

# Laws of Acacia



# Acacia

1988 - I hereby certify that by order of a Resolution submitted by the Jurisprudence Committee and voted on and adopted at the 1988 Conclave, the Executive Director was mandated to make the necessary changes in the *Laws of Acacia* to reflect Acacia's status as an International Fraternity.

Darold W. Larson  
Executive Director

2020 – I hereby certify that by order of the International Conclave all approved changes to the *Laws of Acacia* have been made, following the ratification of the Constitution changes by the Chapters.

Patrick McGovern  
Executive Director

2022 – I hereby certify that by order of the International Conclave all approved changes to the *Laws of Acacia* have been made, following the ratification of the Constitution changes by the Chapters.

Patrick McGovern  
Executive Director

# Preamble to the Laws of Acacia

We, students, faculty, and alumni of various universities and colleges do hereby adopt this Constitution;

to strengthen the ties of friendship, one with another;

to prepare ourselves as educated men,

to take a more active part and to have a greater influence in the affairs of the community in which we may reside;

and, above all, to seek the truth and, knowing it, to give light to those with whom we may be associated as we travel along life's pathway.

## CONSTITUTION

### Preamble

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## ARTICLE 1 – NAME, PURPOSE

1-101. NAME. The fraternal brotherhood governed by this Constitution shall be known as Acacia.

1-102. PURPOSE. Acacia Fraternity Incorporated, an Illinois not-for-profit corporation, in particular, and the fraternal brotherhood, in general, are organized for fraternal, scientific, literate and educational purposes.

1-103. REFERENCE: LAWS OF ACACIA. The term "Laws of Acacia" shall include the International Constitution, International Bylaws and International Code of Procedure unless one or more of these is specifically exempted from coverage by the particular Article or Section.

## ARTICLE 2 – CONSTITUENCY

1-201. CONSTITUENCY. The fraternal brotherhood shall consist of active chapters, alumni, the International Chapter, associate chapters, alumni associations, the International Council, Chapter Advisors and positions designated in the Constitution, Bylaws and Code of Procedure.

1-202. NAMES OF CHAPTERS. Each chapter shall be designated by the name of the institution at which it is located for the purpose of reference within the Fraternity, unless the International Council shall provide otherwise and shall not constitute an official reference where the higher education institution where the chapter is located does not sanction the use of its name as an official denotation of a chapter.

1-203. CHAPTER DEFINED. Where the term 'chapter' is used in the *Laws of Acacia* it shall refer to the active chapter unless otherwise specifically defined to include or exclude other components of the Fraternity.

## ARTICLE 3 – NEW CHARTERS

1-301. PETITIONS. Petitions for chartering a new chapter shall be in such form as the International Council may provide and shall be signed by not less than the number of persons established by the International Council as a requirement for such chartering and such persons each of whom must be a student in the university or college where it is proposed that such new chapter shall be located, or a member of the faculty of such university or college.

1-302. INVESTIGATION. Each petition for chartering a new chapter shall be investigated and reported upon by one or more International Council members or the Executive Director.

1-303. APPROVAL. A new chapter shall be chartered upon approval of the application by the affirmative vote of a majority of the International Council, the affirmative vote of four-fifths of all the chapters in good standing and the new chapter's payment of the fees prescribed by [2-601] Section 1 of Article 6 of the Bylaws.

## ARTICLE 4 – REVOCATION OF CHARTERS

1-401. DEFAULT IN PAYMENTS. If any chapter shall remain in default in the payment of its pledge fees, initiation fees and/or active per capita taxes for a period of six months after they shall have become due and payable as hereinafter provided, the charter of such chapter

shall thereupon be automatically suspended and shall remain suspended until the chapter has paid all arrearages including any accrued and falling due during the period of suspension.

1-402. SUSPENSION, REVOCATION, OR OTHER ACTION BY COUNCIL. The International Council, by the affirmative vote of a majority of its members, may, until the next succeeding meeting of the International Conclave, suspend the charter of any chapter, or take any other action except revocation as herein otherwise provided, for any violation of the provisions of the Constitution, Bylaws or the Code of Procedure. Suspension under this Article or Article 27 of this Constitution may include but not be limited to, the following:

1. The cessation of pledging and initiation of members;
2. The supervision and/or direction of selected chapter operations by a person or persons designated by the International Council;
3. The cessation of all chapter operations under the name of Acacia Fraternity and the cessation of the use of the name of Acacia Fraternity until such time as the issues causing suspension shall be disposed of in accordance to the Laws of Acacia.

In the event of suspension, an active chapter's vote at Conclave is retained, unless otherwise suspended by other provisions of the *Laws' of Acacia*, until the Conclave acts on the suspension, and the suspension shall be the first order of business at the next succeeding Conclave.

The International Council, by the unanimous vote of its members, present and voting, may revoke the charter of any chapter for any violation of the provisions of the Constitution, Bylaws or the Code of Procedure, in a formal session in which the Venerable Dean and/or Chapter Advisor may participate.

1-403. FAILURE TO MAINTAIN SCHOLARSHIP AVERAGE. Any chapter which fails repeatedly to maintain a scholarship average above the all-men's average on its campus may be suspended by a majority vote of the International Council.

1-404. SUSPENSION BY CONCLAVE. Upon the recommendation of the International Council, the International Conclave, by the affirmative vote of two-thirds of those present and entitled to vote at the session at which the vote is taken, may suspend or revoke the charter of any chapter.

1-405. DISPOSITION OF CHAPTER RECORDS. In case of the suspension or revocation of the charter of any chapter, the charter, ritual and records of the chapter shall immediately be placed in the hands of the Executive Director. ('50.)

1-406. NOTICE TO ALL CHAPTERS. The Executive Director shall give immediate notice to all chapters of the suspension, revocation, or reinstatement of the charter of a chapter.

1-407. STANDING OF SUSPENDED CHAPTER'S MEMBERS. The suspension or revocation of the charter of a chapter shall not in or of itself affect the standing of any member of that chapter as a member of the Fraternity.

1-408. AFFILIATION OF MEMBER OF DEFUNCT ASSOCIATE CHAPTER. An active or alumnus member of a defunct associate chapter shall be a member of the International Chapter unless the active or alumnus elects to petition an active chapter for transfer of his membership to that chapter and the active chapter accepts his petition for transfer. In the event that the defunct associate chapter is reassociated and chartered, the active or alumnus member may petition the reassociated and chartered chapter for re-affiliation.

## ARTICLE 5 – INTERNATIONAL COUNCIL

1-501. CONSTITUENCY. The International Council shall consist of the International Officers as hereinafter provided.

1-502. EXECUTIVE AND JUDICIAL AUTHORITY. The International Council shall be the sole and supreme executive and judicial body of the Fraternity. It may issue guidelines setting forth recommendations for administration of the chapters.

1-503. MEETINGS OF COUNCIL. Meetings of the International Council may be called by direction of the International President or of any four other voting members of the International Council. Meetings called to be held at a session of the International Conclave may be held on verbal or written notice to such members as are present at the Conclave. All other meetings shall be called upon seven days' notice in writing, unless waived, sent to each member of the International Council by mail or facsimile or delivered personally.

1-504. VOTES, TIE. At all meetings of the International Council each International Officer, except the International Judge Advocate, shall be entitled to one vote. In case of a tie the International President (or other presiding officer in case of the International President's absence) shall be entitled to one additional and determining vote.

1-505. DUTIES OF COUNCIL. In addition to the duties which generally pertain to a governing board, the International Council shall have charge of the public relations of the Fraternity and general supervision of all matters relating to scholarship. They shall have charge of chapter inspections and all matters pertaining to chapter members, fraternity expansion and installation of new chapters. They shall have complete authority and responsibility for the editing and publishing of the TRIAD and may delegate same to the Executive Director.

1-506. MISCELLANEOUS PROCEDURE. All matters of procedure not specifically addressed by this Article 5 shall be governed by Robert's Rules of Order, as Revised.

## ARTICLE 6 – INTERNATIONAL OFFICERS

1-601. QUALIFICATION OF OFFICERS. The International Officers shall be the International President, International First Vice-President, International Second Vice-President, International Counselor, International Treasurer and International Judge Advocate, each of whom shall be an alumnus' member of the Fraternity and two undergraduate International Counselors, each of whom at the time of his election or appointment, shall be an active member of an active chapter of the Fraternity.

1-602. ELECTION OF OFFICERS. The International Officers, except the International Judge Advocate, shall be elected by a majority vote of the International Conclave, taken by ballot, for a term of office expiring upon the installation of their successors. The officer's successor shall be elected at the second succeeding International Conclave. International Officers shall be elected in two groups at alternate Conclaves, the International President, International Counselor and the International Treasurer at one Conclave, the International First Vice-President and International Second Vice-President, at the next Conclave. Notwithstanding the above, at each Conclave, two undergraduate International Counselors shall be elected for a two-year term.

1-603. LIMIT OF OFFICERS' TERMS. Any International Officers shall be eligible to serve only two (2) elected consecutive terms, with the exception that any International Council Member who has been elected to two consecutive terms as an officer other than International

President may be elected to the office of International President for one additional four-year term. Nothing in this article of the Constitution is meant to prevent any former elected Council member from running for Council after an absence from the Council for not less than a period of two years.

1-604. VACANCY IN OFFICE: UNEXPIRED TERM. Where one or more of the International Council Offices shall become vacant for any reason. between assembled Conclaves, such vacancy or vacancies shall be filled by a majority vote of the remaining members of the International Council, said appointee or appointees to serve only until the next regularly assembled Conclave, at which time a successor or successors on th International Council shall be elected to serve the remainder of the unexpired term. Any resignation of a member of the International Council shall be submitted to the International Conclave, if assembled; otherwise, any resignation shall be submitted to the International Council.

1-605. REMOVAL BY COUNCIL. The International Council, by the affirmative vote of a majority of its members, may remove any International Officer from office for misfeasance, malfeasance, or nonfeasance of duty and may declare his office vacant.

1-606. INSTALLATION: DUTY OF RETIRING OFFICERS. The International Officers elected at a session of the International Conclave shall be installed in office at a joint meeting of the incoming and retiring International Councils as a function of the final banquet of the Conclave where such election occurred. Every retiring International Officer shall turn over to his successor all official files, records, and property belonging to his office and furnish his successor with complete information concerning the duties of such office within ten days after the date of his vacation of the office.

1-607. REPORTS OF OFFICERS. The International President, International Treasurer, Executive Director and any other International Officer, Director or staff member, directed or required by the Laws of Acacia, the International President or the action of a Conclave by resolution to make such a report shall submit to the International Conclave a report covering the work of his office during the term of his incumbency.

1-608. AUDITS; SUBMISSION TO CONCLAVE. The books of the International Treasurer and the Executive Director shall be audited annually by a qualified accountant or certified public accountant appointed by the International President on or before the 1st of July of each year. Such annual audits shall include an itemized statement of assets, liabilities and inventory of equipment and such annual audit shall be submitted to the International Council and by the International Council to the International Conclave.

1-609. BONDS OF OFFICERS. The Executive Director, International Treasurer and Leadership Consultants shall each give a surety company's bond in such amounts as the International Council may require, such bonds to be approved and held by the Executive Director. The premiums on such bonds shall be paid by the Fraternity.

1-610. COMPENSATION OF OFFICERS. The International Officers shall each receive such compensation, if any, as the International Conclave may determine.

1-611. ARCHIVES: APPOINTMENT OF KEEPER. All records, documents and other property shall be deposited in the Archives which shall be located at the International Headquarters and the Executive Director shall have custody and be charged with the preservation and safekeeping of the same.

1-612. INTERNATIONAL HEADQUARTERS. The International Council shall establish an International Headquarters in such locality as the Council may deem best and



provision for the payment of costs incurred in operation of the Headquarters shall be made by the Conclave biennially.

#### ARTICLE 7 – INTERNATIONAL PRESIDENT

1-701. DUTIES OF PRESIDENT. The International President shall be the chief executive officer of the Fraternity. He shall preside at all meetings of the International Council and at all sessions of the International Conclave and shall appoint all Conclave committees and any other committees pertaining to the work of the international organization. He shall have authority at any time to examine the files and records of the Fraternity or any of its officers, to review all reports made by or to other International Officers, and to require a report from any chapter, Chapter Advisor or International Officer. He shall have such other powers and duties as usually pertain to the office of a president.

#### ARTICLE 8 -INTERNATIONAL FIRST AND SECOND VICE-PRESIDENTS

1-801. DUTIES OF INTERNATIONAL FIRST VICE-PRESIDENT. The International First Vice-President shall have the powers and duties of the International President during the temporary absence or disability of the International President. He shall have such other powers and duties as usually pertain to the office of Vice-President and as delegated and assigned by the International President.

1-802. DUTIES OF INTERNATIONAL SECOND VICE-PRESIDENT. The International Second Vice-President shall have the powers and duties of the International President during the temporary absence or disability of the International President and the International First Vice-President. He shall have such other powers and duties as usually pertain to the office of Vice-President and as delegated and assigned by the International President.

#### ARTICLE 9 -INTERNATIONAL TREASURER

1-901. DUTIES OF TREASURER. The International Treasurer shall have custody of all funds of the International Fraternity otherwise specifically provided for; he shall keep a strict account of all funds, receipts and disbursements and shall have such other powers and duties as usually pertain to the office of Treasurer and as delegated and assigned by the International President.

1-902. EXECUTIVE DIRECTOR COOPERATION. In the performance of the duties of the International Treasurer, the Treasurer shall have the authority to delegate such functions, under his strict supervision and control, as are assigned to the Treasurer, to the Executive Director for the purposes of prompt handling of Fraternity financial requirements and controls as enumerated in the *Laws of Acacia*.

#### ARTICLE 10 – COUNSELORS

1-1001. DUTY OF INTERNATIONAL COUNSELOR. The International Counselor shall assume the duties of the President during the temporary absence or disability of the

President and Vice-Presidents. The International Counselor shall have such other powers and duties as delegated and assigned by the International President.

1-1002. DUTY OF UNDERGRADUATE COUNSELOR. The Undergraduate Counselors shall represent the undergraduate members on the Council. The Undergraduate Counselors shall have such other powers and duties as delegated and assigned by the International President.

#### ARTICLE 11-EXECUTIVE DIRECTOR, LEADERSHIP CONSULTANTS

1-1101. EXECUTIVE DIRECTOR. The International Council shall appoint an Executive Director who shall be an alumnus member of the Fraternity. He shall serve at the pleasure of the International Council and his compensation shall be fixed by the International Council within the budget adopted by each Conclave. The Executive Director shall have such assistants as the Council approves and whose compensation shall be fixed in the same manner as the compensation of the Executive Director. He shall receive all monies paid to the International Fraternity and deposit the same to the account of the Acacia Fraternity in depositories approved by the International Council and account to the International Treasurer for the same. He shall maintain a complete set of books, membership records and financial records. He shall keep a strict account of all receipts, receivables, payments, payables and other financial matters of the International Fraternity.

The Executive Director shall send to the Secretary of each chapter within ten days after the first day of each month, a statement showing the items and amounts due, from such chapter and the amount received by him applicable thereto. He shall notify the Chapter Advisor and Chapter Financial Advisor of any amounts due from the Chapter which are in arrears by a period of time which exceeds sixty (60) days. He shall send to each new active member, upon receipt of his initiates' pledge, membership record and initiation fee, the official membership card and an engrossed certificate of membership in the form prescribed by the International Council. He shall send a similar certificate of membership to each new honorary member upon receipt of his membership record. He shall, subject to the authority and approval of the International Council, draw checks upon a revolving fund established in the name of the Fraternity for the purpose of paying small and incidental bills. It shall be his duty to account to the International Council monthly for all items expended out of such revolving fund.

1-1102. LEADERSHIP CONSULTANTS. The International Council may provide for one or more Leadership Consultants whose duties shall be prescribed by the International Council, who shall be under the direct supervision of the Executive Director and whose compensation shall be determined and fixed by the International Council within the budget adopted at each Conclave.

#### ARTICLE 12 -INTERNATIONAL JUDGE ADVOCATE

1-1201. DUTY OF THE JUDGE ADVOCATE. The International Judge Advocate shall be an attorney duly admitted to practice before the highest court of the state in which he resides or in which he maintains his office or before a court of the United States. The International Judge

Advocate shall be appointed immediately following the installation of new officers at the joint meeting of the incoming and retiring International Council. The President shall select and appoint the International Judge Advocate with the advice and consent of the duly installed Council. The International Judge Advocate shall serve until the next installation of officers at the joint meeting. He shall be the Chairman of the Jurisprudence Committee, the legal advisor of the International Conclave and the International Council and of the Chapters as to the interpretation and application of the *Laws of Acacia*. He shall be chairman of all International Committees on Jurisprudence and Constitutional Revision.

#### ARTICLE 13 -CHAPTER ADVISORS

1-1301. DUTIES AND AUTHORITY. The Chapter Advisor shall represent the chapter alumni in chapter matters. The Chapter Advisor shall represent the chapter, active and alumni members at the International Conclave. The Chapter Advisor shall prudently and reasonably advise the chapter on the interpretation of the *Laws of Acacia*, Conclave actions and International Fraternity policies and procedures. However, all legislation, final interpretation thereof, and enforcement thereof, shall reside solely within the authorities of the International Council and the International Conclave, as provided by and in accordance with the terms of this Constitution.

1-1302. FINANCIAL ADVISORS. Each chapter may select a Financial Advisor who shall have general supervision of the chapter finances. The Chapter Financial Advisor shall be selected, removed and replaced in the same manner as is hereinafter provided for Chapter Advisors.

1-1303. ELECTION AND QUALIFICATION. Not later than the last day of September in a school year where there exists a vacancy in the position of Chapter Advisor, the chapter shall elect an alumnus of the Fraternity to that position. The election shall be one at which there is a joint meeting of the active and alumni members and shall be called for the purpose of electing an individual to the position. An individual, to be elected, shall receive a majority of the total number of alumni and active votes cast. The election results shall be subject to final approval of the chapter house corporation or its equivalent body if no house corporation exists at the chapter. The chapter shall notify the Executive Director of the International Fraternity of the name, address and telephone number of the properly elected and approved Chapter Advisor.

1-1304. TERM OF OFFICE; ELECTION OF SUCCESSOR. The person elected and approved by the appropriate local governing board as Chapter Advisor shall serve in such position for such a term as provided by the chapter and until his successor is nominated, elected and approved. When a vacancy exists in the position of Chapter Advisor, it shall be filled in accordance with the provisions of 1-1303.

1-1305. REMOVAL BY COUNCIL. The International Council shall, under the appropriate circumstances, by a majority vote, have the authority to recommend removal of a Chapter Advisor for just cause, to the house building corporation or its equivalent body.

1-1306. APPOINTMENT OF INTERIM CHAPTER ADVISOR. The house building corporation or its equivalent body, shall have the authority, by a majority vote, to appoint an interim Chapter Advisor to fill any vacancy caused by death, resignation or removal. The interim Chapter Advisor shall hold office until the provisions of 1-1302 have been fulfilled by the chapter.

#### ARTICLE 14 -INTERNATIONAL CONCLAVE

1-1401. DELEGATES. The International Conclave shall consist of the International Officers and two delegates from each chapter and recognized associate chapters of the Fraternity, one of whom shall be the Chapter Advisor and the other the Venerable Dean; provided that, in case the Chapter Advisor is unable to attend, he shall appoint as a substitute an alumnus of the chapter he represents; and further provided, that, in the event of the inability of the Venerable Dean to attend, the active chapter shall elect an alternate. No chapter that has an arrearage of \$500 or more in its accounts receivable balance and is not on a repayment plan approved by the International Council as of the opening business session of the Conclave shall be permitted to have voting delegates to the Conclave except upon approval by a two-thirds vote of those present and voting at any session of the International Conclave.

1-1402. POWERS; REFERENDUM. The International Conclave shall be the sole and supreme legislative body of the Fraternity, subject only to the referendum vote of the chapters on matters as to which such referendum vote is herein required.

1-1403. VOTE. On all matters considered at the International Conclave, including the election of International Officers, each International Officer except International Judge Advocate, and each delegate, (except associate chapter delegates who shall have no vote), shall be entitled to one vote, except that on questions to be determined by a majority vote, the International President (or other presiding officer) shall vote only for the purpose of determining a tie. Any person who holds more than one position which would entitle that person to vote more than once shall be prohibited from voting more than once. That person shall, prior to the final certification by the Conclave Credentials Committee for that Conclave, advise, in writing the Chairman of said committee in which capacity he shall serve as a voting delegate to that Conclave and, as provided for in the Laws of Acacia, the procedure to select and qualify a delegate for the remaining voting delegate position shall be followed in all such instances.

1-1404. PRIVILEGE OF FLOOR. Members of official Conclave committees, whether or not official delegates, shall be entitled to the privilege of the floor and shall be entitled to move the adoption of resolutions and reports of such committees. Others may be granted the privilege of the floor in the discretion of the presiding officer.

1-1405. MEETINGS; TIME AND PLACE. The International Conclave shall meet biennially at such time and place as the International Council may determine. The International Council shall have the power, upon the affirmative vote of four members, to convene the International Conclave for special reasons at any time. The special Conclave shall be limited in the consideration of business to that for which the session was called.

The special Conclave may be held at such time, place and in such a manner as to best effectuate the needs of the Fraternity. It shall be permissible for such a special Conclave to be conducted through written communication with the delegates rather than the assembly of the delegates at one location when two-thirds of the delegates, as selected pursuant to Article 14 of the Constitution, give written consent notification to the Executive Director, to conduct the business of the special Conclave in such a manner.

Upon completion of the business of a special Conclave, the actions taken at such Conclave shall be communicated, in writing, to all of the chapters where appropriate action, if required, shall be taken by the chapters as provided for in the *Laws of Acacia*.

Any action taken at a special Conclave shall have the same force and effect as action taken at a regularly scheduled Conclave.

1-1406. ROLL CALL VOTE. Except in the election of International Officers, any one delegate, upon recognition by the presiding officer may request a yea and nay vote upon any motion, whereupon the presiding officer shall direct that the roll be called and the vote be recorded.

1-1407. MISCELLANEOUS PROCEDURE. Roberts' Rules of Order, as Revised, shall govern all matters of procedure not specifically addressed in this Article 14.

#### ARTICLE 15 -COMMITTEES ON JURISPRUDENCE

1-1501. MEMBERSHIP; APPOINTMENT. The Committee on Jurisprudence shall be a permanent committee consisting of the International Judge Advocate, who shall be the Chairman of said committee, and at least two members of the Acacia Fraternity. The two members of said committee shall be appointed by the International President at each International Conclave for a term expiring at the close of the next succeeding Conclave. In the case of the absence of a member of the committee from the International Conclave, the International President shall appoint a member pro-tem to fill the vacancy.

1-1502. SUBMISSION OF PROPOSED AMENDMENTS. Proposed amendments to the International Constitution, Bylaws, and Code of Procedure shall be submitted to the Chairman of the Committee on Jurisprudence not less than three months prior to the Conclave at which such legislation is to be proposed and the Committee on Jurisprudence shall report thereon at the Conclave. No legislation which has not been so submitted may be proposed at the Conclave without the consent of the Conclave given by a majority vote.

#### ARTICLE 16 ~ MEMBERSHIP

1-1601. CLASSES OF CHAPTER MEMBERSHIP. Each chapter shall be composed of two groups, the active and the alumni, each member of whom shall have been duly elected, pledged and initiated into Acacia. No active chapter, associate chapter, or alumni chapter shall establish, recognize, or support any women's auxiliary organization or similar group. However, nothing in this provision should be deemed to prohibit an active chapter or associate chapter from including on a composite photograph a female with the title "Sweetheart" or similar designation.

1-1602. ACTIVE MEMBERSHIP. The active membership of each chapter shall be composed entirely of male students of the university or college at which such chapter is located. Membership or recommendation for membership shall not be withheld because of the race, creed, or national origin of the prospective member.

1-1603. ALUMNI MEMBERSHIP. The alumni membership of each, chapter shall be composed of all members other than active members.

1-1604. DUAL MEMBERSHIP NOT PERMITTED. Members of other general social college fraternities shall not be elected to membership in Acacia.

1-1605. INITIATES; CONSENT OF PRIOR CHAPTER. No chapter shall initiate any person whom it knows to have been pledged by any other chapter without first obtaining the consent of such other chapter. A chapter shall act and report upon any request for such consent within twenty days after receipt thereof.

1-1606. AUTHORITY OF INDIVIDUAL MEMBERS. No Individual member, active or alumnus, shall have authority to act on behalf of Acacia Fraternity Incorporated.

## ARTICLE 17 -ACTIVE MEMBERSHIP

1-1701. INITIATION; PROPOSAL; BALLOT. Pledgeship and active membership in Acacia shall be by invitation of an active chapter extended pursuant to a vote taken as hereinafter provided. Proposals for pledgeship shall be made by a member of the active chapter at a stated or special meeting. The vote upon such proposals shall be by secret ballot taken at a stated or special meeting and a unanimous vote of those present and voting shall be necessary for election.

Alternatively, a Rushing and Pledging Committee may be selected consisting of the Venerable Dean, Rushing Chairman and three members of the chapter elected by a secret written ballot of two-thirds of those present and voting at any regular meeting of the active chapter. Such committee shall have full power and authority to rush and pledge prospective members without further vote of the active chapter, under such rules and regulations as said committee. From time to time may adopt and the active chapter approve. The committee shall serve for a period not longer than the end of the ensuing school year. As it pertains to associate chapters, invitation to pledgeship and active membership in Acacia may be extended by a member of the International Staff as authorized by the International Council.

If at any time up to and including the time of initiation of a pledge, an objection thereto is made at a regular or special meeting of the active chapter and is sustained by a vote (taken by secret ballot) of one-third of those present and voting, he shall be depledged immediately. As it pertains to associate chapters, a member of the International Staff shall, upon authorization by the International Council, have the same authority to depledge prior to and including the time of initiation.

However, upon certified written application to the International Council by any active chapter, duly passed by two-thirds of those present and voting of such active chapter, a special dispensation shall be issued to such chapter allowing it to vote upon, reject or elect its pledges or members by the number of votes or the percentage of votes, either affirmative or negative, adopted by such active chapter.

1-1702. PLEDGE CEREMONY WITHIN THIRTY DAYS AFTER ELECTION. A candidate for pledgeship must complete the pledge ceremony within thirty days of his receipt of an invitation to pledgeship. Unless so pledged his, status, upon the expiration of, such thirty-day period, shall be that of a person who has never been proposed for pledgeship.

1-1703. INITIATION WITHIN TWO YEARS. A pledge must be initiated within two years of the date of his pledge ceremony. Unless so initiated, his status, upon the expiration of such two-year period, shall be that of a person who has never been pledged.

1-1704. PLEDGING AND INITIATION AFTER LEAVING INSTITUTION. A person who has received an invitation to pledge while a bona fide student or faculty member at a university or college at which a chapter is located, may be thereafter pledged by and initiated into such chapter within the time prescribed in Sections 1a and 1b of this Article [1-1702, 1-1703] notwithstanding the fact that he may have severed his connection with such university or college subsequent to receipt of the invitation.

1-1705. ASSOCIATE MEMBERSHIP IN SECOND CHAPTER; AUTOMATIC RESUMPTION. A member of any chapter, upon becoming a student or a member of the faculty of another university or college at which a chapter is located, may become an "associate" member of the second chapter upon his election as a member by such second chapter. He shall

not become an associate member of the second chapter, however, unless all his accounts in the first chapter have been balanced and its consent has been given.

1-1706. INTERIM ASSOCIATE MEMBERSHIP. An active member of any chapter who, during the time his own chapter has suspended meetings for the summer, is in attendance at a university or college where another chapter is being conducted may, upon the invitation of the second chapter, become an associate member thereof, the consent of his chapter not being necessary; provided, however, that when his own chapter resumes meetings it will be necessary to comply with the requirements of 1-1705 and for him to gain his own chapter's consent if he elects to remain an associate member of the second chapter.

1-1707. AFFILIATION BY MEMBER OF DEFUNCT CHAPTER. A member, either active or alumnus of any chapter which, by reason of revocation or suspension of its charter or otherwise, has become defunct, may become an associate member of any other chapter upon the invitation of such other chapter. An associate member shall have the same rights, privileges, duties, and responsibilities in the chapter with which he has affiliated as if he had become a member thereof by initiation. His status as an active or alumnus member thereof shall be determined by regarding his membership as a continuation without interruption of his membership in the first chapter as such membership existed at the time the first chapter became defunct, and as if his period of active membership in the first chapter and his association with the university or college at which such chapter was located had been membership in the second chapter and association with the university or college at which such second chapter is located.

1-1708. RE-AFFILIATION. An associate member of a chapter may re-affiliate with his previously defunct chapter upon its re-establishment. Such re-affiliation shall be effected in the same manner and shall be subject to the same rules as provided in 1-1707. It shall be the duty of the chapter to notify the Executive Director of the date of affiliation and the status of each associate member thereof.

1-1709. ACTIVE MUST LIVE IN CHAPTER HOUSE. Every active member unless excused by his chapter for good and sufficient reasons, shall live at his chapter house as long as he remains a student in the university or college at which his chapter is chartered.

## ARTICLE 18 -ALUMNI MEMBERSHIP

1-1801. ALUMNI MEMBERSHIP AFTER FOUR YEARS ACTIVE. Any student who shall have been an active member for four years shall thereupon become an alumnus member; provided, however, that, subject to the provisions of Section 2 of this Article [1-1802], the chapter, pursuant to the written application of the member and by a majority vote taken by secret ballot, may extend his period of active membership. If such application be voted upon prior to the expiration of such four-year period, such member, although still active, shall not vote thereon. No such extension shall be granted for a period exceeding one year, nor shall any member be granted more than two such extensions.

1-1802. ACTIVE TO ALUMNUS STATUS. Any student who shall have been an active member and who shall have severed his connection with the university or college at which his chapter is chartered, shall thereupon become an alumnus member. Subject to the provisions of Section 1-1801, he shall, upon re-entering such college or university, again become an active member. Provided that any married active member who shall have paid an initiation fee as provided herein may petition the chapter for alumnus membership for the reason that active participation in the chapter causes him financial hardship. The chapter by a two-thirds vote taken

by secret ballot may extend to the married active alumnus membership for a period not to exceed one year. Extensions may be granted only on petition which shall be acted on in the manner prescribed above. No such extension shall be granted for a period exceeding one year.

1-1803. FACULTY INITIATE; ALUMNUS MEMBER ON OPTION. A member of the faculty of a university or college who shall have become a member of Acacia may become, at his option, an alumnus member upon his initiation.

1-1804. HONORARY MEMBERSHIP; INTERNATIONAL COUNCIL APPROVAL. Any male person may be elected an honorary member of anyone chapter, subject however, to the approval of the International Council. The Executive Director shall notify the chapter of the action taken by the International Council. Honorary members shall be entitled to all rights and privileges of alumni members.

1-1805. RIGHT OF ALUMNI TO VOTE; LIMITATION. Except as herein elsewhere provided, alumni members shall not have voting rights.

## ARTICLE 19 -LOSS OF MEMBERSHIP

1-1901. TERMINATION OF MEMBERSHIP. Membership in Acacia may be terminated only by the resignation, death or expulsion of the member.

1-1902. STATUS OF RESIGNATION. A member who submits a resignation shall do so to the chapter who shall immediately inform the Executive Director of the International Fraternity. The Executive Director shall take all necessary steps and effectuate all necessary procedures to conform the international records to the member's resignation. A member who has resigned shall not be permitted to participate in any function at any level of the Fraternity.

If a member submits a resignation directly to the International Fraternity, the Executive Director shall inform the member's chapter of its receipt and direct the chapter to take those steps consistent with the provisions of 1-1902.

1-1903. DISCIPLINE OF MEMBERS; CHARGES BY CHAPTER; APPEALS; PROCEDURE. Each chapter shall have power to prefer charges against its own members and to suspend, to expel, or otherwise to discipline its members, subject, however, to the right of the member to appeal to the International Council. The procedure in trials and appeals shall be as prescribed by the Code of Procedure.

1-1904. POWER OF COUNCIL TO SUSPEND OR EXPEL. The International Council shall have power by unanimous vote to suspend or expel from Acacia any member thereof for any violation of the provisions of the Laws of Acacia. The Executive Director shall give written notice of such action to each chapter.

1-1905. EXPULSION FOR DUAL MEMBERSHIP; APPEAL; NOTICE. Any member of Acacia who shall become a member of any other general international social college fraternity shall be forthwith expelled from Acacia. Such expulsion may be by the chapter of which he is a member or by action of the International Council. No appeal from such expulsion shall be allowed except with respect to the question of fact of his having joined such other fraternity. Formal notice of the expulsion stating the reasons therefore shall be sent by the International President to every chapter of Acacia and to the National President (or equivalent officer) of every general social college fraternity.

1-1906. SUSPENSION FOR NON-PAYMENT; EXTENSION; REPORT; EXPULSION. Any member who, at the end of any sixty-day period, shall be delinquent in the payment of any indebtedness to his chapter, incurred as an active member thereof, shall be



automatically suspended by the chapter until such indebtedness shall have been paid, unless the chapter by a two-thirds vote of those present and voting at a stated meeting shall extend the time for payment. Such extension shall not be granted except upon receipt by the chapter of the member's demand note for the amount of the debt. If such indebtedness be not paid in full before the expiration of ninety days from the end of the sixty-day period after which it was incurred the Chapter Secretary shall report that fact to the Executive Director and the delinquent member shall be forthwith expelled by the International Council.

This section shall apply in the case of indebtedness of any member not paid in full by the end of the fiscal year 1927-28 whether such indebtedness shall have been incurred before or after the adoption of this section.

## ARTICLE 20 -CHAPTER COUNCIL AND OFFICERS

1-2001. ELECTION OF CHAPTER OFFICERS. The affairs and activities of every active chapter shall be administered by a Chapter Council consisting of the Venerable Dean, Senior Dean, Junior Dean, Treasurer and Secretary. They shall be chosen annually, during the month of November, by secret ballot and shall be installed not later than the first stated meeting in January. The Rush Chairman, who may be elected or appointed, shall also be a member of the Chapter Council. The chapter may provide for additional members to serve on the Chapter Council.

1-2002. DUTIES OF OFFICERS. The Executive Director shall cause to be published, periodically, guidelines for the recommended operation of chapter functions. Such guidelines shall be advisory and reflect the current status of proper fraternity operations. These guidelines shall be the basis for the chapter to develop its system of officer responsibility but shall in no way limit the manner in which each chapter assigns responsibilities and shall serve as management guides for the chapter.

1-2003. BOND OF TREASURER; AUDIT. The Treasurer of every chapter shall, if the chapter or its house corporation require, be bonded. The cost of such bond shall be apportioned in a manner determined by the chapter and the house corporation. Before the Treasurer may turn over his books to his successor and be discharged of liability they shall be audited at the expense of the chapter under the direction of the chapter Financial Advisor who shall render to the chapter an audit report in triplicate. One copy of such report shall be sent to the Executive Director, one copy shall be sent to the Chapter Advisor, and one copy shall be attached to the books of the Treasurer and retained by the chapter.

1-2004. VENERABLE DEAN; TERM OF OFFICE. Except in case of an emergency and subject to the approval of the Chapter Advisor, the same person shall not hold the office of Venerable Dean for more than one year.

## ARTICLE 21-ACTIVE CHAPTERS

1-2101. CHAPTER JURISDICTION; CONSTITUTION AND BY-LAWS. The chapter shall have exclusive jurisdiction over local affairs, except as provided for by the *Laws of Acacia*. Each active chapter shall adopt a constitution and by-laws which shall be consistent with the provisions of this Constitution and Bylaws. It shall file with the Executive Director, for information purposes only, a copy of its Constitution and Bylaws and of all amendments thereto,

certified by the Venerable Dean and Secretary. However, no chapter shall have authority to act on behalf of Acacia Fraternity Incorporated.

1-2102. QUORUM. A majority of the members of an active chapter shall constitute a quorum for the transaction of business.

## ARTICLE 22 -ALUMNI CHAPTERS

1-2201. NAME. An alumni chapter shall be known by the name of the town, city, or locality wherein it is situated; such name shall be subject to the approval of the International Council.

1-2202. MEMBERSHIP AND CONSTITUENCY. Eligibility to membership in an alumni chapter shall be confined to alumni of the Fraternity.

1-2203. CHARTERING ALUMNI CHAPTER. An alumni chapter may be chartered and established by the International Council in any town, city or locality, upon the written application of at least fifteen resident alumni.

1-2204. ALUMNI CONSTITUTION AND BY-LAWS. Each alumni chapter shall adopt such constitution and by-laws as the members thereof shall see fit, provided however, that said constitution and by-laws shall not negate or contravene any Article, Bylaw or section of the *Laws of Acacia*. It shall file with the International Judge Advocate and the Executive Director respectively, a copy thereof and all amendments thereto, certified by the President and Secretary of the alumni chapter.

1-2205. OFFICERS. The officers of an alumni chapter shall be a President, Vice-President, Treasurer, Secretary and such other officers as shall be deemed necessary to effectively promote the best interests of the alumni chapter.

1-2206. ELECTION OF ALUMNI CHAPTER OFFICERS. The officers of the alumni chapter shall be elected by a majority of those dues paying alumni members present and voting at a regularly established annual meeting of the chapter.

1-2207. DUTIES OF THE ALUMNI CHAPTER OFFICERS. The officers of an alumni chapter, shall, in addition to such other duties as may be prescribed and required by their constitution, perform the following duties:

Clause 1. The President shall be the presiding officer of the alumni chapter, the official representative thereof, and shall have all the powers and duties usually pertaining to such office.

Clause 2. The Vice-President shall discharge the powers and duties of the President in the latter's absence.

Clause 3. The Treasurer shall be the custodian of the funds of the alumni chapter.

Clause 4. The Secretary shall attend to the correspondence of the alumni chapter and shall report to the Executive Director of Acacia Fraternity upon such matters as may be required of him; he shall keep a book of minutes wherein he shall record an accurate digest of all alumni chapter proceedings, and he shall be the custodian of the records and archives of the alumni chapter.

Clause 5. The duties of all other officers, if any, shall be prescribed by the Constitution of the alumni chapter.

1-2208. AUTHORITY OF ALUMNI CHAPTERS.

Clause 1. An alumni chapter shall have jurisdiction over the conduct of its members, except that its right to suspend or expel an alumni member shall be limited to suspension or expulsion from membership in its alumni chapter.

Clause 2. An alumni chapter may adopt and modify or repeal articles and provisions of its constitution and by-laws which are not inconsistent, however, with the *Laws of Acacia*.

Clause 3. The official acts of the alumni chapter shall be dated and signed by its President and Secretary.

Clause 4. No alumni chapter shall have authority to act on behalf of Acacia Fraternity Incorporated.

#### 1-2209. MEETINGS.

Clause 1. An alumni chapter shall hold at least one regularly established and stated meeting a year, at which an election of officers of the alumni chapter shall be held, together with such other business as the alumni chapter shall deem proper.

Clause 2. A special meeting of the alumni chapter shall be held at the call of the President or upon a written request to the President, signed by at least five members, and notice thereof stating the date, time and place shall be communicated or mailed to each dues paying member of the alumni chapter, at his last known address, at least three days before the time appointed for such meeting.

Clause 3. The dues paying members present at a regularly stated or special meeting shall constitute a quorum.

1-2210. COMMITTEES. An alumni chapter shall have at least one standing committee, which shall be the Governing Committee and shall consist of the President, the Treasurer and the Secretary, and at least two other members appointed by the President, one of whom may be named as Chairman. It shall be the duty of this governing committee to exercise general supervision over the conduct of alumni chapter affairs, and over the individual conduct of the members of the alumni chapter and to promote the welfare of the chapter.

1-2211. ALUMNI CHAPTER DUES. The Constitution and Bylaws of each alumni chapter may fix an amount of local alumni dues to be paid by its members to the Treasurer thereof.

1-2212. ALUMNI CHAPTER DELEGATE TO INTERNATIONAL CONCLAVE. An alumni chapter which maintains its membership in such numbers as shall meet the requirements for chartering, as herein provided, shall be entitled to send, at alumni chapter expense, a non-voting delegate, the alumni chapter President, to the International Conclave. In the event of the inability of the alumni chapter President to attend, the chapter shall elect an alternate.

1-2213. DISSOLUTION. In case of the dissolution of an alumni chapter, the President or other presiding officer shall transmit all records and other property of such alumni chapter to the Executive Director of Acacia Fraternity.

### ARTICLE 23 -RITUALS AND CEREMONIALS

1-2301. RITUALS; OWNERSHIP; DISTRIBUTION; RECEIPT. The International Fraternity shall publish and own all official Rituals. The Rituals shall be numbered and distributed by the Executive Director who shall keep a complete record. Five copies shall be distributed to each chapter and one copy to each Chapter Advisor and to each International Officer. The Venerable Dean of each chapter, immediately after his election and installation, shall receipt to the Executive Director for the five copies assigned to his chapter and each chapter Advisor and each International Officer shall receipt to the Executive Director annually

1-2302. CEREMONIES, SECRET. The entire pledging and initiation ceremonies shall be secret and shall include only the forms and activities prescribed by the official Ritual as approved and adopted by the International Conclave.

1-2303. PLEDGING CEREMONY; PIN. The pledging of a prospective member shall consist of the pledging ceremony as prescribed by the Ritual. The pledge pin used in the pledging ceremony shall be the official pledge pin specified in 2-305.

1-2304. BADGE AND PAYMENT OF INITIATION FEE. Any time after his initiation a member may purchase the official badge of the Fraternity specified in 2-301 and shall be permitted to wear the same as provided in 2-302. At the time of his initiation, the initiation fee shall be paid to the Fraternity and must be transmitted by the initiating chapter to the International Headquarters as herein provided.

1-2305. MEMBERSHIP RECORDS; FILING. After the pledging of a candidate and before his initiation he shall be required to fill out and sign a membership record and no candidate may be initiated until he shall have presented such completed membership records to the chapter secretary as a part of his credentials for initiation. Immediately after the initiation the chapter secretary shall notify the Executive Director.

1-2306. INSTALLATION; MEMBERSHIP RECORDS. Upon the installation of a new chapter, triplicate membership records shall be filled out and signed by the proposed members and delivered to the newly elected secretary who shall forward the originals and one set of duplicates to the Executive Director and shall file the remaining set of duplicates in the archives of the chapter.

1-2307. INITIATE'S PLEDGE; MEMBERSHIP CARD. The International Council shall formulate an initiate's pledge, copies of which the Executive Director shall have printed and supplied to each chapter secretary. After the initiation of a candidate he shall be required to subscribe to this pledge and his signature shall be attested by the Venerable Dean and the Secretary. The initiate shall forward it immediately to the Executive Director. Upon receipt of the pledge and all other required forms and fees, the Executive Director shall at once issue a traveling membership card which shall contain the Fraternity crest, the members' name, date of initiation, and membership number, and the signature and official seal of the Executive Director. Upon request of a member, the Executive Director shall issue a replacement membership card, at the requesting member's expense.

1-2308. EXAMINATION OF CANDIDATES; PROFICIENCY. After the pledging ceremony and before his initiation, each candidate shall pass a satisfactory examination in the following:

- (1) Date and place of founding of Acacia.
- (2) Chapter roll.
- (3) Names and Addresses on International Officers.
- (4) Preamble.
- (5) History, laws and traditions of the Acacia Fraternity

This examination shall be held in an open Fraternity meeting. A majority vote shall be required to decide his proficiency.

## ARTICLE 24 –FINANCES

1-2401. SOURCES OF REVENUE; FEES; TAXES; DUES. The revenue of the Fraternity shall be derived from the following sources:

- (1) The pledge and initiation fees as are herein provided; .
- (2) An initiation fee into chartered chapters;
- (3) Initiation fee of charter members into new chapters;
- (4) Charter fees;
- (5) Alumni dues;
- (6) Such other sources as the International Conclave may from time to time determine.

1-2402. INTERNATIONAL PLEDGE FEE AND INTERNATIONAL INITIATION FEE. Every candidate for membership shall, at the time of pledging, pay to the Fraternity a pledge fee which shall be transmitted by the chapter to the International Headquarters within three (3) days after pledging.

Every candidate for membership shall, prior to his initiation, pay to the International Fraternity an initiation fee which shall be transmitted by the chapter to the International Headquarters within three (3) days after initiation.

1-2403. ACTIVE CHAPTER LIABLE FOR INDEBTEDNESS. Each active chapter shall be liable to the Fraternity for the payment of all indebtedness of its actives and pledges to the Fraternity and such amount shall be transmitted no later than the fifteenth day of the month following its accrual.

1-2404. INSTALLATION; INITIATION FEES AND CHARTER MEMBERS; PAYMENT. Prior to its installation each new chapter shall pay to the Executive Director the initiation fee of all charter members and the charter fee as prescribed by the Bylaws.

1-2405. FUNDS; INVESTMENT; SEPARATION; USE OF INCOME THEREFROM. The funds of the Fraternity shall be invested in such manner as the International Council may determine. Funds known as the Endowment Fund, designed as permanent funds, shall be separately held by the International Treasurer and the investment income there from shall be set aside respectively, as a part of the general fund, and shall be used for one or more of the following purposes: scholarships, student loans, loans on chapter housing, leadership and citizenship schools and services and other educational or charitable activities at such times and in such amounts as the International Council shall deem prudent.

1-2406. PERMANENT FUNDS; TRUSTS. Not with standing the provisions of Section 4 [1-2405] of this Article, the International Council may transfer to Acacia Fraternity Foundation or other trustees in trust for the uses and purposes of Acacia all or any part of any permanent funds of Acacia. Any such deposits in trust shall be subject to a trust agreement containing such covenants, terms and conditions as may be approved by the International Council.

1-2407. ENDOWMENT FUND. The Endowment Fund, heretofore established shall be continued and shall be invested, maintained, managed and operated under such rules and regulations consistent with the provisions of 1-2405. as may be adopted by the International Council.

1-2408. CHAPTER MEMBERSHIP REPORTS, FORMS. The Chapter Advisor, for informational purposes, shall forward to the Executive Director, at such times and in such form as may be designated by the Executive Director, reports of membership. All such reports and statements shall be made on forms furnished by the Executive Director for that purpose and shall be certified by the Chapter Advisor, the Venerable Dean and the Secretary.

1-2409. CHAPTER FINANCIAL REPORTS, FORMS. The Chapter Financial Advisor, for information purposes, shall forward to the Executive Director, at such times and in such form as may be designated by the Executive Director, financial reports and statements. All such reports and statements shall be made on forms furnished by or acceptable to the Executive Director for that purpose and shall be certified by the Chapter Financial Advisor, the Venerable Dean and Treasurer.

1-2410. DEFAULT IN REPORTING MEMBERSHIP AND FINANCIAL STATUS. Failure of any chapter to comply with sections 2408 and 2409 above, for a period of three (3) months shall be cause for disciplinary action.

1-2411. CHAPTER FINANCIAL OPERATIONS. Should the International Council find that any chapter be not operating in a financially efficient manner in its transactions with the Fraternity for a period of three (3) months, such a chapter shall be subject to disciplinary action, notwithstanding the provisions of section 1-401 of the Constitution.

## ARTICLE 25 -REGIONAL COUNSELORS

1-2501. REGIONAL COUNSELORS: SELECTION. The International Council may establish regions not based entirely on geographical areas, and may appoint Regional Counselors for such regions for two-year terms starting with each Conclave. A Regional Counselor may be nominated and elected by the active chapters in a region upon petition of a majority of such chapters to the International Council by January preceding each Conclave. Such election shall be conducted by the International Council. In the event no candidate receives the majority vote for the position of Regional Counselor, the International Council shall have the authority to select a Regional Counselor to serve such term. Each active chapter shall have one vote for the Regional Counselor in their respective area. A Regional Counselor shall be a member in good standing of Acacia.

1-2502. DUTIES OF REGIONAL COUNSELORS. Regional Counselors shall hold at least one regional meeting per year of the active chapters and associate chapters in their region. The Counselors shall maintain active contact with each chapter, associate chapter and Advisor in their region. The duties of the Regional Counselor shall include, but not be limited to, an annual evaluation of each chapter, associate chapter and Advisor in his region and recommendations to the International Council. Specific duties include:

1. Visit each assigned chapter at least once per school year (two visits if possible).
2. Counsel each chapter on implementation of Fraternity programs--the Chapter Standards Program, the international Human Service project, alcohol awareness, international awards, etc.
3. Promote chapter participation in regional conferences and the International Conclaves and attend these with your chapters.
4. Provide an additional link with other chapters and associate chapters and serve as an international representative at initiations, anniversaries and similar occasions when requested by the chapter or International Council.
5. Submit an annual evaluation of each chapter, associate chapter and Advisor in his region and make recommendations to the International Council.

## ARTICLE 26 -INTERNATIONAL CHAPTER -CREATION AND DUTIES

1-2601. CREATION, MEMBERS AND DUTIES. There is created an international chapter of Acacia Fraternity. The international chapter shall be composed of those persons initiated as honorary members under the provisions of this section.

1-2602. PURPOSE. The International Chapter is created for the purpose of identifying, selecting and initiating into Acacia Fraternity, in accordance with the process now required of individual chapters in the selecting of honorary members, those persons who meet the requirements for such membership. The International Council shall select a potential honorary member and shall extend the invitation for acceptance or rejection.

1-2603. INITIATION RITE, TIME, PLACE. The International Council shall, after the selection of those persons so qualified for membership, establish the date and place for such initiation and may, where convenient, call upon the various chapters of Acacia to assist in the initiation.

1-2604. CHAPTER NOMINEES. Acacia chapters, alumni associations and other constituent bodies recognized by the International Council or members of Acacia may forward for consideration by the International Council the names of nominees. Nominees shall be individuals whose impact reaches beyond the scope of a particular chapter and whose reputation, accomplishment and recognition are such that the entire fraternity would recognize the individual a worthy candidate for initiation.

#### ARTICLE 27 -ASSOCIATE CHAPTERS

1-2701. CREATION, PURPOSE. The International Council may set criteria for the establishment and recognition of associate chapters and may authorize the creation of such associate chapters for the purpose of re-establishing defunct chapters and associate chapters and the expansion of the Fraternity onto the campuses of other colleges and universities.

1-2702. ASSOCIATE CHAPTER JURISDICTION, CONSTITUTION AND BYLAWS. A recognized associate chapter shall have the same jurisdiction, rights and privileges as provided herein for active chapters, including the pledging and initiation of members into the Fraternity, with the exception that associate chapter delegates to the International Conclave may not vote and shall be-subject to such other limitations as may be specified by the International Council. Each associate chapter shall adopt a constitution and by-laws. It shall file with the Executive Director, for information purposes only, a copy of its constitution and bylaws and of all amendments thereto, certified by the Venerable Dean and Secretary. No associate chapter shall have authority to act on behalf of Acacia Fraternity Incorporated.

1-2703. QUORUM. A majority of the members of a associate chapter shall constitute a quorum for the transaction of business.

1-2704. DISSOLUTION OF ASSOCIATE CHAPTER. The International Council may suspend or revoke recognition of a associate chapter for failure to meet the provisions established herein for chartering, for the reasons established in Article 4 for the suspension or revocation of charters, or for other good and sufficient reason.

1-2705. DISPOSITION OF ASSOCIATE CHAPTER RECORDS. In case of dissolution of a associate chapter, the ritual and records of the associate chapter shall immediately be placed in the hands of the Executive Director.

#### ARTICLE 28 –AMENDMENTS

1-2801. AMENDMENT, REFERENDUM, EFFECTIVE DATE. Subject to the provisions of Section 2 of Article 15 [1-1502] hereof, this Constitution may be amended by a two-thirds vote of those present and voting at any session of the International Conclave, ratified by a two-thirds referendum vote of all the chapters in good standing whose votes shall be received by the Executive Director within sixty days after he shall have mailed the ballots therefore to the chapters. If a chapter eligible to vote under the provisions of this article fails to return its ballot by the date specified in the notice accompanying the proposal, the chapter shall be recorded by the Executive Director as casting a yea vote on the proposal submitted to the chapter for ratification. When any amendment is so ratified the International President shall make due proclamation thereof, whereupon the amendment shall become effective.



## BYLAWS

Article	1.	Chartering and Installing Chapters.	2-101 and 2-102
	2.	International Conclave.	2-201 to 2-203
	3.	Membership Badges, Insignia, and Indicia.	2-301 to 2-308
	4.	Publications.	2-401 to 2-408
	5.	Chapter Records.	2-501 and 2-502
	6.	Finances.	2-601 to 613
	7.	Amendments.	2-701
	8.	Pledge Training.	2-801 and 2-802
	9.	Alcohol Education and Alcohol Abuse.	2-901

### ARTICLE 1 CHARTERING AND INSTALLING CHAPTERS

2-101. APPLICATIONS, INVESTIGATION: All applications for charter in Acacia shall be investigated by the Executive Director or such other person or persons as the Executive Director may designate. All expense incurred in connection with such investigation shall be borne by the applicants.

Applications shall contain the following information:

- (a) Name in full of each applicant followed by the date and place of his birth;
- (b) Class and department in university or college of each applicant;
- (c) College honors, if any, of each applicant;
- (d) The college or university clubs and organizations, if any, of which each applicant is a member; if a member of the faculty, his position, and the institution of which he is a graduate.
- (e) The arrangements which have been made for the maintenance of a chapter house;
- (f) Whether the application is submitted by individual applicants or by an organization; if by an organization, the particulars of the same; and,
- (g) Such other information respecting the standing of the university or college at which it is proposed that the new chapter shall be located, the number and names of other fraternities at such university or college and such additional data as the International Council may require.

2-102. COPIES OF APPLICATIONS. The applicants shall furnish the Executive Director with a sufficient number of copies of such application to permit distribution of one copy to each chapter and to each international officer.

### ARTICLE 2 -INTERNATIONAL CONCLAVE

2-201. ORDER OF BUSINESS. The following shall be the order of business governing the International Conclave:

- (1) Approval of credentials as recommended by the International Council;
- (2) Approval of minutes of preceding International Conclave;
- (3) Appointment of special committees;
- (4) Report of International Officers and Executive Director;
- (5) Report of Jurisprudence Committee;
- (6) Report of committees;

- (7) Unfinished business;
- (8) New business;
- (9) Election of officers;
- (10) Appointment of permanent committees; and,
- (11) Good of the Fraternity.

2-202. BUDGET COMMITTEE. The special Conclave committees shall include a budget committee. The budget recommendations of the International Council shall be referred to this committee.

2-203. ROBERTS' RULES OF ORDER. Roberts' Rules of Order shall govern the deliberation of the International Conclave on all points not covered by this Constitution, Bylaws and Code of Procedure.

### ARTICLE 3 -MEMBERSHIP BADGES,INSIGNIA AND INDICIA

2-301. ACACIA PIN, SPECIFICATIONS. The official emblem or badge of this Fraternity shall be a pin in the shape of a right angled triangle of the first quadrant, the sides of which shall be proportional to three, four and five, the shortest side being the base.

The bounds of this triangle shall be studded with twelve crown set pearls, three on the base, four on the altitude and five on the hypotenuse and the corners shall be set with crown set garnets. Within this triangle shall be three smaller triangles outlined in gold upon a black enameled field. The International Council may determine such other specifications as necessary in contracting with the official jeweler.

2-302. HOW WORN. The Acacia pin shall be worn on the waistcoat (vest) or shirt, over the heart.

2-303. WHO MAY WEAR. The Fraternity Pin shall be worn only by members of the Fraternity, their wives, mothers, sisters, daughters and fiancées.

2-304. OFFICIAL JEWELER. The official jeweler for Acacia may be appointed by the International Council.

2-305. PLEDGE BUTTON, SPECIFICATIONS. The Acacia pledge insigne shall be a circular button on which shall be a gold, solid right angle triangle of the first quadrant, the sides of which shall be proportional to 3, 4 and 5, the shortest side being the base; such triangle to be set in a field of black enamel. The size and design shall be approved by the Executive Director.

2-306. COAT OF ARMS, SPECIFICATIONS. The official coat of arms of the Acacia Fraternity shall be composed of a crest, shield, ribbon and motto.

The crest shall be a candelabra supporting three burning tapers within a wreath of acacia.

The shield shall consist of a field of gold bearing fess and two bentlets in black, surmounted by three triangles in gold of the shape and proportion prescribed for the official badge.

The ribbon shall be blue. The motto, "Human Service" shall be inscribed in Greek.

2-307. WHISTLE. The whistle of the Acacia Fraternity shall be the first four notes of the adjutant's call; and the answer shall be the first, third and fourth notes of the same. The whistle shall be illustrated and placed in the pledge manual.

2-308. MEMBERSHIP CARD. Orders for traveling cards for a member or an associate member shall be placed through the Secretary of his home chapter. Traveling cards shall be furnished by the Executive Director at no charge. No traveling card shall be issued to any

member whose membership record, initiation oath and proof of payment of all fees are on file in the office of the Executive Director.

#### ARTICLE 4 -PUBLICATIONS

2-401. TRIAD, PUBLICATION. The International Council shall authorize the publication of an official educational journal of Acacia at such time or times of the year as it may direct. The name of the educational journal shall be "The TRIAD of Acacia". A sufficient number of copies shall be printed and supplied each chapter to furnish one copy to each active member for whom per capita dues have been paid. The appropriation for the publication of the educational journal shall be made through recommendation of the budget committee and costs of editing, publishing and distributing shall be paid from the general fund of the Fraternity.

2-402. TRIAD EDITOR. The Executive Director, with the advice and consent of the international council shall appoint a TRIAD editor who shall serve at the pleasure of the executive director and whose compensation, if any, shall be fixed within the budget approved by the International Council.

2-403. LAWS OF ACACIA, UPDATE AFTER CONCLAVES. The Executive Director shall maintain a current version of the *Laws of Acacia*. Within 60 days following each International Conclave a compilation of all amendments adopted since the last publication shall be distributed with each copy of the *Laws of Acacia* distributed thereafter until such time as there is a complete republication.

#### ARTICLE 5 -CHAPTER RECORDS

2-501. CHAPTER RECORDS AND ACCOUNTS. Each chapter shall keep and maintain such records and accounts in a form which shall be acceptable to the Executive Director who may refuse to accept any reports of any chapter failing to comply with the provisions of this section.

2-502. COPY OF LAWS TO EACH ACTIVE. Each chapter shall provide each of its active members with a copy of the *Laws of Acacia* and of all amendments thereto.

#### ARTICLE 6 -FINANCES

2-601. NEW CHAPTERS; INITIATION FEES; CHARTER MEMBERS. Each new chapter shall pay the Fraternity such initiation and other fees for each charter member as are herein required of initiates of existing active chapters.

2-602. NEW CHAPTERS; CHARTER FEES. The International Conclave shall set the chartering fee. Each new chapter shall pay the chartering fee before the installation of the chapter.

2-603. ACTIVES; INITIATION FEES. Each active chapter and associate chapter, within three days after the initiation of each member, shall forward to the International Fraternity an initiation fee set by the International Conclave which had been collected prior to initiation.

2-604. ACTIVES; PER CAPITA DUES; TIME-OF PAYMENT. Each active chapter shall pay to the International Fraternity per capita dues for each person who shall be an active member thereof at any time within that semester; however no member will be charged per capita dues in the same semester in which they are charged pledge fees. For chapters on the quarter

system the dues will be based on being paid twice during an academic year. The due dates for per capita dues will be set each year by the International Treasurer. The amount of such per capita dues shall be determined by each International Conclave for the period ending with the next ensuing International Conclave, based upon chapter reports of membership and estimated expense for such period.

2-605. **TIMELY PAYMENT.** Except as otherwise provided, all dues and fees must be paid within 15 days. The Executive Director, with the approval of two International Officers, shall have the authority to impose such sanctions as deemed appropriate by the Executive Director and the two International Officers, to enforce the requirement of timely payment.

2-606. **MERGER, CONSIDERED AS PETITION FOR CHARTER.** Any application by a college fraternity for affiliation or merger with Acacia shall be treated as a petition for the charter of a new chapter, in accordance with Article 3 of the Constitution [1-301 to 1-303]; provided, however, that such applicant and its constituent members may be granted such modifications of the financial obligations imposed by this section as the International Council shall determine.

2-607. **PLEDGE FEES.** Each active chapter and associate chapter shall forward to the International Headquarters a pledge fee, in the amount set by the International Conclave, for each man that is pledged.

2-608. **TRANSFER OF SURPLUS TO ENDOWMENT FUND.** The International Council shall have the authority from time to time to transfer to the Endowment Fund such portion of any surplus in the General Fund as it may deem appropriate.

2-609. **DISBURSEMENTS; SAFEKEEPING OF SECURITIES.** No disbursements shall be made from the Fraternity funds except upon the joint signatures of the International President and the International Treasurer or their agents thereunto duly authorized in writing and approved by the International Council, except as provided in Section 1-1101 of the Constitution. All securities and other investments shall be maintained in a secure manner by the Fraternity in conformity with generally accepted business and legal practices and the International President and International Treasurer shall have access thereto.

2-610. **TRAVEL EXPENSE ALLOWANCE TO BE PAID ACCREDITED DELEGATES ATTENDING INTERNATIONAL CONCLAVES.** Each International Officer, accredited undergraduate delegate, Chapter Advisor delegate and Regional Counselor attending an International Conclave shall, after adjournment thereof, be paid from the General Fund of Acacia such sum of money for a travel expense allowance as shall have been determined and approved, to the extent such funds are available.

Prior to April 1st of the calendar year in which an International Conclave is to be held, the Executive Director shall, in writing, advise each chapter of the amount that will be paid to each of its accredited delegates that shall attend said Conclave.

2-611. **PAYMENT OF CONCLAVE EXPENSES.** Expense of International Conclaves shall be paid from the General Fund of the Fraternity.

2-612. **FINANCIAL CONTROL.** Any active chapter, under suspension by reason of the provisions of Section 1-401 of the Constitution shall be required to operate under such financial control or advisory system as the International Council may prescribe.

2-613. **FINANCIAL ADVISORS.** Each chapter shall select biennially, subject to the approval of the Executive Director, a Financial Advisor who shall have general supervision of the chapter finances and whose duty it shall be to submit to the Executive Director all budgets of the chapter for his perusal and suggestions.

2-614. USE OF FUNDS, GENERALLY. In addition to the payment of operational expenses, as provided in this Article 6 of these Bylaws, the funds of the Fraternity may be used for one or more of the following purposes: scholarships, student loans, loans on chapter housing, leadership and citizenship schools and services and other educational or charitable activities at such times and in such amounts as the International Council shall deem prudent.

#### ARTICLE 7 –AMENDMENTS

2-701. AMENDMENTS, TWO-THIRDS VOTE, EFFECTIVE DATE. Subject to the provisions of Section 2 of Article 15 of the Constitution [1-1502], these Bylaws may be amended by a two-thirds vote of those present and voting at any session of the International Conclave. Such amendments, unless specified, shall take effect at the close of a Conclave at which they are adopted.

#### ARTICLE 8 -PLEDGE TRAINING

2-801. HAZING, DEFINITION. Hazing shall be defined as any action taken or situation created whether on or off fraternity premises that (1) presents the possibility of mental or physical harm, embarrassment or ridicule; (2) places the member or pledge in any form of confinement or physical restraint; (3) requires any acts of personal servitude; or (4) that increases the possibility of accidental injury.

2-802. PROCEDURE FOR IMPLEMENTATION. The practice of hazing by any chapter, on or off premises, is hereby prohibited. The International Council shall have the authority to implement, through the adoption of policy statements, the provisions of this section and the enforcement of this section.

#### ARTICLE 9 -ALCOHOL EDUCATION AND ALCOHOL ABUSE

2-901. The Fraternity may develop a Policy Statement on Alcohol Education and Alcohol Abuse. Such statement may define programs and actions to be implemented by chapters in regard to alcohol use and educational programs.

## CODE OF PROCEDURE

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	2.	Forfeiture of Charters.	3-201 to 3-205.
	3.	Reinstatement of Charters.	3-301.
	4.	Trials by Chapters.	3-401 to 3-408.
	5.	Trial by Conclave.	3-501 and 3-502.
	6.	Evidence at Trials.	3-601 to 3-609.
	7.	Appeals.	3-701 to 3-708.
	8.	Reinstatement of Members.	3-801 to 3-806.
	9.	Amendments.	3-901.
	10.	Anti-Hazing Policy.	10-101.

### ARTICLE 1 –DEFINITIONS

3-101. CHARTERS AND OFFICERS, SUSPENSION OR REVOCATION OR REMOVAL REASON. The charter of a chapter may be suspended or revoked or any officer of a chapter may be removed for the following reasons:

- (1) Disobedience to the Constitution, Bylaws, Ritual or other official law or regulation of Acacia.
- (2) Contumacy to the authority of the International Conclave, the International Council, an International Officer, the Executive Director, a Consultant or a Chapter Advisor;
- (3) Disobedience to the law of the land or other conduct tending to cause scandal or to bring discredit or dishonor upon the chapter or the Fraternity;
- (4) Failure for any reason to function properly as a chapter.

3-102. MEMBER, DISCIPLINE, REASONS. A member of Acacia may be disciplined for any of the following reasons:

- (1) Willful violation or disregard of the Constitution or Bylaws of Acacia or of his chapter, of the Ritual, of his ritualistic obligation, or of any official law or regulation of Acacia, either international or local;
- (2) Disobedience of lawful Acacia authority or contemptuous action or language toward any lawful representative thereof;
- (3) Disobedience to the law of the land or any act, conduct or neglect of duty tending to cause scandal or to bring discredit or dishonor upon the individual or upon Acacia or to impair the purity of Acacia or its usefulness;

3-103. MEMBER, DISCIPLINE, PENALTIES. The penalties which may be inflicted upon an individual member are:

- (1) Reprimand;
- (2) Suspension;
- (3) Expulsion.

### ARTICLE 2 -FORFEITURE OF CHARTERS

3-201. CHARTER, REPORT OF SUSPENSION, REPORT OF REVOCATION. In case of either the automatic suspension of a charter for non-payment of indebtedness to the Fraternity or of suspension for other reasons by vote of the International Council, the International President shall make a full report of such suspension and of the reasons therefor to the next International Conclave. If the charter shall not have been reinstated prior to the Conclave, the International President's report shall set forth the recommendation of the International Council as to whether the charter shall be revoked, continued in suspension or, in cases other than suspension for non-payment of indebtedness to the International Fraternity, reinstated. The Conclave shall act upon such recommendation in the manner hereinafter provided. In case of the revocation of a charter by vote of the International Council, the International President shall make a full report of such revocation and of the reasons therefor to the next International Conclave.

3-202. REVOCATION OF SUSPENDED CHARTER, RECOMMENDATION, NOTICE. Except in a case where the charter of a chapter is already under suspension, no recommendation for the revocation of such charter shall be made to the International Conclave unless notice of such recommendation shall have been sent by the International President to the chapter by registered mail at least twenty days prior to the conclave.

3-203. CONCLAVE ACTION, SUSPENSION AND REVOCATION, PROCEDURE. The International Conclave may, by the majority vote of those present and voting at any session, reinstate or continue in suspension a charter previously suspended by the International Council, except that a charter suspended for non-payment of indebtedness to the Fraternity may not be reinstated until its indebtedness shall have been paid in full as required by the Constitution. Such vote may be taken upon the basis of the International Council's recommendation and the International President's report without any formal presentation of evidence unless the chapter appears and offers to submit evidence in its own defense, in which case a formal trial shall be had. A charter may be revoked by the International Conclave only upon the recommendation of the International Council and by a two-thirds vote after formal trial.

3-204. CONCLAVE TRIALS, PROCEDURE. The chairman of the Jurisprudence Committee shall preside at trials before the Conclave unless he appears as a witness, in which case the International Council shall appoint a disinterested member of the Conclave to preside. The presiding officer shall decide all questions of admissibility of evidence. The International Council shall appoint counsel for the prosecution. The chapter shall be represented by counsel, who must be an Acacian and who, unless selected by the chapter, shall be appointed by the International Council.

3-205. CONCLAVE TRIALS, VOTE, PROCEDURE. At the conclusion of the trial the Executive Director shall distribute ballots bearing the words REVOCATION, SUSPENSION, ACQUITTAL or, in the case of a chapter whose charter has been suspended, CONTINUED SUSPENSION, ACQUITTAL and REINSTATEMENT. Each voting delegate of the International Conclave shall indicate his vote by making an "X" immediately in front of one of such words. The Executive Director and a member of the Jurisprudence Committee other than the presiding officer shall count the ballots and the result shall be announced by the presiding officer. A two-thirds vote shall be necessary for the revocation of a charter. A majority vote shall be necessary for the suspension of a charter or for the reinstatement of a charter already under suspension. If there be less than a two-thirds vote for revocation the votes for revocation shall be counted as votes for suspension for the purpose of determining a majority vote on suspension; provided that, if a majority but less than two-thirds of the votes be cast for revocation on the first

ballot, a second ballot shall be taken before votes for revocation may be counted as votes for suspension.

### ARTICLE 3-REINSTATEMENT OF CHARTERS

3-301. REINSTATEMENT, PROCEDURE, FEE. Application for reinstatement of a charter which has been revoked may be made to the International Council after the expiration of one year from the date of revocation. If the International Council by the affirmative vote of a majority of its members approves such application, it shall be referred to the next succeeding International Conclave. A two-thirds vote of the members present and voting at a session of the International Conclave, ratified by a four-fifths vote of all chapters in good standing, shall be necessary for reinstatement. The referendum vote shall be taken in the same manner as in the case of applications for new charters. Applications for reinstatement shall be accompanied by a reinstatement fee of \$100. If reinstatement be denied this fee shall be returned.

### ARTICLE 4 -TRIALS BY CHAPTERS

3-401. CHARGES, VOTE. Misconduct charges may be brought by the chapter or any Acacian pursuant to a two-thirds vote of members present and voting at any chapter meeting. Where the charges are preferred by a member, the written complaint shall be presented at a stated meeting and the chapter shall pass upon the sufficiency thereof as provided herein.

3-402. COMPLAINT, SPECIFICATIONS. The complaint shall be in writing and must contain an orderly statement of the facts constituting the alleged offense, including accurate specifications of the time, place and circumstances of its alleged commission.

3-403. COMPLAINT, SERVICE, NOTICE. If the complaint is accepted by the chapter, the Secretary shall immediately serve the accused with a copy thereof together with a notice of its acceptance by the chapter and of the time within which the accused must appear and respond to the complaint. Service shall be made personally when possible. If personal service cannot be made by the Secretary the complaint and notice shall be sent by regular mail and by prepaid, registered or certified mail addressed to the accused at his last known residence or place of business. A return receipt shall be deemed sufficient evidence of service. Alternatively, notice by email to an address from which the accused has reliably responded in the past may be made.

3-404. ANSWER, TIME FOR FILING. The accused shall file his answer with the Secretary within ten days after service where service is made personally or within thirty days after the mailing of the complaint where service is made by mail. The answer shall be in writing and shall specifically admit or deny each material allegation. It may admit the allegations and deny that they constitute an offense.

3-405. TIME FOR TRIAL, NOTICE. After the answer has been filed or if the accused fails to appear and answer and the time for filing an answer has expired, the time for the trial shall be fixed by the Venerable Dean or other presiding officer. The Secretary shall give the accused notice of the time for such trial either personally or by mail. Such notice shall be given at least thirty days prior to the trial date unless the accused lives within a radius of twenty-five miles of the chapter where the trial is to be held, in which case notice may be given not less than ten days prior to the trial date. In any event the trial shall be scheduled within 60 days following the expiration of the period allowed for submission of any answer and may be continued with the agreement of the accused and a majority of members present and voting at any chapter meeting.



3-406. TRIAL BODY. The accused shall be tried before his chapter. The accused's chapter may delegate the authority to hold the trial to another Acacia chapter. Such delegation must be with the consent of the other chapter and shall be in writing. The chapter holding the trial shall pass upon the guilt or innocence of the accused in the manner hereinafter provided. A delegated chapter shall forward the complete transcript or recording of minutes, testimony and all documents pertaining to the trial to the accused's own chapter which, if the accused has been found guilty, shall pass sentence upon him.

3-407. PROCEDURE, RIGHTS OF ACCUSED. The rules of evidence and trial procedure shall be as provided in Article 6.

3-408. SUSPENSION PENDING FILING OF CHARGES AND APPEAL. Under circumstances where the situation requires prompt action by the chapter, the chapter has the authority, with the advice and consent of the Chapter Advisor, to temporarily suspend a member because of the gravity of the situation. This procedure requires a two-thirds vote of the chapter members present and voting at a chapter meeting and the approval of the Chapter Advisor. The use of this procedure is restricted to situations where there is an immediate danger or harm to the individual or to the chapter unless such summary action is taken.

If this step is authorized, the process under Article 4, must be instituted and completed in a timely manner.

#### ARTICLE 5 -TRIAL BY CONCLAVE

3-501. APPEAL, SUSPENSION OR EXPULSION, PROCEDURE. A member suspended or expelled by the International Council shall have the right to appeal from such action to the next International Conclave. Notice of the appeal shall be filed with the Executive Director at least thirty days before the International Conclave. If, however, the member received notice of the International Council's action within thirty days of the International Conclave, he may; (1) file notice as soon as practicable of an appeal to that International Conclave; or (2) appeal to the next succeeding International Conclave.

3-502. TRIAL ON APPEAL, PROCEDURE. The International Conclave shall review the decision based upon the record of proceedings and any appellate arguments or briefs presented by the accused and/or the International Council. The trial shall be subject in all respects to the same rules and procedure as provided in Article 6. The Executive Director shall present a written statement of the charges and specifications on the basis of which the accused was disciplined. The statement need not be served on the accused but shall be furnished with a copy by the Executive Director on demand. Written answer need not be filed. No vote shall be taken as to acceptance of the charges. No written notice of trial need be served. The chairman of the Jurisprudence Committee or such other person as he may appoint, shall preside at the trial. The vote shall be on whether the action of the International Council shall be sustained. The ballots shall bear the words "sustained" and "not sustained". A two-thirds vote of those present and voting shall be necessary to overrule the action of the International Council and reinstate the member. Only one ballot shall be taken.

#### ARTICLE 6 -PROCEDURE AND RULES OF EVIDENCE AT TRIALS

3-601. RULES OF EVIDENCE. The rules of evidence, including those relating to the admissibility of testimony are such as are generally established and recognized in courts of law.

Excessive technicalities should be avoided and evidence material to the case should not be excluded unless it is clearly incompetent and prejudicial. The presiding officer for the trial shall decide all questions of admissibility of evidence.

3-602. OATHES OF WITNESSES. Witnesses who are Acacians shall testify upon their obligation as such. Other witnesses may testify under oath or upon affirmation.

3-603. RECORD OF TESTIMONY. Whenever possible the testimony should be taken and reduced to writing by a stenographer. The accused shall have the right at his own expense, to provide a stenographer to take and transcribe the minutes of the trial and the testimony. Such stenographer shall be an Acacian unless the presiding officer for the trial, in his discretion, permits the use of a stenographer who is not an Acacian. If the testimony is not recorded by a stenographer, it shall be recorded by audio or video recording. If audio or video recording is utilized, the Secretary shall also keep minutes of the trial and shall record the substance of the testimony as nearly as possible in the language of the witnesses.

3-604. ACCUSED, RIGHT TO COUNSEL. The accused and the chapter shall have the right to be represented by counsel, who must be an Acacian.

3-605. JUDGMENT OF COURT OF LAW. When the alleged offense is one for which the accused has been tried and convicted in a court of law, a properly certified copy of the judgment of such court together with proof of the identity of the accused shall be sufficient evidence to justify conviction in an Acacia trial unless it is established that the judgment has been reversed, set aside or is pending appeal. The chapter shall not be bound by such evidence of prior conviction, but may make its own independent findings and conclusions.

3-606. TRIAL BALLOT. The Secretary shall distribute ballots at the conclusion of the trial. The words "guilty" and "not guilty" shall be written on the ballots. Each active member of the trial chapter shall indicate his vote by choosing one of the options. The presiding officer and the legal counsel, if any, shall count the ballots and the result shall be announced by the presiding officer. The accused shall be pronounced innocent unless found guilty by a two-thirds vote of all votes cast, including any blank votes. Only one ballot shall be taken. Balloting for trial by the International Conclave shall be as provided by Section 3-502.

3-607. TIME, PENALTIES, PROCEDURE. If the accused is found guilty, a vote shall then be taken in the same manner for punishment, which shall be EXPULSION, SUSPENSION, REPRIMAND, or SUSPENDED SENTENCE. A two-thirds vote shall be necessary for expulsion. A majority vote shall be necessary for suspension. If there is less than a two-thirds vote for expulsion, the expulsion votes shall be counted as suspension votes for the purpose of determining a majority on suspension. A majority vote shall be necessary for reprimand or suspended sentence. If the ballot fails to produce a majority vote for suspension, reprimand or suspended sentence, additional, ballots may be taken until a majority vote is obtained. A sentence of expulsion may be obtained only on the first ballot. The accused shall not be present while the vote is taken. In the event no majority vote is cast within five ballots, the vote shall be deemed to be a suspended sentence, and no further ballots shall be taken.

3-608. SENTENCE, APPEAL. If the accused is present at the trial and waives the right to appeal, sentence shall immediately be pronounced by the presiding officer. If the right to appeal is not waived and the time for taking an appeal lapses without an appeal being taken, or if an appeal is taken and the chapter's action is sustained by the International Council, the accused shall be summoned by ten days' notice, served either personally or by mail, to appear before a chapter meeting to receive sentence. The presiding officer shall formally pronounce sentence at the meeting for which the accused shall have been summoned. The Secretary shall send notice of

the sentence to an accused not attending the chapter meeting at which the sentence is pronounced. Such failure to respond to a summons duly served, in the absence of a valid excuse therefore shall constitute a violation under Paragraph 2 of Section 2 of Article 1 of the Code of Procedure (3-102(2)).

3-609. NOTICE OF SUSPENSION OR EXPULSION. The Secretary shall notify the Executive Director and every chapter of Acacia of the suspension or expulsion of a member.

## ARTICLE 7 –APPEALS

3-701. FROM ORDER OF COUNCIL, PROCEDURE. An appeal from an order of the International Council suspending or expelling a member shall be as provided by Article 5 of the Code of Procedure.

3-702. FROM CHAPTER JUDGMENT, PROCEDURE. Appeals from a chapter judgment shall be taken within twenty days after rendition of such judgment by filling written notice of the appeal with the Secretary of the chapter and the Executive Director. Such appeal shall automatically stay execution of the judgment pending final determination of the appeal.

3-703. PERFECTION OF APPEAL, TRANSCRIPT. The appealing party shall perfect the appeal within thirty days of the filing of notice thereof by filing with the Executive Director at the appealing party's expense, a complete transcript or recording of the minutes and testimony and all documents involved in the trial. In the event that the chapter provided the transcript or recording at trial, the chapter shall allow the appealing party to copy said transcript or recording and any other documents introduced at trial upon demand by the appealing party. The appeal shall be considered upon such record. No new evidence may be taken by the International Council. .

3-704. APPEAL, STATEMENT OF ERRORS. At the time of perfecting appeal the appealing party shall file a Statement of Appeal with the Executive Director, which shall consist of an orderly, concise statement of the alleged errors with respect to which the appeal is taken. The appealing party shall also serve a copy of his Statement of Appeal upon the Secretary of the chapter at the same time. The Statement of Appeal may contain any briefs and arguments to be presented to the International Council. Within twenty days thereafter the other party shall mail to the Executive Director and the appealing party any answering brief.

3-705. NOTICE OF HEARING ON APPEAL. The Executive Director shall give the chapter and the accused at least twenty days notice by mail of the time and place the meeting at which the International Council shall consider the appeal. Each party shall have the right, at his or its own expense, to appear and be represented by counsel, before the International Council at such meeting for the purpose of oral argument of the appeal.

3-706. APPEAL, DECISION BY COUNCIL. The International Council, after considering the appeal, must sustain or reverse the judgement of the chapter or may send the case back to the chapter for a new trial, in which case it shall point out to the chapter the errors committed in the first trial because of which the new trial is ordered. The judgment of the chapter may be reversed and the accused exonerated or the case sent back for a new trial only upon the affirmative vote of a majority of all the members of the International Council.

3-707. REDUCTION OF SENTENCE BY COUNCIL. If the International Council sustains the chapter's determination of the guilt of the accused, it may nevertheless vote to reduce the sentence but may not increase the sentence.

3-708. JUDGMENT ON APPEAL, FINAL, NOTICE. The Executive Director shall notify the chapter and the accused of the judgment of the International Council. Such judgment shall be final and no appeal shall lie therefrom.

#### ARTICLE 8-REINSTATEMENT OF MEMBERS

3-801. AUTOMATIC, AFTER SUSPENSION. When a member is suspended for a definite length of time or until the happening of a given contingency he shall be automatically reinstated when such time shall have elapsed or such contingency shall have happened.

3-802. AFTER SUSPENSION, BY VOTE. A member who has been suspended may be reinstated at any time by the majority vote of the body by which he was suspended.

3-803. VOTE OF COUNCIL, RATIFICATION. A member who has been expelled by the International Council may be reinstated by the majority vote of the International Council, ratified by the majority vote of the member's chapter if such chapter be in existence; provided that, if an appeal was taken to the International Conclave, such reinstatement must be further ratified by the majority vote of an International Conclave.

3-804. AFTER EXPULSION. A member who has been expelled by his chapter may be reinstated by the majority vote of such chapter; provided that, if an appeal was taken to the International Council such reinstatement must be further ratified by a majority vote of the International Council.

3-805. WHERE CHAPTER DEFUNCT. A member who has been suspended or expelled by his chapter and whose chapter has since ceased to exist may be reinstated by a majority vote of the International Council.

3-806. APPLICATION; FEE. Reinstatement of suspended and expelled members may be by application of the member or by motion of the body which passed the sentence of suspension or expulsion. Applications for reinstatement shall set forth the manner, if any, in which the member has expiated or made reparation for the offense for which he was disciplined and shall be accompanied by a reinstatement fee of \$10.00 and the per capita tax and local chapter dues for the period during which he was under sentence of suspension or expulsion. If the application be denied, such payment shall be returned.

#### ARTICLE 9 –AMENDMENTS

3-901. METHOD OF AMENDMENT. This Code of Procedure may be amended at any International Conclave in the same manner as is provided by the Bylaws for amending the Bylaws.

#### ARTICLE 10 -ANTI-HAZING POLICY

3-1001. PROHIBITION AGAINST HAZING, PROCEDURE FOR INVESTIGATION AND ENFORCEMENT.

I. Hazing allegations

A. Procedure

1. A hazing allegation shall be received by the Executive Director.
2. The Executive Director shall immediately notify the International President of any allegations.

3. The International President shall either direct the Executive Director to proceed with an investigation by the International Staff, appoint an independent commission as provided for in 10-101 1A4, or take no action on the allegation.
4. In certain cases, the International Council or the International President may appoint a special commission to consist of more than three but not more than five disinterested Acacia members.
5. If the International President directs the Executive Director to investigate the allegation, the Executive Director shall so notify in writing the chapter charged. If an investigatory commission is appointed, the Executive Director shall so notify in writing the chapter charged.
6. A written report of any investigation shall be distributed to the Executive Director, International Council, the chapter, the Chapter Advisor and Regional Counselor.
7. If the report substantiated the initial allegation or brings to light other violations, the chapter shall be required to submit a written response to the report. The chapter must respond in writing to the Executive Director within ten (10) days from the date the investigation report is mailed to them. In appropriate cases, a chapter may be requested to show cause as to why their charter should not be suspended. Failure to comply or respond will be considered as a plea of no contest.
8. After evaluating the report and response, the Executive Director shall recommend one of the following to the International Council.
  - a) take no action;
  - b) impose probationary status and require corrective measures;
  - c) suspend charter;
  - d) recommend revocation of charter to the International Conclave.
9. The International Council shall vote on the Executive Director's recommendation.
10. The International Council shall have the power to direct the Executive Director to enforce any sanctions.

## II. Adjudicated Decisions by the School Regarding Hazing Incidents

### A. Procedure

1. The Executive Director shall receive a university decision. The Executive Director shall request transcripts or other records of the proceedings regarding the incident.
2. The Executive Director shall review the proceedings and recommend action to the International Council

3. The following may be recommended:
  - a) consider the matter adequately resolved by taking joint action with the university;
  - b) impose probationary status and require corrective measures;
  - c) suspension of chapter charter;
  - d) recommend revocation of chapter charter.
4. The recommendation shall be based upon past history of the chapter's conduct and operations, university-imposed sanctions, and actions taken by the chapter and/or alumni designed to correct deficiencies in programming.
5. The International Council shall vote on the Executive Director's recommendation.
6. The International Council shall have the authority to direct the Executive Director to take the necessary action for the execution of any sanctions.

III. The International Council shall have the authority to implement through policy statements the provisions of this section and to enforce the same.

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