

North Dakota Alpha of Sigma Alpha Epsilon CONSTITUTION

We, the members of the North Dakota Alpha Chapter of Sigma Alpha Epsilon, in order to establish a system of self-government, to ensure an effective role in fraternal operations, to encourage the development of leaders, and to promote the general welfare of this institution, do hereby ordain and establish this constitution for the North Dakota Alpha Chapter of Sigma Alpha Epsilon.

ARTICLE I.

ORGANIZATION

- I. Name.
 - A. The name of this band of brothers is, and forever shall be the North Dakota Alpha Chapter of Sigma Alpha Epsilon (NDAL). Founded on April 13, 1923, this local chapter bears with it the honor, respect, and relation to the fraternity at large; internationally known as Sigma Alpha Epsilon.
- II. Creed.
 - A. Our creed past down to us by our preceding brethren is "The True Gentleman," written by John Walter Wayland.
- III. Membership.
 - A. Membership in NDAL shall be considered a privilege, bestowed upon gentlemen of sufficient moral, academic, and social standards. This gentleman shall be reviewed based upon oral questioning, witnessed behavior, and prior academic achievements.
 - B. The gentleman in question shall not be judged based upon wealth, relations with other members of Sigma Alpha Epsilon, color, creed, or disability.

ARTICLE II.

EXECUTIVE OFFICERS

- I. Membership. The executive officers of NDAL shall be the Eminent Archon (President), Eminent Deputy Archon (Vice President), two Eminent Treasurers, the Eminent Recorder, the Director of Physical Operations, the Director of Membership Development, the Director of Membership Recruitment and Retention, and the Pledge Educator.
 - A. Only those members who are in good standing with NDAL shall be eligible to hold executive office.
 1. To be in good standing, the member shall have met the following requirements:
 - a) Less than a fifty (\$50) dollar balance owed to NDAL
 - (i) Or, a balance no more than thirty (30) days old
 - b) A cumulative G.P.A. of more than 2.50
 - c) No pending charges against the member
 - d) Not on chapter probation or suspension
 - II. All officers shall have a Chapter approved job description that details the requirements of their job and the expectations and deadlines placed upon them by the Chapter.
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- III. Powers and Duties
 - A. President:

1. The President shall be the official representative of NDAL.
 - a) He may however appoint a representative to represent him at any meetings he deems appropriate.
2. The President shall serve as administrative head of the NDAL.
 - a) The President shall have the power of executive veto over all actions of the Chapter. All Chapter actions not vetoed or given the President's written approval within five (5) calendar school days after the date of adoption by the Chapter shall stand approved. A three-fourth (3/4) majority vote of the total membership of the Chapter shall be necessary to override a presidential veto.
 - b) The President shall be responsible for ensuring that the Eminent Treasurers are conducting fiscal planning and budgeting for the Chapter.
 - (i) This specifically requires the President to periodically inspect the records and methods of the Eminent Treasurers.
 - c) The President shall have the power to issue Executive Directives in furtherance of the proper execution of his responsibilities as President and the responsibilities of the officers that serve beneath his leadership, as well as to ensure compliance with the constitution and bylaws.
 - (i) There shall be two forms of Executive Directives
 - (i) Standard Directives
 1. These directives must be in writing and issued to all members through the chapter list-serve as established by the Eminent Recorder.
 2. These shall establish regulations designed to maintain proper order and functionality of the Chapter, and are not to exceed one hundred dollars (\$100.00).
 - a. These include, but are not limited to, the following:
 - i. Duty Fines
 - ii. Noise Violations
 - iii. Late Payment Fees or Finance Charges
 - iv. Alcohol and Controlled Substance Violations
 - v. Missed Meetings or "All Houses"
 - vi. Scholarship Fines
 - vii. Any other matter that is relevant to Chapter operations.
 3. Any violation that results in a fine shall be subject to an appeal before the Judicial Branch for final and binding determination.
 4. These directives may also be used to direct officers of the Chapter to change the matter in which they are fulfilling their duties, unless otherwise stated in this Constitution.
 5. These directives shall expire at the end of the term of the President.
 - (ii) Emergency Directives
 1. These directives may initially issued verbally, but must be put in writing within twenty-four hours of issuance according to the standard set forth for Standard Directives.
 2. These shall be used to immediate instruct a member to cease and desist their actions which the President deems dangerous and/or harmful to the Chapter or member.
 3. Violations of these directives shall result in charges being filed with the Judicial Branch for final and binding determination.
 3. The President (or his designee, with authorization in writing) shall have the authority to negotiate and sign all contracts on behalf of the Chapter, although all contracts entered into shall be subject to Chapter approval prior to the contract becoming legally binding. Should an officer enter into a contract without proper authority, he shall be held personally liable for any costs associated with the contract.

4. The President shall appoint an Eminent Warden subject to Chapter confirmation to adjudicate matters before the Judicial Branch as well as to maintain order through the administrative powers of the President described herein.
 - a) This member shall also act as the Sergeant at Arms during all Chapter meetings.
 5. The President shall have such other powers and responsibilities as prescribed in the constitution and bylaws.
- B. The Vice President:
1. Shall perform the duties of the President in the latter's absence.
 2. Shall manage the operations of all the officers beneath his leadership, as well as maintaining proper brotherhood and morale throughout the house.
 3. Shall be responsible for updating and maintaining the Constitution and Bylaws of the Chapter.
 4. Shall plan and execute Founder's Day, Homecoming, and any Brotherhood events he deems necessary to proper brotherhood.
 5. The Vice President shall serve as the chairperson of Chapter meetings, voting only in the case of a tie.
 - a) He shall prepare the agenda at least three days prior to the meeting he is to Chair.
- C. Succession. In the event that the Presidential office is vacated, the Vice President shall assume the duties of the President. The chapter, by a two-thirds (2/3) majority vote of those present and voting, shall, choose a member from its membership to assume the duties of the Vice President until the next scheduled election.
- D. The Eminent Treasurers
1. Accounts Receivable Manager (ARM)
 - a) This person shall be responsible for the billing, collection, physical management, and authority over funds owed to NDAL.
 - b) His powers and responsibilities include:
 - (i) Acting as the primary signature on all funds issued by NDAL, with the President countersigning the checks.
 - (ii) Recommending to the President finance charges and late fees to be applied to those members not on a payment plan who are delinquent in paying debts owed to the Chapter.
 - (iii) Ensuring a stable and dependable supply of cash available in the appropriate account(s).
 - (iv) The authority to act as the collections agent for the fraternity.
 - (v) Establishing and maintaining a system of records management in conjunction with the APM.
 - (vi) Negotiating payment plans with the authorization of the President and APM.
 - (vii) The veto power as required by his fiduciary responsibility to the Chapter. This power maybe overridden with a directive issued by the Chapter with a two-thirds vote (66%) of those present and voting.
 - (viii) Reporting any and all financial transactions, in writing, at every chapter meeting that occurred between the previous chapter meeting and the current chapter meeting. For the purposes of this paragraph, the "previous chapter meeting" shall be defined as the date of amendment adoption for determining the origination period in order to fulfill the reporting requirements.
 2. Accounts Payable Manager (APM)
 - a) This person shall be responsible for the payment of all debts owed to outside parties and reimbursements of members, the proper management of the accounting records management system, and budget preparation and execution.
 - b) His powers and responsibilities include:
 - (i) Physical possession and authority over all negotiable instruments in the Chapter's possession.

- (ii) Chapter debt management and reduction.
 - (iii) The authority to act as the official Chapter representative to creditors.
 - (iv) Establishing a system of records management in conjunction with the ARM.
 - (v) Establishing payment plans with creditors with the approval of the ARM and President.
 - (vi) The veto power as required by his fiduciary responsibility to the Chapter. This power maybe overridden with a directive issued by the Chapter with a two-thirds vote (66%) of those present and voting.
 - (vii) Reporting any and all financial transactions, in writing, at every chapter meeting that occurred between the previous chapter meeting and the current chapter meeting. For the purposes of this paragraph, the “previous chapter meeting” shall be defined as the date of amendment adoption for determining the origination period in order to fulfill the reporting requirements.
- E. Director of Physical Operations
- 1. This person shall be responsible for the proper management, maintenance, and upkeep of the Chapter House and the essential functions needed to operate the house.
 - 2. His powers and responsibilities include:
 - a) Oversight of the Risk Manager and Kitchen Manager in their duties.
 - b) Drafting a recommendation to the President detailing the fine structure associated with his responsibilities and the responsibilities of the officers he oversees.
- F. Director of Membership Development
- 1. This person shall be responsible for maintaining and improving proper scholarship, moral character, and fraternal knowledge, as well as providing other worthwhile information or events that he deems beneficial to the Chapter and/or the membership.
 - 2. His powers and responsibilities include:
 - a) Oversight of the Member Educator, Community Service Manager, and Pledge Educator in their duties.
 - b) Drafting a recommendation to the President detailing the fine structure associated with his responsibilities and the responsibilities of the officers he oversees.
- G. Director of Membership Recruitment and Retention
- 1. This person shall be responsible for maintaining and improving the morale, pride, and public image of the Chapter and its membership. This person is also charged with recruiting new members into the fraternity and ensuring that each member enjoys participating in activities of the Chapter.
 - 2. His powers and responsibilities include:
 - a) Oversight of the Manager of Recruitment and the Alumni Relations Manager in their duties.
 - b) Drafting a recommendation to the President detailing the fine structure associated with his responsibilities and the responsibilities of the officers he oversees.

ARTICLE III.

CHAPTER BODY

- I. Purpose
 - A. To provide the means whereby the members of NDAL may express concerns effectively in matters of interest to them.
 - B. To provide guidance to the officers of NDAL in their decision-making process.
 - C. To coordinate and regulate the activities of the Chapter for the benefit of the Chapter and the membership of the Chapter.
 - D. To enact legislation to further the interests of the Chapter.
- II. Membership

1. All initiated members of NDAL, with the exception of the President and Vice President, shall be recognized as the legislators in NDAL and shall assume those prescribed or implied powers that enables them to carry out an effective role in ensuring the present and future success of the Chapter.
 2. Only those members who are in good standing at with NDAL shall be eligible to participate in a NDAL meeting.
- III. Meetings
- A. The Chapter shall meet during the academic year at a time to be publicly posted.
 - B. A special meeting may be called by the President, the Vice President, or by a written petition to the Vice President signed by at least three members of NDAL.
 - C. Quorum at NDAL meetings shall consist of a simple majority of the present membership in good standing plus one.
- IV. Powers and Duties
- A. The Chapter shall have the power to make recommendations and to approve appointments within its authority.
 - B. The Chapter shall approve the budget by a two-thirds (2/3) majority vote of those present and voting.
 - C. The Chapter shall have the authority to approve all non-budgeted appropriations.
 - D. The Chapter shall approve of all punitive actions for breach of the bylaws or constitution as recommended by the Judicial Branch, unless provided for elsewhere herein.
 - E. The Chapter shall have such additional powers and responsibilities as prescribed by this constitution and bylaws.

ARTICLE IV.

ELECTIONS AND TERMS OF OFFICE

- I. Elections
- A. Elections will be held at the end of each semester to elect all officers prescribed for in this constitution or in the bylaws.
 1. This is with the exception of the Eminent Archon-Elect, who will be elected at Founder's Day by a vote of the entire initiated body present in good standing.
 - B. The management and execution of all elections procedures shall be the responsibility of the Eminent Recorder as overseen by the Vice President.
 1. This assumes however that either party will excuse themselves of their responsibility if there is a conflict of interest present, with the President appointing temporary replacements for their duties.
 2. All votes shall be written and made available to public inspection with the exception of a unanimous vote.
 3. All officers shall be elected with a clear majority of those present and voting. If no candidate receives the required 50% of those present and voting, then a run off election shall be held between the top two candidates with a tie being decided by the Vice President.
 - C. Only those members in good standing (see Article II, Section I, Subsection A) shall be eligible to hold a Non-Executive or Judicial Branch position.
- II. Terms of Office
- A. The Eminent Treasurers shall be elected as needed and shall serve until they are no longer able or willing to perform the prescribed duties.
 - B. The Recruitment Manager shall serve a term of one calendar year commencing no later than December 20th.
 - C. All officers not otherwise provided for in this constitution shall serve a term of one semester.

- D. The following officers shall serve one academic year in their respective office commencing on June 1st:
 - 1. Eminent Archon
 - 2. Eminent Deputy Archon
 - 3. Alumni Relations Coordinator
 - 4. Director of Membership Development

ARTICLE V.

JUDICIAL BRANCH

- I. Purpose
 - A. The power of the Judicial Branch shall extend to all matters arising from the Constitution and Bylaws of the Chapter and all decisions reached by the legislative and executive branches of NDAL.
 - B. The Judicial Branch shall interpret the provisions of this constitution and bylaws and establish precedents in the interpretation of the same.
 - C. The Judicial Branch shall be recognized as the judicial authority of NDAL.
 - D. Justices
 - 1. The Judicial Branch shall consist of five (5) voting Justices, one of whom shall be voted Chief Justice from among their membership.
 - 2. Justices shall be appointed by the President and confirmed by simple majority of those present and voting at a Chapter meeting.
 - 3. Once confirmed by the Chapter, a Justice shall remain in office until he is:
 - a) Elected to an Executive office
 - b) Unwilling to perform the duties of the office
 - c) Unable to perform the duties of the office.
- II. Meetings
 - A. Upon written request submitted by a member of NDAL to the Chief Justice, the Judicial Branch shall convene a meeting within seven (7) academic days to adjudicate the matter presented.
 - B. Notice shall be given of all such matters to all interested parties as determined by the Chief Justice forty-eight (48) hours prior to such a meeting.
 - C. The Chief Justice may, at his/her discretion, postpone final decision on matters presented to the Judicial Branch, if at the initial meeting, it is determined that more information is needed to render said decision.
 - D. The Chief Justice shall have the authority to convene a meeting of the Judicial Branch at his/her discretion.
 - E. Three (3) Justices including the Chief Justice must be present to conduct any business.
 - F. Powers and Duties
 - 1. Decisions of the Judicial Branch are binding upon the Chapter and Executive branches of NDAL.
 - 2. The Judicial Branch shall report to NDAL upon request or within one (1) week of rendering a final decision on any matter submitted for inspection.
 - 3. The Judicial Branch shall keep permanent records of all decisions rendered. Said records shall be open to the public for inspection.
 - 4. The Judicial Branch shall only hear appeals after all administrative remedies have been exhausted.

ARTICLE VI.

LIMITATION OF POWERS

- I. Recall of an Officer
 - A. The Chapter shall have the power to recall any officer that has failed to fulfill their duties.
 - 1. The officer shall have the ability to present mitigating circumstances to the chapter.
 - 2. The chapter shall then discuss and vote the matter without the officer present.
 - 3. A two-thirds vote of those present and voting is required to remove an officer from office.
 - B. The chapter shall then elect a replacement officer at the same meeting, with the officer who was removed allowed to be on the ballot.

ARTICLE VII.

AMENDMENTS TO THE CONSTITUTIONS

- I. Proposed amendments may be introduced by any initiated member, but must be presented no less than one (1) month prior to Founder's Day. An amendment shall be adopted by a two-thirds (2/3) majority vote of the entire initiated body in good standing of NDAL.
- II. All amendments must be voted upon at Founder's Day following the Eminent Archon election.
- III. Founder's Day shall be held the 1st weekend of April unless this date conflicts with either Spring Break or Easter. In case of such interference, Founder's Day shall be held the 2nd weekend of March.

ARTICLE VIII.

BYLAWS

- I. The Bylaws shall in no way conflict with the principles set forth by the Constitution.
- II. Changes of the Bylaws may be proposed to the Chapter by any member of the Fraternity.
 - A. Proposed changes shall be published no less than one (1) week prior to the vote by the Chapter.
 - B. To adopt a proposed change, a majority vote of those present and voting is necessary.

ARTICLE IX.

APPROVAL OF THE CONSTITUTION

- I. This Constitution shall become effective upon a two-thirds (2/3) majority vote of the membership in good standing of the Chapter Collegiate, and by a majority vote of the Alumni Commission, and will be ratified by a majority of those present and voting in good standing of the entire body at Founder's Day.