



Chi Fraternity

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Memorandum

To: The Executive Director
From: The Governing Laws Committee
Date: March 9, 2016
RE: Legislative Proposals for Grand Council to Consider in 2016

Brother Church:

The Governing Laws Committee has prepared draft legislation for Grand Council to consider at its summer 2016 meeting. The proposals concern amendments to Statute 4.23.1, Statute 4.23.2, Statute 5.04, and Statute 5.10. Each is discussed below. Please place the proposed statutory amendments on the Grand Council agenda. The Governing Laws Committee has voted to propose these amendments on its own motion, pursuant to Statute 4.13.

In addition, the Committee has prepared some suggested changes to Executive Committee Regulations. These items need not be considered at Grand Council because the Executive Committee has independent authority to amend the ECRs. *See* Const. Art. V, Sec. A.3; ECR 9.02-3.

Please contact me if the Committee can be of any further assistance.

In Hoc,

Ben Trachtenberg

Ben Trachtenberg, Yale 2001
Chairman

Enclosure (text of proposals)

Proposed Amendments to Statutes — For Grand Council Agenda

First, Two Proposed Amendments Related to Grand Council Itself:

S4.23.1 There shall be an Agenda Committee for each regular meeting of the Grand Council composed of the Grand Pro Consul, who shall be the Chairman, two members nominated by a majority vote of the Grand Praetors, two members nominated by a majority vote of the Grand Trustees, two undergraduate members appointed by the Grand Consul, and one Past Grand Consul to be selected by the Past Grand Consuls. This committee shall be constituted within (90) days following the termination of each regular meeting of the Grand Chapter. The duties of this committee are to confer and set the agenda of such meeting of the Grand Council and after consultation with the Executive Committee to cause such agenda to be ~~mailed~~ distributed to each member of the Grand Council at as early a date as possible and in any event not less than ninety (90) days prior to the date upon which such meeting is to commence.

S4.23.2 Each regular meeting of the Grand Council shall be conducted according to Roberts Rules of Order, Revised, and shall continue for ~~not less than twelve hours in total in order~~ sufficient time to permit adequate opportunity for examination, discussion, and action upon resolutions and reports.

Explanation: The amendment to S4.23.1 would remove any doubt that our rules allow the distribution of materials by electronic mail and other modern methods. The amendment to S4.23.2 would remove a requirement for needlessly long business sessions.

Second, Provisions Related to the Defunct “Student Aid Loan Fund”:

S5.04 There shall be a Student Aid Loan Fund. Costs of administration of this fund shall be paid from the General Expense Fund. The principal of this fund shall be utilized, as prescribed by the Executive Committee, to provide assistance by way of loans or grants for educational purposes to worthy members of the Fraternity. All income from interest earnings and otherwise on this fund’s invested assets, which may be co-mingled for investment purposes, shall be credited to the fund.

E5.04-1 Student Aid Loans, as approved by the Executive Committee or such subcommittee as it may designate, may be made only to students who are members in good standing having completed at least two years of college work. The maximum amount of a loan to a student is \$750 in any one year with a maximum total amount of \$1,500 to a student during undergraduate study. The maximum amount of a loan to a student with respect to a graduate program may not exceed \$1,500 in any one year, with a maximum total amount of \$3,000 during the post graduate study program.

E5.04-2 Student Aid Loans shall bear interest at a rate determined annually by the Executive Committee, to commence on the first day of the month following the date the student completes, or in any manner terminates, his undergraduate or graduate study. Loans are due and payable on the date interest commences to accrue; but may be repaid in thirty-six (36) equal monthly installments including interest until such loan and accrued interest is fully paid.

Suggestion and explanation: Statute 5.04 should be eliminated entirely. (If this occurs, the Executive Committee should then eliminate the related ECRs.) The Statute should be eliminated because the Student Aid Loan Fund has not existed for decades, and there is no reason to have a Statute related to a defunct program.

Note: If this Statute is removed, we should indicate Statute 5.04 as “[reserved]” instead of renumbering the Statutes that currently follow it. Because various Sigma Chi publications refer to the existing Statutes 5.05, 5.06, etc., it would be best to leave the numbering of those Statutes as is.

Third, a Provision Related to the Former “Licensing Committee”:

S5.10 No member of the Sigma Chi Fraternity, officers, group, committee, chapter, commission or affiliated entity thereof shall circularize the Fraternity, its chapters or membership for the purpose of soliciting money without having first obtained permission from the Executive Committee, pursuant to a properly authorized license agreement approved by the Fraternity~~'s Licensing Committee~~. This prohibition does not apply to solicitations by one or more active or alumni chapters, alumni associations or house corporations only among the membership thereof for the purposes of obtaining contributions or dues for the benefit of one or more such entities.

Suggestion and explanation: Statute 5.10 should be amended by removing the reference to the Licensing Committee, which no longer exists. By requiring approval by “the Fraternity,” the amended Statute would retain the requirement that approval be obtained from an appropriate body. The Executive Committee should specify in an ECR what body has the authority to grant approval.

[This concludes the proposed amendments to the Statutes, and accordingly concludes the list of items for consideration by Grand Council. Suggestions concerning Executive Committee Regulations begin on the following page.]

Suggestions Concerning Executive Committee Regulations — For the EC to Consider

ECRs 1.10-1 and 1.10-2: Consider removing references to the Licensing Committee, which no longer exists. Perhaps change text as follows:

E1.10-1 The design or representation of the Badge, Coat-of-Arms, Seal, Pledge Pin or Greek letters Sigma Chi shall not be manufactured, created, used or offered for sale by any person, company or firm except as specifically authorized in writing by the Executive Committee, which power to authorize may be delegated ~~to the Licensing Committee~~ as appropriate. The Executive Director shall maintain a list of authorized persons, companies and firms.

E1.10-2 Only the Executive Committee may authorize commercial reproduction of the Fraternity's insignia, including the words "Sigma Chi" or "Sig"; any design or representation of the Badge, Coat of Arms, Seal, Pledge Button, Flag, or the Greek Letters of Sigma Chi, which power to authorize may be delegated by the Executive Committee ~~to the Licensing Committee~~ as appropriate. Anyone wishing to acquire merchandise bearing any insignia of the Fraternity shall obtain those items only from vendors which are currently authorized to produce or market official Sigma Chi merchandise. Active chapters may utilize local commercial firms to produce material for their own chapter needs from time to time so long as such material is pre-approved. Prior to ordering such material, the chapter shall obtain approval from the Executive Committee, ~~the Licensing Committee~~ its designee, or any Headquarters staff person assigned to supervise the quality of the Fraternity's merchandise, which approval or disapproval is to be determined promptly upon submission by the chapter of the name and address of the proposed vendor and submission of the description of the merchandise to be ordered, including a complete sample of the text or art to be utilized. The Executive Committee, ~~the Licensing Committee~~ any designee of the Executive Committee, and the Headquarters staff persons assigned to monitor the quality of Sigma Chi merchandise shall not approve any text or design which casts the Fraternity in a negative light or [... **remainder of ECR omitted to save space**]

ECR 3.04-1: The ECR mentions an “Alumni Review Board,” which is outdated nomenclature. Perhaps change text as follows:

E3.04-1 At the discretion of the Executive Committee ~~an Alumni~~a Membership Review Board may be appointed with the intent of reviewing an active chapter’s membership. The Executive Committee may, upon recommendation from the ~~Alumni~~Membership Review Board, place members on Alumni Status. Undergraduate members placed on Alumni Status will remain in good standing with the Fraternity, but will not be allowed to participate in active chapter activities. Chapter activities may be defined by the Executive Committee, but in general would include, but not be limited to: chapter meetings, social events and intramural activities.

ECR 3.14-1: The practices described in the text quoted below have not been observed for more than a decade. Consider deleting these sentences.

The initiation form shall provide a space for a university official to verify that the men listed on the form are eligible for initiation into Sigma Chi, in accordance with the regulations of the institution. The initiation form shall also provide a space for the Consul, Magister, and Chapter Advisor to verify that the men listed on the form as being proposed for initiation are scholastically eligible for initiation, as prescribed by the Sigma Chi Executive Committee.

ECR 4.14-1: Consider adding “chapter advisor” and “alumnus facilitator” to the list of Sigma Chi-affiliated persons whom the Grand Consul may hold accountable with respect to their work.

The Grand Consul, with the concurrence of the Executive Committee, may remove from office any Grand Officer, alumni chapter officer, alumnus facilitator, chapter advisor, or active chapter officer for neglect of duty

...

ECR 5.03-1: This ECR currently enshrines in the Governing Laws an inordinate level of detail concerning checks. This sort of detail is probably best set forth in a policy. The ECR currently reads:

E5.03-1 All checks written on behalf of the Fraternity for amounts of more than \$25,000 shall be approved by the Grand Consul, the Grand Pro Consul or the Grand Quaestor before being executed by the Executive Director or other such members of the Headquarters Staff authorized to do so.

Consider replacing the entire ECR with the following text:

"All checks written on behalf of the Fraternity shall be written in compliance with the Management Controls Policy as adopted by the Executive Committee."

ECR 6.02-c-1. This ECR is a word-for-word duplicate of ECR 3.07-4 and should accordingly be deleted in its entirety.

ECR 8.04-1: This ECR contains outdated rules concerning the international sweetheart. Consider striking the following language from ECR 8.04-1(a):

3. Each nominee must be unmarried as of the time of the Grand Chapter at which the International Sweetheart is selected.

Also, consider removing "beauty" as a criterion for the award (from ECR 8.04-1(b)).

ECR 8.05-1: This ECR seems to mandate extra hassle and to grant authority to the Awards Committee that belongs with the Executive Committee. Consider the changes below:

E8.05-1 The J. Dwight Peterson Significant Chapter Award shall be the Fraternity's highest award to active chapters in recognition of commendable performance in the major fields of operations, programs and activities. Criteria and selection procedures shall be ~~proposed~~ enacted by the Executive Committee ~~for consideration and approval by the Awards Committee of the Sigma Chi Foundation.~~

[This concludes the suggestions concerning ECRs.]