



## Collegiate Affairs: Coeducational DEI Constitutional Amendment 2023-02-02

### Background:

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Federal Title VI was enacted as a part of the landmark Civil Rights Act of 1964. It reads, in part, “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”(1) In the case of higher education prior to the creation of the Department of Education in 1979, the federal department of Health, Education, and Welfare (HEW) was responsible for withdrawing funds from states that were found to be discriminating based on the above criteria.

Federal Title IX of the Education Amendments of 1972 (aka the Patsy T. Mink Equal Opportunity in Education Act) was passed into law on June 23, 1972. It reads, in part, “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance”.(2) Currently the U.S. Department of Education’s Office for Civil Rights is responsible for overseeing compliance with Title IX. Any educational organization or institution which received Federal financial assistance, either direct or indirect, must be compliant with Title IX. This includes compliance with respect to student organizations and athletics. Federal financial assistance includes Federal grants supporting faculty or staff, as well as Federal educational grants or Federally subsidized loans supporting students.(3) Although social fraternities and sororities are specifically exempted, professional fraternities and sororities are not so exempted and therefore must maintain compliance with Title IX.

The two decades between 1967 and 1988 saw only two new collegiate Chapters chartered. This is partially explained by resources (mainly time) spent fighting and then implementing the Title IX requirement to admit women. Efforts by fraternity leaders to dissuade the U.S. Congress from applying Title IX to professional fraternities failed in summer 1976. Phi Delta Chi amended its constitution, and Iota Chapter initiated six women in November 1976. Over the next 40 years a majority of Chapters initiated women and all new Chapters were co-educational from their chartering. In 2017, at the 71st Grand Council, the Executive Council released a new Anti-Discrimination Policy which required all Chapters to be inclusive. There have been great strides made to seek a more inclusive environment and six out of the eight Chapters have met that goal. The Executive Council also began reviewing Chapters who were nearing the other end of the spectrum with all-female. However, to date, all have remained inclusive.

Phi Delta Chi, being a professional, co-educational, fraternal organization, is committed to promoting an environment in which all individuals are treated with respect and dignity. Phi Delta Chi is committed to providing an environment in all phases of its candidate selection, recruitment, admission process, educational programs and activities that are free from discrimination on the basis of, but not limited to: race, color, spiritual or political beliefs, national origin, ancestry, disability, gender, sexual orientation, marital status, familial status, age, gender identity, status as a veteran, or medical condition.

**Proposal:**

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The purpose of this Constitutional update is to align ourselves fully with our promotion of diversity, equality and inclusion within our organization.

Current Constitution	Proposed Constitution
<p><b>ARTICLE I: NAME &amp; OBJECTIVES;</b> <b>Section 2. Coeducational.</b> Being a coeducational Fraternity, Phi Delta Chi does not discriminate based on gender. The word Brother refers to members of the Fraternity, regardless of gender.</p>	<p><b>ARTICLE I: NAME &amp; OBJECTIVES;</b> <b>Section 2. <del>Coeducational.</del><i>Inclusive.</i></b> <del>Being a coeducational Fraternity, Phi Delta Chi does not discriminate based on gender. The word</del> <i>welcomes members from all backgrounds.</i> <del>does not discriminate based on gender. The word</del> Brother refers to members of the Fraternity, <del>regardless</del> <i>inclusive</i> of <i>all</i> gender.</p>

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**Collegiate Affairs Committee Recommendations:**

We recommend:

1. We recommend approving as written.

2. We recommend the following revisions:

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3. We recommend no revisions to the Constitution.