

Collegiate Affairs: Expulsion Amendment
2023-02-01

Background:

A significant loss of membership at the Collegiate level is due to the expulsion of Brothers. Expulsions should be reserved for individuals who do not adhere to the Expectations of Brotherhood as outlined in our Personal and Brotherly Responsibility Document or pose risk to the integrity of the Fraternity. The decision to expel a Brother shall not be taken lightly and should only be used for extreme situations where the individual has shown they have not upheld the values and objectives of Phi Delta Chi. Prior to the 2008 fiscal year, there was an option for Collegiate Brothers to “resign.” However, in its current state, the Phi Delta Chi Constitution and Bylaws wording does not include an option for Brothers to resign from Phi Delta Chi. It may be advisable to provide an option for Brothers to resign their association with the Fraternity without need to expel an individual.

Proposal:

Recommend to insert “NEW” Number 9 for Resignation process. A resignation of a Brother should occur before the expulsion of a Brother therefore within our Bylaws the same should occur in our written governing documents. With the addition of a new Number 9, we recommend moving the current Number 9 to New Number 10. No adjustments are made to current Number 9.

Current Bylaws	Proposed Bylaws
<p>Chapter V, Number 9. Expulsion of a Collegiate Brother.</p> <p>(a) A collegiate Brother may be expelled from the Fraternity if found guilty of repeated disorderly conduct; nonpayment of dues, fines, or assessments; or violation of the Fraternity’s Constitution and Bylaws, the Fraternity Ritual, the Chapter’s Constitution, the Chapter’s Bylaws, or the House Rules (if applicable).</p> <p>(b) A collegiate Brother having allegedly violated any obligation or rule carrying the penalty of expulsion shall have the right to trial. All charges must be proffered at a regular meeting by a Collegiate Brother, and the accused shall be immediately notified of such charges and directed to appear at the next regular meeting for trial.</p> <p>(c) If the accused or a representative is not present, having disregarded the notice to appear, the trial shall be conducted as though the collegiate Brother were present and a final vote taken. The trial shall be presided over by the Worthy Chief Counselor. The</p>	<p>Chapter V, “New” Number 9. <i>Resignation of a Collegiate Brother.</i></p> <p><i>(a) A collegiate Brother may resign their membership at any point in time.</i></p> <p><i>(b) A collegiate Brother wishing to resign their membership shall contact their WCC and express their desire to resign their membership. The WCC shall then collect the membership pin and certificate and inform the Chapter when able.</i></p> <p><i>(c) If a Brother does resign their membership, they lose all rights and privileges of a Brother of Phi Delta Chi. Brothers that resign their membership shall not again be eligible for any type of membership in the Fraternity.</i></p> <p>Chapter V, Number 9 “New” 10. Expulsion of a Collegiate Brother.</p> <p>(a) A collegiate Brother may be expelled from the Fraternity if found guilty of repeated disorderly conduct; nonpayment of dues,</p>

accused may request a Brother for defense, and the Worthy Chief Counselor shall appoint a Brother for prosecution.

(d) Following trial, the accused collegiate Brother may be expelled by an expulsion vote of at least a three-quarters of the Chapter.

(e) If a collegiate Brother is expelled, the collegiate Chapter expelling that collegiate Brother shall report in writing said action to the Executive Council as soon as possible. The collegiate Chapter shall retrieve the pin and membership certificate of the expelled collegiate Brother and return them to the National Office.

(f) Any collegiate Brother who has been expelled by a collegiate Chapter may appeal to the Executive Council or Grand Council.

(g) Any person who has been expelled and who has not been reinstated in the Fraternity by the Executive Council or Grand Council shall not again be eligible for any type of membership in the Fraternity

finances, or assessments; or violation of the Fraternity's Constitution and Bylaws, the Fraternity Ritual, the Chapter's Constitution, the Chapter's Bylaws, or the House Rules (if applicable).

(b) A collegiate Brother having allegedly violated any obligation or rule carrying the penalty of expulsion shall have the right to trial. All charges must be proffered at a regular meeting by a Collegiate Brother, and the accused shall be immediately notified of such charges and directed to appear at the next regular meeting for trial.

(c) If the accused or a representative is not present, having disregarded the notice to appear, the trial shall be conducted as though the collegiate Brother were present and a final vote taken. The trial shall be presided over by the Worthy Chief Counselor. The accused may request a Brother for defense, and the Worthy Chief Counselor shall appoint a Brother for prosecution.

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Collegiate Affairs Review Committee Recommendations:

We recommend:

1. We recommend approving as written.

2. We recommend the following revisions:

3. We recommend no revisions to the Bylaws.

Number 10. Expulsion of a Collegiate Brother.

(a) A collegiate Brother may be expelled from the Fraternity if found guilty of repeated disorderly conduct; nonpayment of fines or assessments; or violation of the Fraternity's Constitution and Bylaws, the Fraternity Ritual, the Chapter's Constitution, the Chapter's Bylaws, or the House Rules (if applicable).

(b) A collegiate Brother having allegedly violated any obligation or rule carrying the penalty of expulsion shall have the right to trial. All charges must be proffered at a regular meeting by a Collegiate Brother, and the accused shall be immediately notified of such charges and directed to appear at the next regular meeting for trial.

(c) If the accused or a representative is not present, having disregarded the notice to appear, the trial shall be conducted as though the collegiate Brother were present and a final vote taken. The trial shall be presided over by the Worthy Chief Counselor. The accused may request a Brother for defense, and the Worthy Chief Counselor shall appoint a Brother for prosecution.

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