**Constitution and By-Laws**

**State Of North Carolina**

**PHI BETA SIGMA FRATERNITY, INC.**

**PREAMBLE**

**WHEREAS**, the objectives for which this Fraternity was founded are to develop the ideals of Brotherhood, Service, and Scholarship; to promote the general welfare of all concerned and to organize chapters of this Fraternity in accordance with its District of Columbia on the 29th day of April, 1920.

Now**, THEREFORE,** we bindourselvestocarryouttheseobjectivesandagree to abide by the following Constitution and By-Laws.

**THE CONSTITUTION**

**ARTICLE I – NAME AND OBJECTIVES**

**Section 1.** This state shall be known as the North Carolina State Organization of Phi Beta Sigma Fraternity, Incorporated. Its objectives shall be to advance the ideals of Brotherhood and Service; Promote Education and Scholarship; Develop an appreciation of our Culture, and foster such programs as may be indicated by these objectives.

**ARTICLE II – MEMBERSHIP**

**Section 1.** Membership in the North Carolina State Organization of Phi Beta Sigma Fraternity, Inc. shall be limited to all chapters in standing with their State, Regional, And National Levels Of Phi Beta Sigma Fraternity, Inc. located within the borders of the state of North Carolina.

**Section 2.** No person who is, or has been a member of another intercollegiate fraternity other than an honorary, professional or service fraternity, shall be eligible for membership in tis Fraternity.

**ARTICLE III – STRUCTURE**

**Section 1.** This body shall be composed of Alumni and Collegiate Chapters, and the chapters shall be the basic organizational units of the state.

**Section 2.** The supreme governing body of the North Carolina State Organization shall be the Annual State Conference and it shall be composed of the delegates from the financial chapters as provided for in the By-Laws of the Fraternity.

**Section 3.** The administrative powers of this state organization shall be vested in a State Board which shall be composed of the elected officers of the state organization.

**ARTICLE IV – POWERS**

**Section 1.** The state of North Carolina shall have the power to fully organize and carry out the programs of the Fraternity; to hold conferences; to elect officers; to suspend officers; and to recommend their expulsion to the General Board; to set up Alumni and Collegiate Chapters in accordance with this Constitution and to determine State dues and assessments for chapter and members within the State, provided such dues and assessments are not contrary to the National Constitution and By- laws of resolutions of the conclave.

**Section 2.** The state shall have the power to make its own Constitution and By-Laws, provided such Constitution and By-Laws, shall not conflict with National Constitution and By-Laws, to suspend and restore members in accordance with the By-Laws of the National Fraternity, and to recommend to the Conclave the expulsion of members in accordance with the By-Laws of this Fraternity.

**Section 3.** The State Board. Subject in all respect to the authority and discretion of the State Conference and between the meeting of the State Conference, shall have the power and authority to do and perform all acts which the State Conference regarding a matter relating to the state. It may call special meetings by a majority vote of two-thirds of the State Board. It shall have the authority to approve the appointment of officers to fill any vacancies that may occur between meetings of the State Conference.

**ARTICLE V – PROGRAMS**

**Section 1.** The programs of this State shall be Bigger and Better Business, Education, and Social Action.

**Section 2.** The Bigger and Better Business Program shall include the promotion and fosterning of ideas for the effective organization, improvement and expansion of business and the dissemination and propagation of information for the advancement of sound business principles and practices.

**Section 3.** The Education Program shall include programs of academic, economic, industrial and business education.

**Section 4.** The Social Action Program shall include a direct action program and a program of cooperation with such other social action organizations as the Conclave shall from time to time determine by resolution.

**ARTICLE VI – OFFICERS, ELECTION AND QUALIFICATION**

**Section 1.** The elected officers of the State shall be a State Director, Associate State Director, Secretary, Assistant Secretary, Treasure, Director of Bigger and Better Business, Director of Social Action, Director of Education, and Director of Undergraduate Affairs. All other officers are appointed by the State Director with the consent of the Executive Board.

**Section 2.** No elected officer except the Treasure shall be elected for more than two successive terms of two years. All appointed officers in the state shall be appointed for one year, but there shall be no limitation as to the number of successive appointments. An appointed officer may be removed from office for misfeasance, malfeasance, or non-feasance by the State Board.

**Section 3.** The term of office of an elected officer shall begin with the election and installation of such officer and shall end with the election and installation of his successor at the next following State Meeting, provided that the incumbent of such office has not been removed from office prior to such next following meeting of the State.

**Section 4.** No member shall be nominated for, or elected to any elective office except he be financial and in good standing with Local, State, Regional, and the National Office. The Assistant Secretary shall be a Collegiate brother.

**Section 5.** No member shall be nominated for, or elected to, the office of Assistant Secretary, unless at the time of his nomination or election he is a student at a recognized college or university pursuing a baccalaureate or other degree. In the event that the Assistant Secretary shall graduate or otherwise discontinue his full-time attendance at a recognized college or university at the next following school term, his term of office shall terminate upon notice to him by the State Director. The State Director shall immediately thereafter appoint a member to fill the office for the unexpired portion of such term.

**ARTICLE VII – REMOVAL OF OFFICERS AND SUSPENSION OR EXPULSION OF MEMBERS**

**Section 1.** The State Executive Board may remove any officer or member of the State Organization Board for misfeasance, malfeasance, or non-feasance in office, or for conduct tending to hold the fraternity up to ridicule or contempt, or tending to bring discredit upon the Fraternity; provide that written charges against such officer shall be served upon him by registered mail at his latest known address. Such officer shall be given thirty days from te date of service of such written charge to file a written answer with the State Board by sending a copy of such answer by registered mail to the State Director. Such officer shall be afforded an opportunity to appear before the State Board in person or by counsel or by his appointed representative designated and filed with the State Director at the time of the filing of his answer, to answer such charges, and provided further, that no officer shall remove from office unless such removal shall be concurred by at least two-third of the membership of the State Board.

The State Board shall advise such officer of his rights to appeal any decision of the State Board by filing such appeal in writing to the State Board through the State Director’s Office at least ten (10) days before the date to the first session of the State Conference. Such member shall have the right to appear in person with, or by counsel before the Grievance Committee of the State Conference in connection with such appeal.

**ARTICLE VIII – MEETINGS**

**Section 1.** The State Board shall have the authority and responsibility to plan and conduct each State Conference and to appoint such committee and persons as it deems necessary to carry our such plans; and to make sure agreements with the local chapters, and others as it deem necessary to carry out its responsibility effectively to conduct every phase of such State Conference.

**Section 2.** This State shall hold a meeting of all chapters at least once each year.

**ARTICLE IX – AMENDMENTS**

**Section 1.** The Constitution may be amended at any meeting of the State Conference by a two-third majority of the delegates present and voting, provided, that no proposed amendment shall be considered unless it shall have been submitted in accordance with the following sections.

**Section 2.** Proposed amendments of this Constitution may be submitted by any active chapter, State Conference, or by State Board by filing a copy of such proposed amendment with the State Director’s Office at least sixty (60) days before the date of the first session of the State Conference at which such proposed amendment is to be considered.

**Section 3.** The State Director’s Office shall send a digest of the substance of such proposed amendment to all active chapters at least thirty (30) days before the first session of the State Conference at which such proposed amendment is to be considered.

**Section 4.** The State Board shall refer such proposed amendment to this constitution to the Law and Revision Committee, which shall, when its report becomes the order of business, recommend the adoption or rejection of the committee amendment giving its reasons for its recommendation. Where the committee recommends the adoption of the proposed amendment, it may submit such amendment in such form as it deems appropriate, so long as such form shall give substantial effect to the purpose of the amendment as proposed.

**ARTICLE X – ZETA PHI BETA SORORITY, INC.**

**Section 1.** The founders of this Fraternity having assisted in the organization and establishment of Zeta Phi Beta Sorority, Inc. and having fostered a close relationship with said sorority; the promotion of a spirit of cooperation at all levels is hereby declared to be the official policy of the Fraternity.

**BY-LAWS**

**SECTION 1 –STATE CONFERENCE**

1. Delegate to the State Conference shall be elected by their respective chapters, and each chapter shall be entitled to one delegate for every ten financial members except that where the financial membership of any chapter is more than an expected multiple of ten, shall be entitled to an additional delegate, and provided further that each active chapter shall be entitled to at least one delegate. All delegates must be financial at the local, regional, and national levels.
2. Each chapter and each delegate must be certified by the Credential Committee as having paid all the obligations required by these By-Laws.
3. Each present and immediate Past State Officer who is financial with the Local, Regional, and National Fraternity shall be entitled to vote at the State Conference.
4. Each chapter represent at the State Conference shall be entitled to as many votes as the number of delegates to which it would be entitled under Sub-division 1 above, except that if such chapter is represented by more than one delegate to cast the total vote to which the chapter is entitled, then the chapter shall only be entitled to as many votes as are cast by each delegate individually.
5. All matters arising at the State Conference shall be decided by the majority vote of the delegates present and voting except as is otherwise provided in the Constitution or these By-Laws.
6. A quorum shall consist of delegates from at least one-sixth of the active chapters of the region.
7. Robert’s Rules of Order shall be the parliamentary authority on all questions of Parliamentary Procedures arising at the State Conference.

**SECTION II- STATE BOARD**

1. The State Board shall be the administrative body of the State of North Carolina. It shall approve the budget of all officers and programs directors; it shall fix and approve the budget of the administrative office and shall have general supervision over the office; it shall determine the bank or banks in which the funds of the State are to deposited; it shall approve expenditures of the administration office and othe officers unless such expenditures have been budgeted by the State Board or shall have been authorized by the State officer or other person to negotiate contract for any purpose for the state, but no such contract shall be effective until it is approved by the State Board.

**SECTION III – OFFICERS**

1. **THE State Director –** shall be the Chief Executive Officer of the state. He shall appoint all persons and committees not otherwise provide for in the Constitution and By-Laws; he shall represent the state at interfraternal meetings, whether formal or informal; he shall act for the State between meetings of the State Board; he shall have direct supervision over the administrative office of the State; ha shall be empowered to preside at all meeting of the State and State Board; he shall sign all drafts prior to transmittal to the treasurer. Sign all check payments of drafts against the Treasury; and he shall do all other things generally done of the Office of the State Director.

1. **The Associate Director** – shall assume the office of State Director in the event of the death, resignation or removal of the State Director. He shall preside at all meetings of the State and State Board in the absence or disability of the State Director.
2. **The Treasurer**- shall be the custodian of all funds of the State. He shall receive and deposit all funds in such bank or banks as are approved by the State Board; he shall disburse funds by check only and only upon a draft signed by the State Director. He shall make a quarterly report to the State Director of Receipts and disbursement.
3. **The Director of Education**- shall supervise and direct the educational programs of te State. He shall cooperate with the Regional Director of Education in developing these programs on the State level.
4. **The Director of Bigger and Better Business** – shall formulate, direct and supervise the Bigger and Better Business Program for the State throughout the year. He shall cooperate with the Regional Director of Bigger and Better Business in developing these programs on the State level.
5. **The Director of Social Action** – shall direct the social action programs of the State. He shall cooperate with the Regional Director of Social Action in developing the program on the State level.
6. **The Director of Collegiate Affairs** – shall in consultation with the National and Regional Directors of Collegiate Affairs, investigate areas of expansion and revitalization of Collegiate chapters. He shall work with, coordinate and advise Fraternity. He shall do whatever is necessary and possible within his constitutional limitations to develop a strong Collegiate structure for the State. He shall acquaint himself with the needs of students throughout the State, and he shall make recommendations to the Director of Education for scholarship grants.

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1. **The Director of Publicity** – shall be responsible for the dissemination of information regarding the purposes and programs of the Fraternity; he shall encourage the chapters to report their activities to his office, and shall advise them with respect to the establishment of effective publicity programs; he shall give particular attention to publicizing the activities of the State, insofar as such activities reflect the concern of the Fraternity.

**SECTION IV – STATE DIRECTOR**

1. The State Director shall be elected at the State Meeting every two years and be installed thereafter. Their terms will run concurrent with that of other State Officers. The State Director shall be recognized as an officer of the Regional Board.
2. Election of Officers- the officers will be elected at the last business session of the State Conference.

**SECTION V – AMENDMENTS**

1. The By-Laws may be amended by a majority vote of the State conference
2. The constitution and By-Laws shall be reviewed or revised every six years.