

Nu Alpha Kappa Fraternity, Incorporated.



NATIONAL BY-LAWS

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## Article I Affiliations

Section 1. North-American Interfraternity Conference (N.I.C.). Nu Alpha Kappa shall maintain good status and adhere to the rules and regulations of N.I.C., until such time as voted upon by the National Executive Committee.

Section 2. Chapter Councils at respective universities. NAK shall affiliate with and abide by all regulations set forth by student councils at the respective Universities, until such time as decided by the chapter boards; notwithstanding, all undergraduate chapters shall be recognized by their host university as a student group (or equivalent) at all times.

## Article II Copyrights

Section 1. NAK Paraphernalia. Any and all NAK paraphernalia used by the Chapters must adhere to the regulations set forth by the Director of Marketing and Public Relations. The use of any and all NAK paraphernalia by third-party vendors or “for-profit” agencies shall be enforced and administered by the National Board.

Section 2. Copyrights on National Programs. Nu Alpha Kappa’s primary event programs shall be entitled: National Leadership Development Conference (NLDC), Pledgefest, NAKfest, NAK Sports League (NSL), and Ocelotl Program. The Director of Programming must clear the use of these names for the purpose of advertisement or profit.

Section 3. Fraternity Colors. The letters NAK may only be printed in the colors: red, white, bronze, or black. NAK letters on clothing or NAK paraphernalia may only be in the colors: red, white, and bronze. Only solid colors may be used (no patterns or prints). Black may only be used as a secondary color. Black may be used as the primary color only in times of mourning or in representation of the Omega chapter.

Section 4. NAK Flag Regulations. To ensure quality control, NAK Flags must only be reproduced through official vendors of the Fraternity. Reproduction of a flag without the official written consent of the National Executive Board of Nu Alpha Kappa Fraternity will be deemed as a serious infraction and the affiliated undergraduate or alumni chapter may be held accountable including charter review.

## Article III The National Board

Section 1. Officers. The National Board or National Executive Board (NEB) shall consist of the officers from the National Executive Committee and the Directors.

Section 2. General Powers. The National Board shall vote upon policy that is outlined in these By-laws.

Section 3. National Board Officer's Code of Conduct.

1. A National Board Officer shall devote time, thought, and study to his duties as a member of the National Board of Nu Alpha Kappa Fraternity, Inc.
2. A National Board Officer shall carefully prepare for, regularly attend, and actively participate in National Board meetings and committee assignments.
3. A National Board Officer shall accept and abide by the legal and fiscal responsibilities of the National Board as specified in federal and state law and the regulations, rules of procedure, standing orders, and resolutions of the National Board.
4. A National Board Officer shall base his vote upon all information available in each situation and shall exercise his best judgment in making decisions that affect the course of Nu Alpha Kappa Fraternity, Inc.
5. A National Board Officer shall vote according to his individual conviction and may challenge the judgment of others when necessary; yet a National Board Officer shall be willing to support the majority decision of the National Board and work with fellow National Board officers in a spirit of cooperation.
6. A National Board Officer shall maintain the confidential nature of National Board deliberations in closed session. This includes written and verbal communication concerning the closed session. A National Board Officer shall avoid acting as spokesperson for the National Board unless specifically authorized to do so.
7. A National Board Officer shall comply with conflict of interest policies and requirements prescribed in state law.
8. A National Board Officer shall act and make judgments always on the basis of what is best for Nu Alpha Kappa Fraternity, Inc. as a whole and for the advancement of the fraternity in general.
9. Procedure for Responding to Breaches of the Code of Conduct
  - a. Evidence, allegations, or grievances on the violation of the Code of Conduct by a National Board Officer shall be brought to the attention of any National Executive Committee Officer by a written notification to another National Board Officer, a Chapter President, an undergraduate brother through his Chapter President, an Alumni Association President or an alumnus through his Alumni Association President. Such matter shall be taken under consideration at the next regular meeting of the National Executive Committee.

- b. Should evidence or allegations of violations of the Code of Conduct by a National Board Officer of Nu Alpha Kappa Fraternity, Inc. come to the attention of the National Executive Committee, which after further review by the National President appears to constitute a breach of the Code of Conduct, the National President and the National Vice President shall discuss the matter with the National Board Officer to obtain additional facts and perspective and to seek a mutually agreeable resolution. In the case that either the National President or National Vice President is the party in question, then the National Secretary shall replace said officer in this proceeding.
  - c. Should the Code of Conduct continue to be violated by the National Board Officer after discussion with the National President and the National Vice President, the National President, after appropriate consultation, will place the matter on the agenda for the next regular meeting of the National Board for appropriate action by the National Board and notify the Chapter Presidents of the matter. The National Board shall discuss the matter in open session, allowing the National Board Officer whose conduct is at issue to provide an explanation of the conduct. The National Board may then by  $\frac{3}{4}$  vote resolve to remove the National Board Officer.
10. All incoming National officers and members of the National Body (also known as joint session) must take the National Board Officer's Code of Conduct Oath before being seated and recognized as a voting member of the National Body. The Oath will be administered by a board member of the National Executive Board's Executive Branch.
11. National Executive Board members will fall under review if an NEB member does not attend 80 percent of National meetings during their term.

Section 4. Establishment of Quorum. Quorum for all National Executive Board and National Executive Committee meetings is 2/3 of elected members.

Section 5. Other Qualifications. Only members deemed in 'Good Standing' with either the undergraduate chapter, National Alumni Association or local alumni association for a minimum of one year prior to nomination may be eligible to run for the National Executive Board.

## Article IV

### National Executive Committee

Section 1. Officers. The Officers of the National Executive Committee shall consist of the President, Vice President, Secretary, National Treasury Controller, National Alumni Association President and National Undergraduate Delegate. No officer may act in more than one capacity where action of two or more officers is required.

Section 2. General Powers. The National Executive Committee shall be responsible for the general operations of the fraternity, including but not limited to: the management of the Board of Directors, Emergency Protocol, Chapter Compliance and other provisions as set forth by each officer's duties as detailed in these Bylaws. The National Executive Committee shall also set policy and protocol for the functioning of National Meetings.

Section 3. Election and Term. The officers of the National Executive Committee with the exception of the National Undergraduate Delegate, shall be elected every two years and serve for a two year term or until his successor shall have been elected and qualified.

Section 4. Removal. The National Board may remove any officer elected or appointed to the National Executive Committee whenever such removal is in the best interest of the Fraternity. An officer's removal shall require a three- fourths vote ( $3/4$ ) by the National Executive Committee and the Board of Directors.

Section 5. Vacancy. A vacancy in any office, except that of President, because of death, resignation, removal or otherwise may be filled through an appointment by the National President and a two-thirds ( $2/3$ ) vote by the National Board.

Section 6. President. The President shall be the principal executive officer of the Fraternity and, subject to the control of the National Executive Committee and the Board of Directors, shall in general supervise and control all of the business and affairs of the Fraternity. He shall, when present, preside at the meetings of the National Board and the National Executive Committee. The President shall vote at all National Executive and National Board Meetings only in the event of a tie. He shall sign, with the Secretary, or any other proper officer of the Fraternity thereunto authorized by the National Executive Committee any deeds, mortgages, bonds, contracts, or other instruments which the National Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board or by these By-Laws to some other agent of the Fraternity, or shall be required by law to be otherwise signed or executed; and in general he shall perform all duties incident to the office of President and such other duties as they may be prescribed by the National Executive Committee and Board of Directors from time to time. Any candidate for National President must serve at least one year immediately prior to nomination in an executive role in the National Alumni Association, National Executive Board or local alumni association. The President must be an Alumnus.

Section 7. Vice President. In the absence of the President or in the event of his death, inability, or refusal to act, the Vice President, unless otherwise determined by the National Executive Board, shall perform the duties of the President, and when so acting shall have all the powers of and be subject to all the restrictions upon the President. The Vice President shall oversee and manage the duties and roles of the Board of Directors and as such shall enforce regulations set forth by the National Executive Committee. Any candidate for National Vice President must serve at least one year immediately prior to nomination in an executive role in the National Alumni Association, National Executive Board or local alumni association. The Vice President shall oversee and manage any affairs pertaining to the National Insurance Policy. The Vice President must be an Alumnus. He will be selected by the National President as a running mate prior to National Elections and will run until the President's term has been completed.

Section 8. Secretary. The Secretary shall: (a) keep the minutes of the meetings of the National Executive Board and the National Executive Committee in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these By-Laws or as required by law (c) be custodian of the Fraternity records; (d) in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the President or by the National Board (e) oversee National Elections in accordance with Article VI of these By-Laws. The Secretary shall create, oversee and maintain an effective communication infrastructure of the Fraternity so that means of conducting business is effective and efficient. The Secretary must be an Alumnus.

Section 9. Treasury Controller. The Treasury Controller shall: (a) have charge and custody of and be responsible for all funds and securities of the Fraternity; receive and give receipts for moneys due and payable to the Fraternity from any source whatsoever, and deposit all such moneys in the name of the Fraternity in such depositories as shall be selected in accordance with Article VIII of these By-Laws; (b) in general perform all of the duties incident to the office of the National Treasury Controller and such other duties as from time to time may be assigned to him by the President, or by the National Board and (c) create and implement a financial apparatus in accordance with Article VIII of these by-laws to be adhered to by the chapters of Nu Alpha Kappa Fraternity, Inc. The Controller must be an alumnus.

Section 10. National Undergraduate Delegate. The National Undergraduate Delegate (also referred to as Undergrad Delegate) shall be the direct voice of the undergraduate constituency of the Fraternity chapters. He shall form and preside over a council of the chapter Presidents with the sole purpose of voicing issues or settling disputes between chapters. The Delegate shall create protocol for chapter compliance with any and all manuals and/or guidelines created by the various Directors or Officers. The National Undergraduate Delegate must be an Undergraduate Chapter President and will be selected by his peers among the Council of Presidents.

Section 11. The National Alumni Association Chief Executive Officer (CEO) shall preside and serve as Chair at all membership meetings of the NAA as well as all NAA Board of Director meetings. The CEO shall be the direct voice of the alumni constituency, all Local / Regional Alumni Association Chapters, and head of the National Alumni Association of the National Fraternity. He will serve as the direct liaison between all the NAA and the National Fraternity Executive Board. He shall represent the Alumni of the National Fraternity on the National Executive Committee of the National Fraternity. He shall govern as dictated by the NAA Constitution & Bylaws as well as adhere to the National Fraternity Constitution & Bylaws and provide a transparent reporting system that shall be shared, at least quarterly, with all alumni of the National Fraternity. The CEO will be elected by NAA membership as outlined in the NAA Bylaws. Any candidate for CEO must have served at least one year immediately prior to nomination in a director capacity for the NAA or on the National Fraternity Executive Board.

Section 12. Executive Committees. Committees shall be formed by the approval of the National Executive Committee from time to time to perform duties set forth by the National Board including but not limited to: judicial matters, and internal investigations. Members of these committees are subject to the restrictions and guidelines set forth by the National Executive Committee or National President.

## Article V

### Directors

Section 1. General Powers. The Board of Directors shall have voting powers as granted by the National Constitution of Nu Alpha Kappa. Directors from time to time may form committees as they see necessary to carry out duties specified in these Bylaws. The Directors shall report directly to the National Vice President.

Section 2. Removal. The National Board may remove any officer elected or appointed to the National Directors whenever such removal is in the best interest of the Fraternity. An officer's removal shall require a three-fourths vote (3/4) by the National Executive Committee and the Board of Directors.

Section 3. Vacancy. A vacancy in any directorship because of death, resignation, removal or otherwise may be filled through an appointment by the National President and a two-thirds (2/3) vote by the National Board.

Section 4. Northern Director of Chapter Development – Duties and Roles. The Northern Director of Chapter Development (NDCD) will oversee the territory including the following chapters: Alpha, Gamma, Delta, Epsilon, Eta, Theta, Iota, Kappa, Mu, Omicron, Sigma and Phi. Prospective chapters shall be assigned to either territory based on approval from the National Executive Committee. The Northern Director of Chapter Development shall develop, implement and manage a chapter development program, for chapters within the northern region, that shall include but not be limited to: academic development programs and resources, implementation of a study/academic plan for the chapter and Quarterly/Semester progress checks for active brothers. He shall implement and manage the chapter charter process and manage the annual national awards program. The director shall keep records pertaining to his specific duties and pass these records to his successor.

Section 5. Northern Director of Chapter Development – Election and Term. The Director shall be elected to a two-year term and be a graduated alumnus.

Section 6. Director of Marketing and Public Relations – Duties and Roles. The Director shall create, oversee and maintain guidelines governing the marketing of the Nu Alpha Kappa brand as set forth in Article II of the National By-Laws and Article I of the National Constitution. The Director shall create, oversee and maintain guidelines governing press and media relations. The Director shall develop a “Code of Conduct” dictating the Chapters and individual members behavior with regard to public relations. The Director must be an Alumnus.

Section 7. Director of Marketing and Public Relations – Election and Term. The Director shall be elected to a two year term and be an alumnus.

Section 8. Directors of Intake & Expansion (North & South). Duties and Roles. The Northern Director of Intake and Expansion (NDIE) will oversee the territory including the following chapters: Alpha, Gamma, Delta, Epsilon, Eta, Theta, Iota, Kappa, Mu, Omicron, Sigma and Phi. The Southern Director of Intake and Expansion (SDIE) will oversee the following Chapters: Founding, Beta, Zeta, Lambda, Nu, Xi, Pi, Rho Tau, Upsilon, Chi and Psi and prospective chapters shall be assigned to either territory based on approval from the National Executive Committee.

The Directors shall oversee and direct the intake and expansion process for all prospective brothers and new chapters of Nu Alpha Kappa Fraternity, Inc. within the respective territory. The Directors shall serve as the liaison between Chapter Intake Directors from chapters within their respective territories, National Executive Board and their respective university.

The Directors shall be responsible for developing, updating and enforcing the Intake Program and Expansion handbooks which are to be updated annually and approved by the National Executive Committee. The Directors shall keep records pertaining to his specific duties and pass these records on to future Directors.

Section 9. Director of Intake & Expansion (North & South) – Election and Term. The Directors shall be elected to a two-year term and must be alumni.

Section 10. Director of Programming – Duties and Roles. The Director of National Programs shall serve as the liaison between the National Board and the Chapter in the coordination and execution of National Events. The Director shall be the direct voice of the National Board and will make all final decisions as pertaining to the coordination and execution of National events. The Director shall make formal requests for funds from the National Treasury on behalf of the chapter for National events. The Director shall annually create and/or update the various National Programs Guidelines to be approved by the National Executive Committee.

Section 11. Director of Programming – Election and Term. The Director shall be elected to a two-year term and must be an alumnus.

Section 12. Southern Director of Chapter Development – Duties and Roles. The Southern Director of Chapter Development (SDCD) will oversee the territory including

the following chapters: Founding, Beta, Zeta, Lambda, Nu, Xi, Pi, Rho, Tau, Upsilon, Chi and Psi.

The Southern Director of Chapter Development shall develop, implement and manage a chapter development program, for the chapters within the southern region, that shall include but not be limited to: academic development programs and resources, implementation of a study/academic plan for the chapter and Quarterly/Semester progress checks for active brothers. He shall implement and manage the chapter charter process and manage the annual national awards program. The director shall keep records pertaining to his specific duties and pass these records to his successor.

Section 13. Southern Director of Chapter Development – Election and Term. The Director shall be elected to a two- year term and must be a graduated alumnus of the Fraternity.

Section 14. Councils. In addition to the National Executive Board, the National Body will contain a Council of Presidents and Council of Alumni. The Council of Presidents will consist of elected undergraduate chapter presidents from NAK chapters in good standing and recognized by the National Executive Board. The Council of Alumni will consist of elected Alumni Association Presidents from NAK Alumni Chapters in good standing and recognized by the National Executive Board. During joint session meetings, each elected president from both councils and the National Executive Board has voting rights.

Section 15. Committees Participation. Each Undergraduate and Alumni Association President (with the exception of the Undergraduate Delegate) must serve on at least one committee led by a National Director of the National Executive Board. Each respective committee must meet a minimum of four times during the year.

## Article VI

### Chapter Charter

Section 1. Undergraduate Chapters shall be evaluated and assigned a Chapter Charter on an annual basis prior to the start of the academic year. Alumni Chapters shall be evaluated and assigned a Chapter Charter every 3 years prior to the start of the fiscal year.

Section 2. The Undergraduate chapter charter application shall consist of a process administered by the office of the Directors of Chapter Development. The local alumni associations chapter charter application shall consist of a process outlined and administered per the bylaws of the National Alumni Association & Article III of the National Constitution of Nu Alpha Kappa Fraternity, Inc.

Section 3. A Chapter whose Charter is deemed in Good Standing shall have submitted all proper paperwork to the NEB on a timely manner, paid all fines and is recognized in good standing by their respective university. The chapter is entitled to all rights and privileges to a chapter in good standing with the National Executive Board.

Section 4. A Chapter shall be designated on Probation in the event it has failed to submit all proper and established paperwork requested by the NEB in a timely manner, have unpaid fines, dues or any other outstanding obligation to the NEB or is not in good standing with their university, local municipality, state or federal tax authorities or created an infraction that is deemed serious by the National Executive Board. A chapter on Probation Status shall have a period of ninety (90) days to reconcile their status or be designated on Suspended status at the end of this period.

Section 5. A Chapter's Charter shall be designated on Suspension in the event it has created an infraction that is deemed serious by the NEB or has failed to reconcile a Probation Status within the allotted time. A chapter on Suspension Status shall have a period of ninety (90) days to reconcile their status or be designated on Terminated status at the end of this period.

Section 6. A Chapter's Charter shall be designated as Terminated and not be recognized as a chapter of Nu Alpha Kappa Fraternity, Inc. in the event it has created an infraction that is deemed grievously serious by the NEB or has not reconciled a Suspension status within the allotted time. The chapter will have no right or privileges allotted to a chapter in good standing. Should brothers of a formerly recognized chapter wish to reestablish a chapter of Nu Alpha Kappa Fraternity, Inc. on their respective host campus, it shall have been a minimum of two (2) years after termination. The National Vice President will establish guidelines and oversee the reestablishment of said chapter.

Section 7. The Director of Chapter Development shall inform the Chapter Executive Board, the Chapter Advisor and the host University Greek office (or its equivalent) of the chapter status designation at the end of the Chapter Evaluation process. Such written designation shall be provided prior to the start of the following academic year.

Section 8. In the event that a Chapter Charter Status changes during a given academic year, the Director of Chapter Development shall inform the Chapter Advisor and the host University in written format with an outline of the infraction(s) and any steps required to reconcile the issue(s).

Section 9. Review of a Chapter Charter Status. All chapters in one of the before-mentioned status categories shall be reviewed at each subsequent National Executive Board meeting or Judiciary Committee called for that specific purpose. On review, the National Executive Board or Judiciary Committee, may, by majority vote:

- Declare the chapter in good standing
- Continue the chapter in its current category
- Change the chapter status for cause
- Call for a trial by Judiciary Committee to hear charges of violations as described in Article VI of the National Constitution

## Article VII

### Ocelotl Program

Section 1. Ocelotl. This initiative shall be adopted fraternity-wide and implemented through and by the National Executive Board and the Chapters. Ocelotl shall be consisted of a program developed by an executive level committee which shall develop and approve a manual to be followed by all interested dedicated brothers. This manual shall be reviewed and approved every two years by 2/3 majority vote of the National Executive Board.

Section 2. Ocelotl Committee. The Ocelotl Committee shall consist of a total of seven brothers which will be initially selected by the National Executive Board and then subsequently elected by guidelines set forth by the committee and voted upon by the committee. The Committee shall be responsible for carrying out the objectives of Ocelotl and shall report directly to the National President. The committee shall determine the rules which govern their scope of action all of which shall be approved by the National Executive Board.

Section 3. Initial Ocelotl Phase. All prospective brothers of Nu Alpha Kappa Fraternity, Inc. shall participate and successfully complete the initial stage of the Ocelotl Program to be recognized as a brother of the Fraternity. At established chapters, this initial phase shall be regulated and administered by the Directors of Intake and Expansion. For chapters to be established, this initial phase shall be regulated and administered by the Directors of Intake and Expansion. The name of this Initial Ocelotl Phase shall be designated by the Ocelotl Committee and voted upon by the National Board.

## Article VIII

### National Programs

Section 1. Pledgefest Mission Statement. Pledgefest exists to foster a sense of unity among all attending Little Brothers in order that they develop lasting relationships thus strengthening our inter chapter bonds; this event allows the existing brotherhood to reflect on their experience as a Little Brother while reminding brothers of the Fraternity of NAK's goals and purposes.

Section 2. Pledgefest Date. The date shall fall between the first and third weekends in November. Pledgefest is held from Friday night (check-in) through Sunday following closing ceremonies.

Section 3. Selection of Hosting Chapters. The Director of Programming shall make a formal call for bids to all chapters. Interested chapters shall be given a list of hosting criteria as well as a presentation module. Presentations by prospective chapters shall be provided to the National Director of Programming for consideration and evaluation by the NEB and Chapter Presidents. Hosts will be selected by majority vote of the NEB and Chapter Presidents. Pledgefest host will be selected at the preceding Pledgefest. Bids will be opened at the preceding NAKfest. Presidents' Meeting host will be selected at the preceding NLDC. Bids will be open at the preceding Presidents' Meeting.

Section 4. NAKfest Mission Statement. NAKfest exists to serve several purposes: A congratulatory festival for newly crossed brothers, an annual awards gala, an initiation of a newly elected National Executive Board and a chapter gathering with the purpose of strengthening inter chapter bonds.

Section 5. NAKfest Date. The date shall fall between the first and third weekends in April. NAKfest is held from Friday night (check-in) through Sunday at lunch.

Section 6. Selection of Hosting Chapter. The Director of Programming shall make a formal call for bids to all Chapters. Interested Chapters shall be given a list of hosting criteria as well as a presentation module. Presentations by prospective Chapters shall be provided to the National Director of Programming for consideration and evaluation by the NEB and Chapter Presidents. Hosts will be selected by majority vote of the NEB and Chapter Presidents at the preceding NAKfest. Bids will be open at the preceding Pledgefest.

Section 7. National Leadership Development Conference Mission Statement. National Leadership Development Conference (NLDC) exists to foster chapter development and inter chapter networking and bonding, to enhance the leadership abilities of our elected and emerging leaders and to unify the chapters of the Fraternity under the current agenda of the National Executive Board of Nu Alpha Kappa. The National Alumni Association shall produce and oversee the NLDC through the National Alumni Association's Events Director and/or committee(s) in coordination with the Director of National Programs. The National Executive Board shall produce and oversee the NLDC through the National Executive Board's Director of Programs and/or committee(s) and in coordination with the National Alumni Association's Events Director

Section 8. NLDC date. The date shall fall between the second and fourth weekends in July. NLDC is held from Thursday night (check in) through Sunday following closing ceremonies.

Section 9. Selection of Hosting Chapter. The Director of Programming shall make a formal call for bids to all chapters. Interested chapters shall be given a list of hosting criteria as well as a presentation module. Presentations by prospective chapters shall be provided to the National Director of Programming for consideration and evaluation by the NEB & NAA sub-committee. Hosts will be selected by consensus judgment of NAA events committee. NLDC host will be selected at the preceding NAKfest.

Section 10. NAK Sports League. Continue fostering brotherhood and networking relations among chapters and regional (from NAKNET programs website).

Section 11. Chapter Development Program. The Directors of Chapter Development shall administer and manage a regional training program for all undergraduate chapters for the purposes of improving the quality, functioning and community impact of each undergraduate chapter.

Section 12. Regional Trainings. The frequency and location of Regional Trainings shall be based on the evaluation of the Director of Chapter Development and as requested by the chapters of any given region.

Section 13. Chapter Eligibility. Only Chapters in “Good Standing” will be eligible to host National Events. In the event a Chapter is given the privilege to host a National Event then loses their “Good Standing” status before the event is executed, the National Executive Board shall select an alternative host Chapter by majority vote.

Section 14. National Program Dates. The Director of Programming shall select national program dates for two years ahead of his term. The National Director of Programming must present these proposed dates for consideration and evaluation by the NEB and Chapter Presidents at the Winter President’s Meeting before the end of his term. These dates will be passed by majority vote of the NEB and Chapter Presidents and published by the National Director of Programs.

## Article IX

### National Elections

Section 1. Date of Elections. National Executive Committee member and National Board of Directors elections shall take place annually at NAKfest.

Section 2. Call for Nominations. The National Secretary shall make a formal call for nominations on March 1st of the calendar year or the closest National Board Meeting. The National Executive Board shall decide the process for exception of nominations. Nominations shall be officially closed one week prior to Elections.

Section 3. Election Oversight. The National Secretary shall oversee the Election process unless he is running for a contested position; at which time the National

President shall assign one brother, not in contention, to oversee the Elections. The Secretary shall appoint one alumnus and one undergraduate brother not in contention for an elected position to assist him in the coordination and vote counting process.

Section 4. Voting Structure. Each undergraduate chapter shall receive five total votes per election. Each of the chapter's votes must accompany a brother from the respective chapter physically present at the Elections. Recognized alumni chapters in good standing with the NEB are entitled to a maximum of five votes. National Alumni members in good standing receive one vote per Election.

Section 5. Election Years. The following positions will be elected on odd years and serve for two consecutive years: National President, National Vice President, Northern Director of Chapter Development, Southern Director of Intake and Expansion and Director of Marketing and Public Relations.

The following positions will be elected on even years and serve for two consecutive years: National Treasury Controller, National Secretary, Northern Director of Intake and Expansion, Southern Director of Chapter Development and Director of Programming.

The following position will be elected for a one year term: National Undergraduate Delegate will be elected for a one-year term.

## Article X

### Finance Management

Section 1. National Dues. (a) Chapters shall pay dues set by and voted upon by the National Executive Board and payable to Nu Alpha Kappa. Dues shall be paid to this account on the dates specified in the Financial Policies & Guidelines Handbook. (b) Local Alumni Chapters and National Alumni shall pay dues set by and voted upon by the National Alumni Association and payable to Nu Alpha Kappa Fraternity, Inc.

Section 2. Profits garnered at National Events. Profits made on behalf of a chapter at the location and/or time of a sanctioned National Program shall be divided as such: 50% to National Board and 50% to the hosting chapter or brother.

Section 3. Budget/Expenditure Plan. All Budgets/Expenditures set forth by the National Treasury Controller must be prepared for review and approval by the National Executive Committee bi-annually.

Section 4. Disbursement Procedures. The National Treasury Controller shall reimburse a chapter for funds allocated for National Events only after the Chapter has satisfied the procedures set forth by the National Treasury Controller to do so. Direct reimbursements shall only occur after any outstanding fines or penalties are paid in full.

Section 5. Donations/Sponsorships Packets. Donations from outside sources shall be collected by the National Treasury Controller and only deposited into the National Treasury. The National Treasury Controller shall notify the National Executive Committee of any and all donations given and include the donations in his Budget/Expenditure Plan as specified in Article X, Section 3 of these By-Laws.

Section 6. Loans. No loans shall be contracted on behalf of the Fraternity and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the National Executive Board. Such authority may be general or confined to specific instances.

Section 7. Checks and Drafts. All checks, drafts, or other orders for the payment of money, issued in the name of the Fraternity, shall be signed by such officer or officers, and in such manner as shall from time to time be determined by a resolution of the National Executive Board. In the absence of such resolution, such instruments shall be signed by the National Treasury Controller and countersigned by the National President or National Vice President of the Fraternity.

Section 8. Purchasing Alcohol/Illegal Drugs. Under no circumstance or at no time shall moneys be taken from the National Treasury to purchase alcohol or illegal drugs. Under no circumstance or at no time shall money be taken from any chapter treasury to purchase alcohol or illegal drugs.

Section 9. Fiscal Year. The fiscal year of the Fraternity shall initially be from January 1st to December 31st until such time as the National Executive Committee shall determine otherwise.

## Article XI

### The Judicial Board

Section 1. All matters of dispute between the National Board and a Fraternity chapter, a brother of the Fraternity and/or between chapters of Nu Alpha Kappa Fraternity, Inc. shall be referred to the Judicial Board of Nu Alpha Kappa Fraternity, Inc. when in the interest of the Fraternity, the National Board deems it necessary, when an appeal to a decision by the National Board is contested by a chapter or a brother of the Fraternity or when the seriousness of the matter warrants participation by the Judicial Board.

Section 2. The make up and function of the Judicial Board shall be outlined in the Charter conferred upon it by the National Board.

## Article XII

### Academics

Section I. GPA Requirement. Prospective brother GPA shall be a cumulative 2.5 GPA or higher (2.5 high school GPA if a college GPA is not established) to begin an intake process. Membership eligibility shall be established as 2.5 GPA for the term in which the prospective brother began their intake process. The national requirement for chapters' annual cumulative GPA shall be 2.7 to be in compliance with the NIC standards or a respective chapter's university requirement, whichever is higher.

## Article XIII

### General Provisions

Section 1. Omega Chapter. Brothers who have passed away shall be inducted into the Omega Chapter with a moment of silence at NAKfest. The Greek letter 'Omega' may not be reserved to represent a chapter or a class of Nu Alpha Kappa Fraternity, Inc. other than the Omega Chapter as specified.

Section 2. Accountability Procedures. All chapters of Nu Alpha Kappa Fraternity, Inc. shall be held accountable to the National Board by procedures set forth by the National Vice President and the National Undergraduate Delegate. Any chapter or alumni chapter who has been deemed in violation of the policies or National By-Laws of Nu Alpha Kappa Fraternity, Inc.; or of the rules, regulations, or policies of its school shall

be subject to fair consequences decided upon by the National Executive Board and may include the following: penalties, fines, loss of chapter charter, suspension of chapter, or any other consequence deemed fair and voted upon by the National Executive Board.

Section 3. Advisors. Chapter Advisors shall be subject to the rules and regulations of Nu Alpha Kappa Fraternity, Inc. as set forth by these By-Laws as well as chapter By-Laws. Chapter Advisor's privileges shall be set by each individual chapter but the chapter shall notify the National Undergraduate Delegate of these privileges.

Section 4. Books and Records. The Fraternity shall keep correct and complete books and records and shall also keep minutes of the proceedings of all National meetings and committees having any of the authority of the National Executive Board. The books, records and papers of the Fraternity shall be at all times, during reasonable business hours, be subject to inspection by any Officer or Director. The National Constitution and the By-Laws of the Fraternity shall be available for inspection by any brother at the principle office of the Fraternity.

Section 5. Honorary Membership Requirements. The requirements for Honorary Members are as follows:

- a.) Must have attained no less than a Bachelor's Degree from an accredited four (4) year institution.
- b.) Must have served the Fraternity in any capacity for no less than five (5) years.

The Honorary Member does not have full privileges to the organization.

- a.) They do not attend or take part in the Intake Process at the National or Chapter level.
- b.) They are not expected pay dues to be considered Active.
- c.) They are not provided or will not participate in any sacred rituals. d.) These members cannot be associated with Alumni Chapters only. e.) They do not have National voting privileges.

The Honorary Member:

- a.) Does give and receive the National Handshake.
- b.) Is allowed to attend meetings and able to voice an opinion c.) Is allowed to vote on all matters except Intake-related items
- d.) Is allowed to wear NAK letters, in accordance with National By-Laws

e.) Can attend all Chapter and National Events

Requirements for Honorary Members will not conflict with NIC regulations. Existing Honorary Members from all Chapters shall provide a list of existing Honorary Members to the National Executive Board by November 1st, 2012. These members will not be required to meet these guidelines. Any notified Honorary Members submitted after this date will not be eligible for Honorary Status.

**Section 6. Undergraduate Membership Status.** In accordance with the NAK Oath, Membership status at our undergraduate chapters shall be defined as follows:

**Full Active.** This designation is reserved for undergraduate brothers who, in accordance with the initiation oath, are in good financial and academic standing with the chartered chapter. Full active brothers shall have all the rights and privileges of membership as outlined in these National Bylaws and the bylaws of the respective undergraduate chapter.

**Active Financial Support.** This designation is reserved for undergraduate brothers who, in accordance with the initiation oath, are in good financial & academic standing with the chapter but who are unable to pay membership dues because of financial constraints. The petition and approval process for determining this status shall be at the discretion of each individual chapter, their bylaws and/ or standing rules.

**Active Academic Support.** This designation is reserved for undergraduate brothers who, in accordance with the initiation oath, are in good financial standing with the chapter but who have not met the GPA requirements as defined in these National Bylaws, the chapter bylaws and/ or university standards. The petition and approval process for determining this status shall be at the discretion of each individual chapter, their bylaws and/ or their standing rules. In addition, each chapter must provide and engage brothers designated in this category in an Academic support plan.

**Active Academic Focus.** This designation is reserved for undergraduate & graduate school brothers who, in accordance with the initiation oath, are in good financial standing with the chapter but who are in the final twenty (20%) percent of their graduation plan or are currently attending graduate school at an institution where a NAK chapter is chartered. The petition and approval process for determining this status shall be at the discretion of each individual chapter, their bylaws and/ or their standing rules.

**6.1** It is the expectation, in accordance with the NAK Oath, that all enrolled brothers at an institution where a NAK chapter is chartered, must be an active brother of the chapter. Nu Alpha Kappa Fraternity shall make no designation for membership status

apart from or outside of the aforementioned categories. Any brother enrolled at an institution where a NAK chapter is chartered who does not meet any of the aforementioned Active status categories shall have no rights and privileges of membership reserved in these National bylaws nor in the bylaws of any undergraduate chapter.

Adopted: August 10th, 2002, National Meeting at NLDC, San Diego, CA

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

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

Amended: March 21st, 2009, Presidents' Meeting, Prospective Upsilon Chapter host

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

Amended: February 25th, 2012, Presidents' Meeting, Omicron Chapter host

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

Amended: November 10th, 2012, Presidents' Meeting at PledgeFest, Delta Chapter host

Amended: June 23rd, 2013 Council of Presidents Meeting (Online) & July 19th National Retreat, Lake Tahoe, NV.

Amended: November 9<sup>th</sup>, 2013, National Meeting at PledgeFest, Omicron Chapter host

Last Amended: January 18<sup>th</sup>, 2014, Council of Presidents Meeting & National Retreat, Avalon, CA

Last Amended: January 17<sup>th</sup>, 2015, Council of President's Meeting & National Retreat, Avalon CA

Last Amended: January 16<sup>th</sup>, 2016, Council of President's Meeting & National Retreat, Avalon, CA.

# **Nu Alpha Kappa Fraternity**

## **National Protocol, Policies & Standing Rules**

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### **NAK NATIONAL OMEGA PROTOCOL**

#### **I. Chapter contacts the National President/ NEC about incident**

- Risk Management protocols in place: no one to speak to press
- Chapter President instructed to collect info from family & is point of contact to National Fraternity
- 11 Day Mourning Period is announced & Omega Image is created Director of Marketing. Brothers are asked to turn social media accounts to the Omega Image
- Webmaster includes Omega Image on Front page of National site

#### **II. Omega Fund starts (Treasurer sets up fund) & National President works with NAK Store & Chapter President to create shirts**

- Chapter Presidents to send sizes

#### **III. At least one National Board brother is designated to attend services Omega Chapter & National Treasurer orders wreath for services**

#### **IV. Omega Chapter Crossing Ceremony takes place within twenty-four hours after funeral**

#### **V. Brother is added to the Omega Chapter portion of the website.**

#### **VI. After two weeks, Treasurer sends statement of money raised to chapter and makes first deposit**

(National Standing Rule passed 2/17/16 by unanimous vote of the NEB)