

# Nu Alpha Kappa Fraternity, Incorporated



NATIONAL CONSTITUTION

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# **Preamble**

We, NU ALPHA KAPPA FRATERNITY, seek to unite and involve all students in a more harmonious and brotherly atmosphere through academic, social and cultural means. There is a need to interface the various backgrounds that constitute the student body of the university in order to improve relations amongst all students and the surrounding community.

## **Article I – FRATERNITY IDENTIFICATION & AFFILIATION**

### ***1.01 Identity Statement***

Nu Alpha Kappa Fraternity, Inc. is a Latino-based fraternity, which encompasses and values all cultures.

### ***1.02 Verbal Identity Phrase***

Nu Alpha Kappa Fraternity, Inc. shall be known as a fraternal organization comprised of Men of Mind, Men of Culture and Men of Pride.

### ***1.03 Hazing***

Nu Alpha Kappa Fraternity, Inc. shall abide by all University Policies, Federal, State, City, and Local Laws concerning hazing and comply with a no-hazing policy.

### ***1.04 Affiliation***

At no time shall Nu Alpha Kappa Fraternity, Inc., or its individual chapters, engage in any political, racial, gender, foreign affiliation to, or of, organizations not committed to the diversification of ideals and people. At no time shall the Fraternity be labeled as, or referred to, any identity or organizations that deters from the above stated objects or that bears malice to other races, societies, organizations, or community bodies.

### ***1.05 Goals & Purpose***

The collegiate goals and purpose of Nu Alpha Kappa Fraternity, Inc. shall be: Academic Excellence Brotherhood Culture

The professional goals and purpose of Nu Alpha Kappa Fraternity, Inc. shall be: Professional Excellence Fraternal Network , Community Service

### ***1.06 Name***

The established name and title of the fraternity shall be NU ALPHA KAPPA FRATERNITY and shall be the only name and title for this fraternity. The acronym of “NAK” composed of the Capital Greek Letters shall only be used to identify the fraternity.

### ***1.07 Name In Print***

The official print names of this fraternity shall be Nu Alpha Kappa Fraternity, Incorporated and Nu Alpha Kappa Fraternity, Inc.

### ***1.08 Colors***

The established identifying colors of Nu Alpha Kappa Fraternity, Inc. shall be as follows:

**NAK RED**  
PMS 187  
RGB: 196 18 48  
CMYK: 0 100 79 20

**NAK WHITE**  
RGB: 255 255 255  
CMYK: 0 0 0 0

**NAK BRONZE**  
PMS 4525  
RGB: 200 183 131  
CMYK: 23 23 56 0

### ***1.09 Crest***

The established crest of the Fraternity shall be known as the NAK emblem and will be the primary identifying symbol of the Fraternity. The crest is sole ownership of Nu Alpha Kappa Fraternity, Inc. The depicted crest below shall be the primary recognized official symbol:



### ***1.10 Trademark***

The depicted trademarked images shall be the secondary symbols of the Fraternity:



### ***1.11 NAK Flag***

The depicted trademarked image shall be the official Flag of the Fraternity.

INSERT FLAG

#### **1.11.1**

NAK Flags may only be reproduced with the written consent of the National Executive Board of Nu Alpha Kappa Fraternity. Official flags may only be purchased through the established and contracted vendors of Nu Alpha Kappa Fraternity, Inc. and regulations set forth in the National Bylaws.

## **Article II – COMPLIANCE**

### ***2.01 Chapter Compliance***

All individual chapter Bylaws, parliamentary procedures or any other fraternal procedures shall be in compliance with this National Constitution and National By-Laws Of Nu Alpha Kappa Fraternity, Inc. All individual chapters or any other unit associating itself with Nu Alpha Kappa Fraternity, Inc. shall in all aspects be subordinate to this National Constitution and all applications and interpretations thereof. Any chapter or any other unit associating itself with Nu Alpha Kappa Fraternity, Inc. must obtain a charter as outlined and specified in this National Constitution and National By-Laws of Nu Alpha Kappa Fraternity, Inc.

### ***2.02 Constitutional Amendments***

Any amendments to this National Constitution of Nu Alpha Kappa Fraternity, Inc. shall require a 4/5 vote from the National Executive Board and 3/4 ratification vote from all chapters. The vote of the chapters shall be represented through its chapter president.

### ***2.03 Bylaws Amendments***

Any amendments to the National By-laws shall require a 2/3 vote from the National Executive Board and a simple majority vote of all chapters. The National Constitution shall always override any directive in the National By-laws, which may be viewed as contradicting to it.

### ***2.04 Constitution Review***

It shall be the responsibility of the National Executive Board to review this constitution in its entirety once a year during any of the National Executive Board meetings. It shall be the responsibility of the individual chapters to disseminate

## **Article III – OFFICERS**

### ***3.01 National Executive Board***

The National Board of the Fraternity shall consist of six (6) elected Executive Board Officers and six (6) National Directorial Board Officers. This board can be referred to as the NEB of the Fraternity.

### ***3.02 Elected Executive Board Officers***

The elected Executive Board Officers of the Fraternity shall only consist of the following:

- National President
- National Vice President
- National Secretary
- National Treasury Controller
- National Undergraduate Delegate
- National Alumni Association CEO

The elected Directorial Officers of the Fraternity shall consist only of the following:

- Director of Marketing & Public Relations
- Northern Director of Intake Expansion Process
- Southern Director of Intake & Expansion Process
- Northern Director of Chapter Development
- Southern Director of Chapter Development
- Director of National Programming

### ***3.04 Roles and Responsibilities of the NEB***

The function of the NEB shall be to preside over and administer all affairs relevant at the national level, which include, but are not limited to the following national programs or affairs:

NAKFEST

NAKNET

Pledgefest

Intake Guidelines

Expansion

National Leadership Development Conference

External Relations

National Calendar of Events

NAK Sports League

The 4/5 vote of the entire NEB shall be the ultimate deciding vote that will override any decision made by an individual brother, committee, or chapter.

### ***3.05 Chapter Relationship to NEB***

In regards to an individual chapter's relationship to the NEB, the National By-laws of Nu Alpha Kappa Fraternity, Inc. shall directly and

### ***3.06 Chapter Jurisdiction***

The individual chapters shall have sole ownership of running the daily affairs of the chapter so long as they adhere to and do not contradict the National Constitution or By-laws.

### ***3.07 NEB National Meeting Requirements***

The NEB is required to meet at least six (6) times a year of which two (2) of these six (6) shall include all chapter presidents. At National Meetings, where the chapter presidents also reside, they shall be voting members of the National Meeting for those specific meetings only. The NEB Summer Retreat shall be held the second week of July in Northern California and the Winter (Midterm) Retreat shall be held the second week of January in Southern California. The National President shall preside and facilitate all National Meetings.



### ***3.08 The National Alumni Association***

#### **3.08.1 FORMATION.**

There shall be a National Alumni Association of Nu Alpha Kappa Fraternity composed of alumni brothers of Nu Alpha Kappa Fraternity

[See Article V of the National Constitution of the National Fraternity].

#### **3.08.2 PURPOSE.**

The purpose of the National Alumni Association shall be to encourage and provide support to Nu Alpha Kappa Fraternity. The NAA will advise, serve, inform and involve alumni of Nu Alpha Kappa Fraternity so as to foster interaction and brotherhood, promote civic & professional service and to create opportunities for Nu Alpha Kappa Fraternity brothers. All members of the National Alumni Association are encouraged to carry the principles and ideals of Nu Alpha Kappa Fraternity into their civic and business community and to provide leadership and service to those affiliations to the best of their ability.

#### **3.08.3 STRUCTURE**

The National Alumni Association (NAA) is the governing body and National representative of the Alumni of Nu Alpha Kappa including the active local and regional alumni associations and active alumni brothers of Nu Alpha Kappa Fraternity's National Alumni Association. The NAA shall serve as chief advisor to the President of the National Fraternity.

### ***3.09 Local Alumni Associations***

1. Alumni members may organize themselves locally into any or all of the following:
  - a. Alumni associations composed of the alumni of a single chapter
  - b. Alumni associations composed of all alumni members within a single geographical area; or
  - c. Any combination of alternatives within this section or any other method of local association which local alumni may deem desirable

Local alumni associations shall petition for a charter from the National Executive Board through contact with the National Alumni Association Presidents as outlined in Article VI of the National By-Laws.

2. The purpose of the local alumni associations shall be to promote the pillars of Nu Alpha Kappa Fraternity, Inc. among alumni members and the entire Fraternity through such activities as the local alumni associations may deem desirable.
3. Membership in a Nu Alpha Kappa Fraternity alumni association shall be granted only to persons who are duly registered in the National Office as former active or honorary

members of a chapter as outlined in Article VII, Section 5 of the National By- Laws. Nu Alpha Kappa Fraternity alumni associations shall not grant any form of membership: (a) that does not comply with the above standards or (b) to any member not recognized by undergraduate chapters

4. Each local alumni association shall apply for a Charter as defined in the National By-Laws every 3 years.

## **Article IV – National Election Requirements**

### ***4.01 Eligibility Requirement for National Positions***

The National By-Laws of Nu Alpha Kappa Fraternity, Inc. shall provide the specific requirements for being eligible for National Executive Board Positions

### ***4.02 Specific Duties of National Positions***

The National By-laws of Nu Alpha Kappa Fraternity, Inc. shall provide the specific duties of each position.

### ***4.03 National Election Meeting***

There shall be a yearly National election meeting that will be held during NAKfest weekend.

### ***4.04 National Election Voting Structure***

The National By-laws of Nu Alpha Kappa Fraternity, Inc. shall provide the specific details for the voting structure of the National Election Meeting.

## **Article V – Membership Status**

### ***5.01 Eternal Brotherhood Status***

Once a prospective member “crosses over” into the brotherhood of Nu Alpha Kappa Fraternity, Inc. he shall have the inalienable rights of being a brother in Nu Alpha Kappa Fraternity, Inc. forever as long as he complies with the Fraternity’s National Constitution, bylaws & Code of Conduct. The specific requirements, rights and privileges of brotherhood shall be outlined in the National By-laws.

### ***5.02 Specific Membership Status***

Specific membership requirements such as what is considered an Alumni, Active, Dishonorable member or any other designation shall be outlined in the National By- laws of Nu Alpha Kappa Fraternity, Inc.

### ***5.03 Membership Ineligibility***

Nu Alpha Kappa Fraternity will comply with NIC Standards with regard to membership status. Hence a student under the status of member or affiliate the Intake Process of Nu Alpha Kappa Fraternity, Inc. Furthermore, a student that has chosen to withdraw his membership from another social fraternity will fall under ineligible status and can not partake in the Intake Process. Any member or prospective member of this fraternity may join an Honorary Club, Non-Social Fraternity and/or hold an Honorary Title.

### ***5.04 Honorary Member Recognition***

Nu Alpha Kappa Fraternity, Inc. shall recognize Honorary Members from each Chapter. Requirements for eligibility will be outlined in the General Provisions of the National By- Laws.

### ***5.05 Non-Discriminatory Clause***

Nu Alpha Kappa will not discriminate on the basis of race, color, sexual orientation or expression, sexual expression, disability, religion, veteran status, ancestry or national or ethnic origin.

### ***5.06 Alumnus Member Defined***

An alumnus member is one who has achieved a minimum of one Bachelor's Degree and who has been regularly initiated into Nu Alpha Kappa Fraternity. A "National Alumnus" is a member who meets the aforementioned criteria but is not affiliated with a local alumni association.

### ***5.07 National Database Registry***

Nu Alpha Kappa Fraternity shall establish a national database of all members of the Fraternity. The National Executive Board shall establish and deem important specific records' criteria. A NAK Census shall be executed every 3 years by the National Executive Board. The database and Census shall be administered by the office of the National Secretary.

## **Article VI – Non-Profit Corporation Statement and Designation**

### ***6.01 Non-Profit Corporation***

Nu Alpha Kappa Fraternity, Inc. is organized exclusively for charitable, and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as Exempt organizations under section 501(c)3 of the Internal Revenue Code, or the corresponding section of any future tax code.

Nu Alpha Kappa Fraternity, Inc. is a non-profit Public Benefit Corporation organized under the Non-profit Public Benefit Corporation Law of the State of California for public and

charitable purposes. The terms, Fraternity and Corporation shall be used interchangeably within this document and shall refer to the National Fraternity, Inc. structure as a corporate entity.

### ***6.02 Non-Profit Purpose and Operation***

No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation and the corporation shall not participate in, or intervene in (including the publishing or

Notwithstanding any other provision of this National Constitution, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax, under section 501 (c)3 of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170 (c)(2) of the Internal revenue Code, or the corresponding section of any future tax code.

### ***6.03 Non-Profit Earnings***

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the National Constitution and National By-Laws.

### ***6.04***

Upon dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c)(3) of the Internal revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes of to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

***Adopted: 1998***

Amended: November 10th, 2005, National Executive Board Conference Call

Amended: January 20th, 2007, Presidents' Meeting, Gamma Chapter host

Amended: November 14th, 2009, National Meeting at PledgeFest, Theta Chapter host th

Amended: February 25

Chapter host

Amended:

, 2012, Presidents' Meeting, Omicron

August 4th, 2012, Presidents' Meeting at NLDC, Upsilon Chapter host

Amended: November 10th, 2012, PledgeFest, Delta Chapter host

Amended: July 19, 2013, National Board Retreat & June 23, 2013 President's Meeting

Amended: January 17th, 2014, Council of Presidents Meeting/ National Retreat, Catalina Island, CA

Amended: January 18th, 2015, Council of Presidents Meeting/ National Retreat, Catalina Island, CA

Last Amended: January 18th, 2016, Council of Presidents Meeting/ National Retreat, Catalina Island, CA