of thirty dollars (\$30.00). All Baird Fund membership fees shall be allocated to such Fund, unless during any fiscal year of the Fraternity the Board of Trustees determines that all or any part of the fees received during such year be applied for other Fraternity purposes.

**SECTION 4.** *Badge, Shingle and Song Book:* Upon the payment of the fees prescribed in Section 1 hereof the newly initiated member will be furnished by the General Fraternity with a standard gold-plated zircon center member's badge, a standard shingle and a song book.

**SECTION 5.** *Initiation Fee for Alumni of a local petitioning group:* The alumni of a local petitioning group must pay an amount set by the Board of Trustees not to exceed the cost of the badge, shingle, and Baird Fund fee.

## **CHAPTER XI DISCIPLINE**

**SECTION 1:** *Discipline of Members, Jurisdiction:* The jurisdiction of a chapter, or the Board of Trustees, to discipline a member of the fraternity, whose conduct is inconsistent with the character of a worthy member of Beta Theta Pi, will be as follows:

- 1) Jurisdiction of the Chapter: Each chapter shall have jurisdiction over all of its members, whatever their status, and over all undergraduate and graduate school members of the fraternity, whether or not they are members of the chapter, provided those students are enrolled in the college or university at which such chapter is established.
- 2) Jurisdiction of the Board of Trustees: The Board of Trustees shall have jurisdiction in the following cases:
  - (a) Removal of officers of the General Fraternity;
  - (b) All cases of discipline of individuals no longer Collegiate Members;
  - (c) Discipline of a member where charges are filed against such member by a general officer of the fraternity or by a member especially delegated by the Board of Trustees to investigate the conduct of such member;
  - (d) In all cases of discipline primarily reserved to the chapters in which the chapter fails, neglects or refuses, upon request of the General Secretary or a majority of the Board of Trustees, to institute and pursue disciplinary action promptly to conclusion;
  - (e) All other cases not herein provided for.

**SECTION 2:** *Discipline of Members, General Provisions:*

- 1) The discipline of a member by a Chapter or by the Board of Trustees will be conducted using either the Informal or the Formal Procedure as herein provided.
- 2) A failure to perform one or more of the requirements of this chapter may be excused on appeal in a particular case, if the accused has received substantial justice.
- 3) If requested by an Accused and if it appears that an error has been made or that the interests of justice so required, a chapter or the Trustees may review its decision and may amend, modify or vacate that final decision provided: (1) it does so within one year from the date the decision became final; and (2) the decision was not the expulsion of a member from the fraternity.
- 4) The Chapter or the Trustees may establish additional rules of procedure for itself provided these rules are consistent with the requirements provided herein.

**SECTION 3. *The Informal Procedure:***

- 1) **ESTABLISHMENT OF INFORMAL PROCEDURE:** Each chapter and the Board of Trustees must establish an informal procedure to be used to conduct the discipline of members over which it has jurisdiction.
- 2) **WHEN USED:** The Informal Procedure must be used in all cases except the following:
  - (a) In cases involving the possible expulsion of the Accused or suspension of the Accused for more than one year.
  - (b) In cases in which the Accused is no longer in school or his whereabouts are unknown.
  - (c) In cases in which the Accused requests to be tried under the formal procedure established below.
- 3) **CREATION OF REVIEW COMMITTEE:** Rather than conducting a discipline matter directly, a Chapter or the Trustees may establish a standing or ad hoc review committee to conduct disciplinary questions. The committee will investigate cases assigned to it by a Chapter or the Trustees and will make a recommendation to the Chapter or to the Board of Trustees in the matter assigned. The Chapter or Trustees may then vote to adopt the recommendation, to modify it or to reject the recommendation and to conduct the matter directly.
- 4) **MINIMUM REQUIREMENTS OF INFORMAL PROCEDURE:** The Informal Procedure adopted by a Chapter or by the Trustees should, at a minimum, establish a method by which a disciplinary matter can be conducted informally with due regard to fairness and justice and with the purpose of restoring a member to the full confidence of his fellow members of Beta Theta Pi.

The procedure should provide a way for the Accused to know the charge against him, and the time and date of the hearing. It should provide that the Accused can be

present at the hearing, hear the evidence against him, ask questions of various witnesses and present evidence in his own behalf. It should also provide that the Accused may have a member of the fraternity appear on his behalf to help him in his defense. The procedure should provide a way for the Accused and the Chapter or Trustees to enter into an agreement to settle the charge in a way agreeable to both sides.

- 5) **REPORTING ACTION TO THE ADMINISTRATIVE OFFICE:** In the event the Accused is suspended from the Fraternity for more than thirty days, notice of the suspension must be sent to the Executive Director within ten days after the penalty is imposed. No other result need be reported.

#### **SECTION 4:** *The Formal Procedure:*

- 1) **WHEN USED:** The Formal Procedure may only be used when the Informal Procedure cannot be used for the reasons set forth in Section 3.
- 2) **CHARGES:** The chapter must prepare the charges to be filed and forward those charges to the District Chief or Regional Chief for review in advance of presenting them to the accused. The chapter leadership will make arrangements for the District Chief or Regional Chief to host a call with the executive committee and those bringing charges to them as soon as practical. The District or Regional Chief will counsel the members on the importance of accuracy, validity, and thoroughness of the charges, and other procedural issues worthy of their consideration. The chapter will then present the charges to the accused.
- 3) **GENERAL PROCEDURE:** Due Notice, as defined below, must be given to the Accused. At the time set for trial, the Chapter or Board of Trustees, with a quorum present, must hear the charge against the Accused, decide whether the charge is true and fix the penalty upon a finding of guilt. The Chapter or Trustees and the Accused may enter into an agreement to dispose of the charges in a way other than as herein provided.
- 4) **PROSECUTOR:** The Chapter or Trustees shall appoint one of its members to present the case against the Accused. That person may not vote upon any decision reached by the Chapter or Trustees.
- 5) **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 given personal service of notice, the Chapter or Trustees may consider the failure to appear as an admission of the charges. If the charge is admitted, the Chapter or Trustees will then, by a majority vote, set the penalty.
- 6) **DENIAL OF CHARGE/TRIAL:** If the Accused denies the charge, the Chapter or Trustees will consider the evidence and arguments presented by each side, and will then vote on this question: Has the charge been proved?

If a majority of the Chapter or Trustees votes in the affirmative, the Accused stands convicted. If not, the Accused remains not guilty. If the Chapter or Trustees finds the Accused guilty, it will then consider and decide, by majority vote, the penalty to be imposed.

7) **RIGHTS OF THE ACCUSED:** The Accused has the following rights:

- (1) The right to due notice as defined below.
- (2) The right at trial to be heard, to present evidence, to hear the evidence against him, and to be represented by an advisor or counselor who shall be a member of the fraternity.
- (3) The right to be present throughout the proceedings except when the Chapter or Trustees make its decision.
- (4) The right to appeal as provided herein.
- (5) The Accused may waive some or all of his rights.

8) **PENALTIES:** The Chapter or Trustees may impose one or more of the following penalties by majority vote or impose a predetermined penalty as detailed in the Chapter's constitution or by-laws:

- (1) A warning;
- (2) Censure (either in private or before the Chapter);
- (3) A written apology to those wronged;
- (4) Loss of privileges;
- (5) Exclusion from various fraternity activities;
- (6) Fines;
- (7) Payment for loss or damage;
- (8) Removal from Chapter or General Fraternity office;
- (9) Suspension of membership in the Fraternity for a period not to exceed four years;
- (10) Other penalties as might be agreed upon by the Chapter or Trustees and the Accused;
- (11) Expulsion from the Fraternity

*Definition of Expulsion:* A man who is expelled from Beta Theta Pi ceases to be a member of the Fraternity. Once the expulsion is final, his name will be canceled from the roll in the manner prescribed in Chapter III of the Laws.

9) **MINUTES OF THE TRIAL:** Minutes shall be kept of the proceedings of the Chapter or Trustees summarizing the evidence presented and including:

Date of Hearing;  
Name and Address of accused;  
Chapter Name and Address;  
Roll number of accused;

The written charges;  
The specific conduct, found by the Chapter or Trustees to be true and to constitute a violation of the Code or By-Laws;  
The decision of the Chapter or Trustees;  
The penalty imposed;  
The name and address of the person who kept the minutes on behalf of the Chapter or Trustees.

- 10) **PROVIDING MINUTES OF THE TRIAL:** If the Accused is found guilty after trial, then a copy of the Minutes must be provided as follows:
  - (a) To the General Fraternity: To the District Chief and to the Executive Director within ten days of the trial.
  - (b) To Accused; Personal Service: If the Accused was personally given notice or was present at the trial, he must be supplied a copy of the Minutes on request.
  - (c) To Accused; Indirect Service: If the Accused was not personally given notice, and did not attend the trial, the Chapter or Trustees must make a diligent effort to provide a copy of the Minutes to the Accused by using all reasonable means calculated to achieve that result. It will be presumed that a diligent effort has been made if the Chapter or Trustees complies with the notice requirement of Chapter XII of the Laws of Beta Theta Pi.
  
- 11) **RIGHT TO APPEAL:** The Accused may appeal either the finding of guilt or the penalty imposed, or both. If the trial was held before a Chapter, then the appeal is first to the Board of Trustees and then to the next General Convention. If the trial was held before the Board of Trustees, then the appeal is to the next General Convention.
  
- 12) **HOW TO APPEAL:** To appeal, the Accused must send a letter to the Executive Director, within the time limits herein provided, asking that the Chapter or Trustees' decision be reviewed and stating the grounds for review. The Executive Director will direct the appeal to the Board of Trustees or the next General Convention as the case may be.
  
- 13) **TIME FOR APPEAL:**
  - (a) **Personal Service:** If the Accused was personally given notice, as defined below, he will have ten days from the day of trial to appeal the decision of the Chapter or Trustees.
  - (b) **Indirect Service:** If the Accused was not personally given notice, as defined below, he will have 90 days from the date the Executive Director receives a copy of the Minutes in which to appeal.
  
- 14) **WHEN DECISION FINAL:** A decision is considered final once the time for appeal expires or the next General Convention has concluded its review, whichever comes first.

15) 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 Beta Theta Pi. A charge may be brought against an Accused by any member of Beta Theta Pi. The charge must be in writing briefly describing the alleged misconduct.

DUE NOTICE: Due notice means giving the Accused proper information about the charge and the time and place for trial, (Notice), and giving this information in the proper manner, (Service of Notice). If the Accused is present at trial, notice will be considered sufficient even if the notice requirements provided herein have not been met. An Accused may also agree to waive his right to due notice.

- (1) Notice, Contents: Notice includes a copy of the charge and the date, time and location of the hearing or trial. When possible, a copy of this chapter should also be provided.
- (2) Manner of Giving Notice: Notice must be given by personal service whenever possible. If personal service is not possible, indirect service may be used.
- (3) Time Requirements for Service of Notice: Personal service must be made at least three days before trial. Indirect service must be completed at least ten days before trial. Indirect service will be considered complete when the last document is mailed or the last contact is attempted.
- (4) Additional Time: If the Accused requests more time to be ready for a hearing, additional time should be given to him whenever possible.
- (5) Personal Service: Personal service means delivering notice to the Accused in person.
- (6) Indirect Service: Indirect service means that a diligent effort has been made to give notice to the Accused.
- (7) Diligent Effort Defined: A diligent effort to give notice means all reasonable methods calculated to insure that the Accused knows of the charge against him and the time and place set for the trial. It will be presumed that a diligent effort has been made if the Chapter or Trustees complies with the notice requirements of Chapter XII of the Laws of Beta Theta Pi.
- (8) Indirect Service; When Used: If the Chapter or Trustees is unable to deliver notice to the Accused in person because he has left school or is otherwise unavailable, the Chapter or Trustees may still hold the trial and make a determination, provided the Chapter or Trustees has given indirect notice to the Accused.

**SECTION 5. Procedure by General Convention:** Appeals to the General Convention shall be heard by the General Convention in accordance with such rules of procedure as may be from time to time prescribed; provided, however, (1) no member whose appeal is being heard be entitled to vote thereon, and (2) each member, as the case may be shall be afforded all opportunity of defense and representation. The decision of the Convention to uphold or grant the appeal shall be by roll call unless a written ballot be required. Such decision shall not be subject to further appeal or reconsideration after adjournment sine die.

## CHAPTER XII NOTICE

Any notice required by this Code shall be sufficient if given as follows:

1. *To a Chapter:* Notice to a Chapter shall be given by personally delivering the Notice to the Chapter President or by certified letter, return receipt requested, to the Chapter at its regular mailing address, to the attention of the Chapter President. Additional copies of said Notice shall be given, also by certified letter, return receipt requested, to the Chapter Advisor and the Chapter's District Chief. Notice to any of the three shall be deemed sufficient Notice and Notice by certified mail may be waived in writing by any of the three.
2. *To a Member:* Notice to a Member shall be given by personally delivering the Notice to the Member or by certified letter, return receipt requested, to the Member at the address shown for him in the official Beta Theta Pi records. A copy of the Notice shall be mailed to the District Chief of the Chapter where the Member was affiliated. The Member may waive any Notice requirement.
3. *To an Alumni Association:* Notice to an Alumni Association shall be given by personally delivering the Notice to the Association President or by certified letter, return receipt requested, to the President of the Association at the address shown for him on the official Beta Theta Pi records. Any officer of an Alumni Association may waive the Notice requirement.
4. *To the General Fraternity:* Notice to the General Fraternity shall be given by personally delivering the Notice to the General Secretary or by certified mail, return receipt requested, to the General Secretary. Notice to the General Fraternity may be waived in writing by the General Secretary.

## CHAPTER XIII SCHOLARSHIP

**SECTION 1.** *Scholastic Requirement for Initiation:* Every candidate for initiation into Beta Theta Pi must obtain, for the quarter or semester immediately prior to his initiation, a grade point average of not less than the minimum average grades required for graduation by the school or college in which such candidate is enrolled; provided, however, that this requirement may be waived or modified by the Board of Trustees upon a showing of undue hardship to the chapter involved.

**SECTION 2.** *Minimum Chapter Academic Standards and Assisting Procedures:*

- (1) **Minimum Chapter Academic Standard:** Each chapter shall maintain an academic average for the chapter, consisting of all the grade point averages of all the pledges and all the collegiate members, equal to or exceeding the All-Men's Average (AMA) grade point for the campus. For those campuses that do not calculate an AMA, the minimum academic standard will be a 2.8 on a four-point grading scale or its equivalent for each calendar year.

- (2) Reporting Chapter Grade Point Average: The chapter (consisting of its total membership, both pledges and collegiate members), shall report to the General Fraternity its overall chapter GPA for each grading period.
- (3) Failure to Report as Failure to meet Minimum Standard: Failure of a chapter to submit the report described in subsection (2) above, when due, will constitute failure to meet the minimum academic standards described in this section and will be dealt with as herein provided.
- (4) Declaration by Scholarship Commissioner: If a chapter fails to maintain the minimum scholastic requirements herein provided, the Scholarship Commissioner shall declare the chapter subject to suspension of charter and shall give the chapter written notice of its failure.
- (5) Appeal of Declaration: The Chapter may appeal such declaration within thirty (30) days of the receipt of notice of such declaration. In considering such an appeal, the Scholarship Commissioner shall reexamine his declaration in light of the chapter's academic standing at the local institution and the chapter's grade average. The Scholarship Commissioner shall rule on such appeal within thirty (30) days of receipt of the appeal and shall promptly notify the chapter of his ruling in writing.
- (6) Report to General Convention: Each year the Scholarship Commissioner shall notify the General Convention of those chapters subject to suspension of charter.
- (7) Assisting Procedure Required: When a chapter is declared to be subject to suspension of charter and such declaration, after appeal, is final, assisting procedures will be instituted.
- (8) Assisting Procedure; Methods: Assisting procedures will consist of the following:
  - (a) During the first year a chapter is "Subject to Suspension of Charter," a scholarship program shall be developed by the Chapter Scholarship Chairman, the Chapter Counselor, Faculty Advisor and the District Chief and approved by the Scholarship Commissioner.
  - (b) Assisting procedures will be directed toward individual members of the chapter in recognition of the responsibility each member has for his own academic performance and for that of his chapter. Individual members will be encouraged to assist each other and to develop chapter policies, including counseling and membership voting or social restrictions, to help encourage scholarship.
  - (c) If any chapter is "Subject to Suspension of Charter" for two consecutive years, the Scholarship Commissioner shall refer such status to the General Secretary for disciplinary action, including the suspension of the charter of said chapter.

**SECTION 3. *Minimum Member Scholastic Requirement:*** In addition to requirements set forth in Section 2, each chapter should strive to maintain a chapter average equal to or exceeding the local All Men's Average. In order to achieve that goal, each member is required to maintain a cumulative grade point average of not less than a 2.5 on a four-point grading scale or its equivalent; provided however that any member having at least a 2.5 for the most recent grading period shall be deemed to meet this requirement. Any member who does not maintain

the required average shall be required to enroll in an academic assistance program established by the chapter.

## CHAPTER XIV MISCELLANEOUS

**SECTION 1. *Membership in Certain Societies Forbidden:*** No collegiate member of any chapter shall accept or retain membership in any such intercollegiate and interfraternity society as Theta Nu Epsilon or Kappa Beta Phi; and if any collegiate member of any chapter shall accept membership in any such intercollegiate and interfraternity society, the Board of Trustees, on presentation of satisfactory proof thereof, shall authorize the General Secretary to drop the name of such member from the roll of the fraternity.

**SECTION 2. *Combinations:*** Chapters, as chapters, shall conform to the rules at their respective institutions concerning the formation of combinations with chapters of other fraternities for the purpose of affecting elections to honors or offices.

**SECTION 3. *Purchase, Building, Alteration or Enlargement of Chapter House:*** No chapter or alumni organization of Beta Theta Pi shall enter into or proceed with the purchasing or building of a chapter house or the major alteration or enlargement of an existing chapter house until it shall have notified the Board of Trustees of its plans. The Board may, if it deems it necessary, require the chapter or alumni organization to submit to it the following information:

- (1) the general plans and specifications of the proposed chapter house;
- (2) an accurate cost estimate;
- (3) a complete report of the financial status of the chapter and alumni organization at the time of submitting the plans; and
- (4) a detailed plan for financing such chapter house and the extent to which such plan has been considered and approved by the chapter and its alumni.

## CHAPTER XV SEALS AND EMBLEMS

**SECTION 1. *General:*** A standard badge, flag, coat of arms, great seal, colors, pledge button, and shingle shall be adopted by the General Convention.

**SECTION 2. *Badge, How Worn and Used:*** The Badge of the fraternity shall be an eight-sided shield, with concavely curved sides. The face shall be of black enamel, bearing, first, three five-pointed stars of gold, placed in a horizontal line; second, a brilliant diamond, encircled by a laurel wreath of greenish gold; third, the Greek capitals ΒΘΠ, of gold; and fourth the date of the foundation of the fraternity in the Greek notation, of gold, alpha omega lambda theta. On the reverse side shall be engraved the letter or letters of the owner's chapter, clasped hands, the owner's name and the date of his initiation. Each man will receive a standard gold-plated badge on payment of his initiation fees. The use of the official badge of the fraternity shall be limited to the pin, the same to be worn over the heart and in a manner befitting the honor and dignity to which the badge is entitled. A member of the fraternity shall permit none but his mother, wife, daughter, sister, or sweetheart to wear the official badge.

**SECTION 3. *Flag:*** The flag shall consist of three equal horizontal stripes of blue, white, and blue, the upper stripe bearing a single white five-pointed star, and the lower blue stripe two similar stars, the three stars forming an equilateral triangle about a red dragon sejant, the fraternity crest.

**SECTION 4. *Coat of Arms:*** The coat of arms of the fraternity shall be: Quarterly argent and gules; a chevron azure bearing three mullets or:

Crest, a dragon sejant or

Motto: \_\_\_kai\_\_\_

(Note: The coat of arms is a development of Beta symbols on the lines of heraldry, and was adopted by the Convention of 1897. For the benefit of any who may find it inconvenient to look them up, an explanation is given of the heraldic terms: A coat of arms is regularly upon a spade-shaped or triangular shield. The surface of the shield is divided vertically and horizontally into four quarters, the colors of which are these: First quarter, silver or white (argent); second, red (gules); third, silver or white; fourth, red. The chevron is V-shaped, points upward, and is frequently seen on heraldic shields and on the sleeves of military uniforms. This is "azure," i.e. blue. Upon this are three stars (mulletts) in gold (or). The crest or piece above the shield is a dragon in gold, seated and with wings raised. The motto needs no explanation.)

**SECTION 5. *Great Seal:*** The Great Seal of the fraternity shall be the coat of arms with the crest and motto, upon two rose sprigs, within a circular band, on which shall be the legend, "THE GREAT SEAL OF BETA THETA PI—1839."

**SECTION 6. *Chapter Coat of Arms; Chapter Seal:*** Each chapter, with approval of the Board of Trustees, shall adopt a coat of arms and a chapter seal.

The chapter coat of arms shall consist of the fraternity crest, the fraternity shield with the following changes—for the parent chapter, the shield without change; for each of the next nine chapters in order of establishment, the fraternity shield differenced by the heraldic mark of cadency; for each of the remaining chapters, the fraternity shield charged in the first quarter with a device to indicate the chapter—and the motto, which in each case shall consist of Greek words whose initials are the Greek name of the chapter.

The chapter seal shall consist of an equilateral triangle enclosing three stars, clasped hands, and the Greek letter or letters designating the chapter name, all within a circle, and the chapter name in the following form: Miami University, Alpha of Beta Theta Pi.

**SECTION 7. *Shingle:*** The shingle of the fraternity shall be a plain white card, six inches in width and eight inches from top to bottom, displaying in the center of the upper portion the coat of arms of the fraternity engraved in black. Across the middle shall be shown the member's full name in Old English letters, with the date of his initiation in similar but smaller characters just under the name. The chapter seal shall be affixed in red wax in the lower left-hand corner.

**SECTION 8. *Pledge Button:*** The pledge button of the fraternity shall be a shield of white enamel, of the same shape as the badge, bearing three five-pointed stars of gold arranged in a line running from the upper left-hand corner to the lower right-hand corner as one faces the pledge button.

**SECTION 9. *Colors:*** The colors of the fraternity shall be pink and blue, in delicate shades.

**SECTION 10. *Use of Emblems:***

- (a) The use of all emblems of the fraternity (except the badge) shall be permitted on jewelry, stationery, novelties, and wearing apparel.
- (b) No reproduction of the badge shall be used for any purpose except that the Board of Trustees may, upon written application to it, approve specific and limited uses of such a reproduction.

## **CHAPTER XVI AMENDMENTS**

**SECTION 1. *Voting:*** These laws may be amended or repealed at any General Convention by a vote of a majority of delegates of the Convention.

## APPENDIX TO THE LAWS

### POLICIES AND PROCEDURES:

1. Statement of Position on Inter-Chapter Visitation Protocol
2. Statement of Position on Legacies
3. Statement of Position on Little Sisters
4. Statement of Position on Drug Abuse
5. Statement of Position on Excellence in Chapter Housing and the Safety of Members and Guests
6. Risk Management Policy
7. Canadian Exchange Rate Policy
8. Standard Operating Procedure for Financially Delinquent Chapters
9. Fraternal Fifties Recognition
10. Fraternal Twenty-Five Recognition

For the current award criteria and applications, please see [www.BetaThetaPi.org](http://www.BetaThetaPi.org).

## STATEMENT of POSITION on INTER-CHAPTER VISITATION PROTOCOL

WHEREAS, Beta Theta Pi has survived nearly 150 years with 125 chapters across the United States and Canada; and,

WHEREAS, this relationship between our chapters could not have survived without the goodwill and respect for one another;

THEREFORE, BE IT RESOLVED, by the Miscellaneous Affairs Committee of the 148th General Convention in Asheville, North Carolina, August 18-21, 1987, that the following be adopted as inter-chapter visitation protocol:

1. There must be at least one week's notice given by the chapter which is intending on visiting. The prospective host chapter has the right to denial of a requested visit if it feels unable to accommodate properly another chapter at such time.
2. If the requested visit is accepted, each chapter must designate one active member as its spokesman prior to the visit. Upon arrival, the visiting chapter's spokesman must report to the host chapter's spokesman, during which any ideas or further guidelines can be discussed and/or implemented.
3. A general itinerary of events for both chapters should be drawn up and exchanged prior to the visit. An effort should be made at this point to create an inter-chapter function which would promote good feelings between the chapters.
4. The visiting chapter is obligated to assist the host chapter in any appropriate activities which concern the interaction of the two chapters.
5. No demands may be made of the other chapter's pledges without the consent and approval of an active member of the pledge's chapter.
6. Any problems or conflicts which arise during the visit must immediately be addressed through the respective spokesmen of the chapters.
7. At the termination of the visit, the spokesman must meet and assure that the condition of the host's chapter house is the same as at the start of the visit. If the condition of the house is any worse at the termination of the visit, due to the actions of the visiting chapter, the visiting chapter must improve the condition of the house to the level at which it was at the time of its arrival.
8. If any problem remains unsettled between the chapters after the visit, the respective District Chiefs should be notified immediately, and due process will be taken.

### STATEMENT of POSITION on LEGACIES

WHEREAS, Beta Theta Pi recognizes the value of a strong heritage of legacies to the further development of our chapters; and,

WHEREAS, a legacy is defined as any undergraduate related by blood or marriage to any Beta who has preceded him at any chapter of Beta Theta Pi; and,

THEREFORE, BE IT RESOLVED that the Committee on Miscellaneous Affairs at the 148th General Convention in Asheville, North Carolina, August 18-21, 1987, that all active chapters of Beta Theta Pi provide for a written statement of legacy policy which:

1. Provides for confirmation of legacy recommendations to the Beta who recommended the legacy.
2. Provides that any legacy be contacted and interviewed.
3. Provides that any legacy be invited to at least two rush events.
4. Provides a written notification to the referring alumni informing him of the chapter's decision.

FURTHERMORE, BE IT RESOLVED that the General Fraternity of Beta Theta Pi provide all chapters with a statement of General Fraternity guidelines on legacies and gather the names of legacies and provide forms to the President, Rush Chairman, Chapter Advisor and District Chiefs of each chapter.

FINALLY, BE IT RESOLVED that the existence of a legacy does not mandate an automatic bid, but rather, full consideration.

**STATEMENT of POSITION on LITTLE SISTER ORGANIZATIONS**

WHEREAS, there is a concern generated from the threat of increased liability to the individual chapters who have little sister organizations; and,

WHEREAS, there is a concern of exposure of mystic symbols and rituals to members of little sisters organizations; and,

WHEREAS, the possibility of women becoming members of Beta Theta Pi; and,

THEREFORE, BE IT RESOLVED by the Miscellaneous Affairs Committee of the 149th General Convention in Toronto, Canada, August 2-5, 1988, that the following positions are adopted and included in the General Fraternity's Statement of Position:

1. Beta Theta Pi will discontinue any little sister programs; and,
2. Beta Theta Pi chapters will cease all little sister rushing, ritual and pledging activities.

AND BE IT FURTHER RESOLVED, that Beta Theta Pi is solely a male organization and will operate as such.

### **STATEMENT of POSITION on DRUG ABUSE**

The brothers of Beta Theta Pi are dedicated to building a fraternity based upon the core values of mutual assistance, intellectual growth, trust, responsible conduct and integrity. Understanding that substance abuse contradicts our fraternal values and prevents members from achieving their full potential, the brothers of Beta Theta Pi strictly oppose all forms of substance abuse. Substance abuse includes, but is not limited to, the use of illegal drugs, the illegal or irresponsible consumption of alcohol, and the use of prescription drugs in a manner contrary to their instructions or by someone to whom they were not prescribed.

Further, all chapters of Beta Theta Pi are encouraged to collaborate with their host institutions to educate members on the ramifications of substance abuse and develop effective prevention strategies.

STATEMENT of POSITION on EXCELLENCE IN CHAPTER HOUSING AND THE SAFETY OF MEMBERS  
AND GUESTS

WHEREAS, Beta Theta Pi is a leader in the fraternal community, and endeavors to provide a high quality membership experience; and,

WHEREAS, there is a vested interest to ensure that affiliated houses exist at the highest threshold of safety; and,

WHEREAS, we recognize that the environment in which our members live, study, and grow should be consistent with the values of Beta Theta Pi and the Men of Principle Initiative; and,

WHEREAS, Beta Theta Pi created the Cornerstone Housing Program in 2012 to provide education, support, insurance, and resources to our chapters and house corporations; and,

WHEREAS, our chapter leaders, volunteers and host campuses strive to provide a safe and desirable environment for our members and guests; and,

WHEREAS, industry statistics indicate that the most important safety enhancement we can make to our chapter facilities is to install a fire suppression system;

WHEREAS, installing a fire suppression system reduces the cost of property insurance, reduces the amount of property damage if a fire were to occur and essentially eliminates the risk of loss of life.

THEREFORE, BE IT RESOLVED, that the following be adopted by the Beta Theta Pi 177th General Convention as the position on safe housing protocol that:

1. It is in the best interest of chapter facilities to have a fire suppression system.
2. Undergraduate chapters connect with their Housing Corporation, Alumni Association and host campus to create an implementation plan to install a fire suppression system.
3. Undergraduate chapters that have the financial means to implement a fire suppression system should work with their alumni, advisors, and associated house corporation or host campus to install one in a timely manner.
4. Undergraduate chapters that do not have the financial means to implement a fire suppression system should work in conjunction with their alumni, advisors, House Corporation, the Cornerstone Housing Program, and the Beta Theta Pi Foundation to develop a fundraising plan, with the goal of installing a fire suppression system in a timely manner.

*Adopted at the 177<sup>th</sup> General Convention (August 2016)*

# BETA THETA PI RISK MANAGEMENT POLICY

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## ALCOHOL AND DRUGS

The Risk Management Policy of Beta Theta Pi includes, but is not limited to, the following provisions which shall apply to all fraternity chapters, colonies and levels of fraternity membership.

1. The possession, use and/or consumption of alcoholic beverages by any fraternity member or guest while on chapter premises, during an official fraternity event, or in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity, must be in compliance with all applicable laws of the state, province, county, city, institution or other controlling entity and must be either BYOB or adhere to a Third Party Vendor system.
2. Abuse of the consumption of alcoholic beverages by any fraternity member or guest while on chapter premises, during an official fraternity event, or in any situation sponsored or endorsed by the chapter shall be prohibited. **No member shall permit, tolerate, encourage or participate in "drinking games" or other activities that encourage excessive consumption of alcohol.**
3. No fraternity members, individually or collectively, shall purchase for, serve, or sell alcoholic beverages to minors (i.e., those under legal "drinking age").
4. No alcoholic beverages may be purchased through the chapter treasury, nor may the purchase of alcoholic beverages for members or guests be undertaken or coordinated by any member in the name of, or on behalf of the chapter. Pooling of funds is not permitted.
5. No alcohol shall be present at any recruitment activity, pledge activity or induction, pre-initiation and initiation ceremonies.
6. No chapter may co-sponsor or co-finance a function where alcohol is purchased by any of the host chapters, groups or organizations.
7. No chapter may co-sponsor an event with an alcohol distributor, charitable organization, or other entity licensed to sell or give away alcoholic beverages where alcoholic beverages are sold or otherwise provided to those present.
8. Common containers for serving alcohol or bulk distribution of alcohol including kegs, punch bowls, etc., are strictly prohibited unless supplied and managed by a licensed caterer (i.e., third party vendor).
9. A sufficient number of mature party monitors must be adequately trained and instructed not to consume alcoholic beverages prior to, or while fulfilling, the role of party monitor.
10. Alternative transportation for those individuals who cannot safely drive their vehicles must be provided at every chapter event. This can include public/hired transportation or designated drivers.
11. **"Open parties", meaning those with unrestricted access by non-members of the fraternity without specific invitation, are prohibited.** The number of persons invited to any event sponsored or co-sponsored by Beta Theta Pi where alcohol is present is limited to three times the chapter size (a 3:1 ratio or 3 guests per member) or, if less, the maximum occupancy of the facility according to fire standards. Larger events are subject to approval, when notified two weeks prior to the event, of the Executive Director.
12. The possession, sale, distribution and/or use of any illegal drugs, and unlawful possession, sale, distribution and/or use of prescription drugs in a manner contrary to their instructions or by someone to whom they were not prescribed or other controlled substances, at any chapter house, sponsored event or at any event an observer would associate with the Fraternity, is strictly prohibited.

## HAZING

No chapter, colony, collegiate member or alumnus shall engage in hazing activities. Permission or approval by a person being hazed is not a defense. Hazing activities are defined as:

Any action taken or situation created intentionally or through gross negligence, whether on or off fraternity premises, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include, but are not limited to, the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside the confines of the chapter house; wearing of public apparel which is conspicuous and not normally in good taste; engaging in public stunts; morally degrading or humiliating games and activities; and any other activities which are not consistent with state law, fraternal law, ritual or policy or the regulations and policies of the educational institution.

#### **SEXUAL ABUSE AND HARASSMENT**

The Fraternity will neither tolerate nor condone any form of sexual-harassment on the part of its members whether physical, mental or emotional. This includes any actions which are demeaning to women or men including, but not limited to verbal or physical harassment and sexual assault by individuals or members acting together. The employment or use of strippers, exotic dancers or similar performers, whether professional or amateur, is prohibited on chapter premises, during a fraternity event, or in any situation sponsored by the chapter.

#### **FIRE, HEALTH, AND SAFETY**

1. All chapter houses shall meet all local fire and health codes and standards prior to, during, and following occupancy.
2. All chapters must have emergency numbers for fire, police and ambulance posted by common phones and must have evacuation routes posted on the back of the door of each sleeping room.
3. A documented annual house inspection by either a local fire jurisdiction or by an insurance carrier is required.
4. All chapters shall comply with engineering recommendations as reported by the insurance company or local fire jurisdiction.
5. No chapter or colony shall own a pet, nor shall any pet live in a chapter facility. Injuries resulting from incidents involving animals owned by members are the responsibility of the individual owner/member. Any liability will be the responsibility of the pet owner. In addition, no chapter or colony shall involve a live animal in any Fraternity sponsored or associated event without the explicit written permission of the Executive Director in advance of the event. Permission must be requested in writing a minimum of 15 days prior to any such event.
6. The possession and/or use of explosive or incendiary devices of any kind within the confines of the chapter house are prohibited. If the landlord allows firearms to be stored in the chapter house, they must be kept unloaded and locked/secured in a storage area only accessible by the owner of the firearm/s.
7. Candles should not be used in chapter houses or individual rooms except under controlled circumstances.
8. Hazardous areas must be secured so that they are inaccessible. Examples include, but are not limited to roofs, window ledges, open wells, docks and balconies. No member should ever go on the roof of the chapter house.

#### **FIGHTING**

Fighting can lead to brawls and significant injury. Picking a fight is one of the fastest ways to criminal prosecution or civil action. Such activity will not be condoned and may subject the chapter to a review by the General Fraternity.

#### **PERSONAL INJURY AND PROPERTY**

Our general liability policy is not a health insurance or accident policy for members. If any fraternity member should be injured in a sporting event or any other activity, he should notify his medical carrier (e.g., Blue Cross/Blue Shield) and seek reimbursement of his medical bills. Further, our policy does not cover personal property owned by members. Members should seek coverage through their parents' homeowners' policy or obtain renter's insurance.

Notice must be given to the Administrative Office immediately regardless of the severity of the injury.

#### **LIABILITY COVERAGE**

No insurance policy in the world provides coverage for violations of the law. The Beta Theta Pi insurance program is no exception. The key points to understand are: (1) compliance with federal, state or provincial, local and institutional laws and regulations; (2) compliance with the laws and policies of Beta Theta Pi Fraternity; (3) compliance with the Beta Theta Pi Risk Management Policy.

Individuals who choose to violate these rules or act outside of the scope of their office may void their protection under the Fraternity's insurance program. Their actions may jeopardize other members, other entities, or other named insured protected by the Beta Theta Pi General Liability Policy. The individuals involved will be personally liable and must retain their own attorneys for defense.

The Board of Trustees is authorized to amend or modify these policies in order to meet the contractual needs of the fraternity's insurance policy. Any change made outside of the scope of the General Convention must be distributed to all fraternity chapters and colonies within thirty [30] day of the changes. Further any changes made by the Board of Trustees expire at the following Convention, unless approved by said Convention.

*Originally adopted in August 1987 and last modified on 8/3/2013 by the 174<sup>th</sup> General Convention.*

## CANADIAN EXCHANGE RATE

Adjustment of Chapter Accounts Receivable  
as approved by Board of Trustees on August 7, 1994

On a quarterly basis effective September 1, 1994, the Administrative Office will review the Canadian exchange rate. All charges will be billed at the current fee rates for the Canadian chapters and in U.S. dollars. As directed by the Board of Trustees, the exchange rate will not rise above \$1.25 Canadian of \$1.00 U.S. Adjustments reflecting the variance between the actual exchange rate and the base exchange rate will not be made to chapter's account until receipt of payment by the Administrative Office.

The method of payment, i.e. check, money order, bank draft, etc., must show the following:

1. rate of exchange and
2. date of purchase

Note: There will be no adjustment to the accounts receivable if the exchange rate is below \$1.25 Canadian to \$1.00 U.S.

Example: Today's exchange rate is \$1.31 Canadian = \$1.00 US.  
Limit Rate is: \$1.00 U.S. = \$1.25 Canadian

Current bill = \$5,000 U.S.  
This will be billed at \$5,000 U.S.

Canadian chapters will be asked to pay \$6,250 Canadian in  
U.S. dollars (\$5,000 U.S. x \$1.25 Canadian = \$6,250 Canadian).

At the current exchange rate of \$1.31 Canadian to \$1.00 U.S.,  
they would pay  $\$6,250 / \$1.31 = \$4,771$  which  $\$220 \times \$1.31 = \$300$  Canadian.

## **STANDARD OPERATING PROCEDURES FOR FINANCIALLY DELINQUENT CHAPTERS**

Effective August 7, 1994, the Standard Operating Procedures for Financially Delinquent chapters was passed by the Board of Trustees on August 2, 1994, and endorsed by the 155th General Convention. A chapter's charter could be suspended if it ignores its General Fraternity financial responsibility. The procedure is outlined below.

### **First Delinquent Notice**

If payment in full is not received within 30 days of the billing date, the Finance Department will notify all chapter officers, advisors and the district chief. The Administrative Office will recommend that the financial advisor or chapter counselor perform a financial review of the chapter and notify the Administrative Office of the result of the review and when payment will be received.

The delinquent chapter will incur the standard finance charge of 1.5% per month (*The Laws of Beta Theta Pi Chapter X, Section 2*).

### **Second Delinquent Notice**

If payment in full is not received within 60 days of the billing date, the Finance Department will notify each active member of the chapter (excluding pledges), all advisors and the district chief regarding the financial standing of the chapter with the General Fraternity.

The delinquent chapter will incur the standard finance charge of 1.5% per month (*The Laws of Beta Theta Pi, Chapter X, Section 2*).

### **Final Delinquent Notice**

If payment in full is not received within 90 days of the billing date, the General Secretary will suspend the chapter charter and transfer control over all financial matters to the alumni.

The General Secretary will direct the Executive Director to notify the university administration about the suspension of all chapter and individual privileges. Since the chapter is officially affiliated with the university and Interfraternity Council, the Greek advisor and/or the IFC should suspend all group privileges such as intramural competition, homecoming activities and social privileges.

The chapter shall employ an approved outside accounting firm to manage the chapter's financial affairs including collections. The chapter will be responsible for signing the necessary contract(s) and paying the initial cost of this service. The chapter is required to continue to employ the firm for a period of no less than twelve months after establishing good standing with the General Fraternity.

The delinquent chapter will incur the standard finance charge of 1.5% per month (*The Laws of Beta Theta Pi, Chapter X, Section 2*).

## **FRATERNAL FIFTIES PROGRAM**

The Fraternal Fifty tradition was established by the 1927 General Convention to recognize members of the Fraternity who achieve the enviable status of being Betas for 50 years. For more than 60 years, this great tradition has continued with over 25,000 Betas having been so recognized. Each Fraternal Fifty member receives a card on which appears his full name, roll number, chapter and initiation date; and a gold embossed seal which is to be attached to the member's original Beta shingle. In addition, the chapter or alumni association can request Fraternal Fifty lapel pins for each member in attendance at the presentation from the Administrative Office.

## **FRATERNAL TWENTY-FIVE**

At the direction of the 155th General Convention, the Administrative Office has designed a silver seal for presentation to alumni brothers upon their 25th year of membership in Beta Theta Pi. This seal is identical to the Fraternal Fifties seal, but in silver, with reference to “fifty” replaced by “twenty-five.” Fraternal twenty-five seals will be disbursed in the same manner as Fraternal Fifty seals. Alumni brothers will be instructed to place their silver seal in the middle of their membership shingle. Brothers reaching the fraternal fifty milestone would place their gold seal next to their fraternal twenty-five seal. Those brothers initiated in 1970 will be the first to be recognized in this manner. The seals will be available to other eligible Betas upon request.