

Constitution of the North American Interfraternity Conference

(Last Revised: December 3, 2019)

ARTICLE I. Name. The name of this Conference shall be the North American Interfraternity Conference (hereinafter Conference or NIC).

ARTICLE II. Purpose. The purpose of the North American Interfraternity Conference shall be to promote the well-being of its member fraternities by providing such services to them as the Meeting of Members may determine. These services to include, but not be limited to, promotion of cooperative action in dealing with fraternity matters of mutual concern, research in areas of fraternity operations and procedures, fact-finding and data gathering, and the dissemination of such data to the member fraternities. Conference action shall not in any way abrogate the right of its member fraternities to self-determination.

ARTICLE III. Membership. The Conference shall be composed of men's general college fraternities that have been admitted in conformity with this Constitution and Bylaws. Provisions may be made in the Bylaws for Alliance and Associate Partners

ARTICLE IV. Meeting of Members. The Powers of the Conference shall be vested in a Meeting of Members.

Section 1. Composition. The Meeting of Members shall be composed of one representative from each member fraternity. The representative shall be the Chief Staff Officer (CSO) of the member fraternity unless the member fraternity's board designates a different individual to serve as the representative. Each member fraternity may also choose an alternate representative who shall represent it in the absence of the representative.

Section 2. Fraternity Growth Accelerator. Qualifying member fraternities shall be eligible to participate in the Fraternity Growth Accelerator (FGA) in addition to their participation in the Meeting of Members. The Meeting of Members shall approve the qualifications associated with member fraternity participation in the FGA and a portion of dues from FGA member fraternities may be directed toward FGA services and initiatives. In addition, the Meeting of Members may dissolve the FGA upon a majority vote of all representatives present and entitled to vote at the Meeting of Members. Upon dissolution, member fraternities participating in the FGA at the time of dissolution shall determine through a majority vote whether existing FGA financial resources shall be redistributed equitably among the member fraternities participating in the FGA at the time of dissolution or whether FGA financial resources shall be earmarked for fraternal growth initiatives within the Conference.

Section 3. Voting. Each representative present, or in his absence the alternate representative, is vested with one vote per chartered and active chapter for which the member fraternity pays dues. If the annual dues structure includes a minimum assessment, each representative will be entitled to at least the number of votes associated with the minimum assessment, regardless of the number of chapters. If the annual dues structure includes a maximum assessment, each representative will be entitled to no more than the number of votes associated with the maximum assessment, regardless of the number of chapters. Each representative shall cast all of the member fraternity's votes collectively when voting on an issue as splitting of votes across an issue is prohibited.

Section 4. Responsibilities. The Meeting of Members shall be responsible for the broad general policies of the Conference, for electing three members to the Council, for establishing the annual Council Financial Threshold (CFT) associated with designated Council membership and for instructing the Council as to activities on behalf of the Conference. All such activities shall preserve the autonomous right of each member fraternity over its own affairs.

Section 5. Quorum within the Meeting of Members. A majority of member fraternity representatives and a majority of all votes eligible to be cast by the Meeting of Members must be present to constitute quorum. Votes will be considered present if the member representative entitled to cast those votes is in attendance and entitled to vote at the meeting.

ARTICLE V. Council. The executive and administrative powers of the Meeting of Members shall be vested in a Council which will be comprised of elected and designated members.

Section 1. Term. As provide herein, Council members shall serve on an annual basis with a full term defined as one year in length. Three Council members shall be elected at each Annual Meeting and all remaining members will be designated at each Meeting of Members as herein provided.

Section 2. Quorum within the Council. A majority of Council members shall constitute a quorum for the purposes of conducting the business of the Council.

Section 3. Eligibility. No person shall be elected or designated a member of the Council unless that person is the representative of a fraternity which is a member of the Conference with its dues paid and in good standing per article XI contained herein. For this purpose, a fraternity whose dues are more than ninety (90) days in arrears, a fraternity which has been granted an extension by the Council as provided in the By- Laws for the payment of dues, or a fraternity who has not satisfied the CFT by the last day of the immediate prior fiscal year, shall be deemed a member not in good standing. An elected member of the Council whose fraternity is not in good

standing because of failure to pay its dues and/or whose fraternity resigns its membership in the Conference shall have that office vacated forthwith. Each member fraternity shall select its own representative provided that the selected individual has agreed to serve, at the pleasure of the member fraternity, a term of not less than four (4) years. No more than 40% of Council members shall be member fraternity volunteers

Section 4. Elections: At -Large Council members shall be elected at each Annual Meeting. In even number years, one Council member will be elected from the representatives of member fraternities participating in the Fraternity Growth Accelerator and one Council member will be elected to a two-year term from the remaining pool of eligible representatives who are not designated to membership on the Council. In odd number years, one Council member will be elected among representatives of member fraternities who have joint membership in the National Pan-Hellenic Council, Inc. (NPHC) to a two-year term, and one Council member will be elected to a two-year term from the remaining pool of eligible representatives who are not designated to membership on the Council. The sitting Council shall receive nominations prior to the Meeting of Members of those representatives interested in being slated for election. The sitting Council should prepare and present for election, by the Meeting of Members, a slate of nominees for election to the available positions. In preparing its slate of nominees, the Council shall predetermine a process to follow. Nominees for Council membership, whether through the Council slate or those nominated from the floor during the Meeting of Members, must be approved by a majority vote of all eligible votes cast at the Annual Meeting. No member fraternity may have more than three members total serving as elected or designated Council members\ted Council members.

Section 5. Designation. All non-elected Council members will be designated as such by the virtue of meeting the following criteria. First, designated Council members will be the representative for their member fraternity. Second, designated Council members will represent a member fraternity that has contributed to the Conference through dues, fees and purchase of services at a CFT level established annually by the Meeting of Members.

Section 6. Vacancies. In the event of the death, incapacity or resignation of a Council member who was duly elected at the Annual Meeting and such event occurs between Annual Meetings, such vacancy shall be filled by a majority vote of the remaining Council members and the person thus elected shall serve the unexpired term of the deceased, incapacitated or resigned person. In the event of the death, incapacity or resignation of a Council member who was designated at the Annual Meeting, the member fraternity will provide a replacement representative to fill the unexpired term of the deceased, incapacitated or resigned person so long as that member fraternity remains in good standing. The resignation of a Council member shall be submitted to the Meeting of Members, if assembled, otherwise, the resignation shall be submitted to the Council through the Chief Executive Officer (CEO) of the Conference.

Section 7. Duties. The Council shall be responsible for carrying out the purpose and policies of the Conference, for slating candidates for election to the Council, for establishing such fees as may be required to support Conference services and for the employment of the CEO of the Conference.

Section 8. Voting for Council Members. Each elected or designated Council member shall have one vote on all matters brought before the Council. In the event that the Council is comprised of an even number of members and there is a tie the issue shall fail.

Section 9. Alternates and Proxies. Proxy voting shall not be allowed. However, a member fraternity whose Council member is unable to attend a meeting may select a replacement Council member to represent the member fraternity and cast its vote during that Council meeting so long as that replacement is not already serving as a voting member of the Council for another member fraternity. Such selection must be provided to the presiding officer of the meeting prior to or at the start of the meeting. Recognition of a replacement Council member will terminate at the conclusion of the meeting.

ARTICLE VI. Officers. The Council shall elect a President, Treasurer and Secretary to serve as officers of the Conference along with any additional officers deemed necessary to carry out the business of the Conference. Conference officers are not required to be Council members. The CEO of the Conference shall not be a member of the Council, nor vote in Council meetings.

ARTICLE VII. Committees. The Council or the CEO may form such committees as they deem necessary to perform the work of the Conference. The CEO shall appoint the chairmen and members of Council committees with the concurrence of the Council. In addition to those committees formed by the Council or CEO, there shall be a standing Membership & Accountability Committee. The Committee shall be responsible for review and recommendations regarding applications for membership in the Conference, adjudication of disputes between member fraternities, the resolution of alleged violations of the Constitution and By-Laws of the Conference, annual review of Standards compliance and development of aspirational benchmarks for attainment above Conference Standards.

ARTICLE VIII. Annual Meeting. The Annual Meeting of Members shall be held at such time and place as designated by the Council. The Annual Meeting of Members shall be held at the same time and place as it may decide in annual session or by the Council or by petition signed by at least two-thirds of its regular representatives.

Section 1. Notices. Notices of the Annual Meeting of Members shall be issued by the Conference not less than sixty days preceding the Annual Meeting, and thirty days preceding a special meeting.

Section 2. Attendance. Each NIC member fraternity is required to attend the Annual Meeting of Members through its regular representative or appointee. Any NIC member fraternity who has failed to attend any 2 of the last 3 Annual Meetings of Members shall be denied representation in the Meeting of Members and shall be dropped from membership in the Conference unless granted a reprieve by the Council. The Membership & Accountability Committee shall be tasked with advising the Council on the granting of any reprieves.

Section 3. Registration. Registration for the Annual Meeting of Members shall be limited to representatives of NIC member fraternities, representatives of Associate Members, representatives of North-American Interfraternity Conference Foundation member foundations, and guests specifically invited by a member of the NIC Council or staff of the Conference. A person who is not registered shall not be admitted to any official function of the Annual Meeting.

ARTICLE IX. Admission to Membership. Every general college fraternity eligible for membership in the Conference under Article III of this Constitution and under Section 1 of the By-Laws must apply to the Membership & Accountability Committee no later than 60 days prior to the Conference's Annual Meeting. Admission will be granted upon two-thirds vote of the Council members in attendance at the meeting when the vote is taken on a positive recommendation by the Membership & Accountability Committee. In the event of the failure by the applicant fraternity to obtain the approval of the Council for admission to membership in the Conference, such fraternity may thereafter appeal to the Meeting of Members, which by a two-thirds vote of the member fraternities represented at such meeting may approve the application for admission and admit the fraternity to membership in the Conference. Failure to obtain a two-thirds vote in the Meeting of Members shall affirm the action of the Council in rejecting the application for admission.

ARTICLE X. Conduct: Disciplinary Action.

Section 1. No NIC member fraternity or Associate Member shall engage in any conduct or activity which is detrimental or prejudicial to the college or university community or the Conference. A violation or attempted violation of this Constitution or of the By-Laws shall be deemed evidence per se that the conduct or the activity is detrimental or prejudicial.

Section.2. The Conference may establish in its By-Laws Standards of Membership to be maintained by all member fraternities.

Section 3. Investigation and Hearing. The Council, through the Membership & Accountability Committee, shall investigate all complaints which come to it in writing and shall forthwith communicate any such complaint to the alleged offender. Such written complaint shall specify the section of the Constitution or By-Laws alleged to have been violated and shall, in general, set forth the conduct or activity complained of. Both the complainant and the alleged offender shall be afforded a reasonable opportunity to appear and be heard before the Membership & Accountability Committee. The Council, by a two-thirds vote of all its members, may expel, or impose lesser disciplinary action which the Council may determine to be appropriate under the circumstances, against the offender for conduct or activity found by the Council to be detrimental or prejudicial to the college or university community or the Conference. Lesser disciplinary action may include, but is not limited to, fines, public censure, or a period of suspension of voting rights. All correspondence and communications which occur during the investigation of a complaint, along with any testimony or evidence presented during a hearing of the Membership & Accountability Committee or Council are of a privileged and confidential nature between the complainant, alleged offender, the Membership & Accountability Committee, and the Council. No such correspondence, communications, testimony and/or evidence, except for any final decisions or reports, shall be shared with any individual or group who was not a party to the investigation and/or hearing, nor shall such items be introduced as evidence in a court of law or equity.

Section 4. Appeal. The member fraternity, or Associate Member shall have the right to appeal the disciplinary action of the Council to the Meeting of Members at its Annual Meeting next following the notice of appeal. Appeal may be taken by the filing of a written notice or appeal with the office of the North-American Interfraternity Conference within sixty days from the date of the notice of the disciplinary action. The disciplinary action of the Council shall stand until the appeal shall be heard by the Meeting of Members. The Meeting of Members, by a majority vote of the members in attendance, may affirm or reverse the action of the Council and may lessen or increase the disciplinary action imposed by the Council.

ARTICLE XI. Dues. The annual dues of members shall be fixed from time to time by the Meeting of Members and, absent contrary action by the Meeting of Members, adjusted biennially based upon the percentile average adjustment of the previous two year period as published by a commonly accepted system of measuring changes in price level of consumer goods and services. Such biennial adjustment shall not exceed 3% and shall be applied to any minimum, maximum, or other limits.

Section 1. Payment: Delinquency. All dues shall be paid within thirty (30) On any amount unpaid within 90 days of being assessed, a charge of ten percent (10%) will be imposed. An additional charge of one percent (1%) will be added every thirty (30) day thereafter in which default continues in perpetuity.

Section 2. Extensions: An organization may be eligible to defer the payment of up to one-half (50%) of membership dues and any corresponding CFT fees to March 1 of that same fiscal year upon reaching a mutually agreeable plan between the member organization and NIC Chief Executive Officer or his designee. The balance of any dues from such a plan would be subject to the interest charges outlined in Article XI Section 1 contained herein.

Section 3. Suspension of Membership. If dues have not been paid in full 180 days following the date assessed the delinquent member shall be suspended from membership in the Conference unless granted an extension by the Council.

Section 4. Reinstatement of Membership. Any prior member of the Conference, having either been suspended or resigned for financial reasons, may be reinstated following an equitable restitution plan as approved by the NIC Chief Executive Officer and Governing Council along with payment of any prorated amount for the current fiscal year.

ARTICLE XII. Amendments. The Constitution may be amended at any meeting by a two-thirds vote of all the member fraternities entitled to vote in the Meeting of Members, whether or not present at the meeting. If written notice of any proposed amendment has been mailed to all member fraternities at least 30 days before such meeting, then such amendment may be adopted by a two-thirds vote of all member fraternities present and voting on such amendment, provided that such two-thirds vote is not less than one-half of all members entitled to vote in the Meeting of Members, whether or not present at the meeting. Amendments may be proposed by means of such advance written notice upon proper authorization of the governing body of any member fraternity or of the Council. Amendments may be adopted without a meeting by the written approval of two-thirds of all member fraternities entitled to vote in the Meeting of Members. The Council may make recommendation to the Meeting of Members regarding action to be taken on any proposed amendment.

ARTICLE XIII. Incorporation. The Conference shall be incorporated under the membership corporation laws of the state of Indiana under the title "North-American Interfraternity Conference, Inc."

By-laws of the North-American Interfraternity Conference

(Last Revised: December 2, 2015)

Section 1. Membership Requirements.

- (a) Fraternity Membership. To be eligible for membership in the Conference, a fraternity must:
- (1) Be devoted to general fraternity ideals and in compliance with the Standards of the Conference;
 - (2) Be (inter)national, as distinct from local, in character, meaning that it shall (i) consist of no fewer than five undergraduate chapters, each of which has a current undergraduate membership of at least ten members, (ii) include not less than three undergraduate chapters, which have been part of the fraternity for at least five years, and (iii) have constitutional provisions for national conventions or equivalent with interim authority in trustees, directors or other officers who supervise the affairs of the fraternity.
 - (3) Be mutually exclusive of and in competition with other general fraternities, meaning that no member fraternity shall initiate a member of another fraternity until such time as the second fraternity shall have been formally notified in writing by the national office of the first fraternity that a candidate for membership in the second fraternity is no longer regarded as a member of the fraternity.
 - (4) Attend the annual meeting and specific meetings of the Meeting of Members.
 - (5) Timely payment of annual membership dues.
 - (6) Abide by the NIC's Constitution and By-Laws.
 - (7) Honor the resolutions adopted by the Meeting of Members.
 - (8) Share best practices, statistics and information that will benefit member organizations.
 - (9) Hold all chapters and colonies accountable to all policies/procedures and values statement(s) (i.e. Creeds) of their fraternity.
 - (10) Have no undergraduate chapters related to institutions other than accredited

- (i) four year colleges or universities which grant Bachelor Degrees, or
- (ii) two-year degree granting colleges.

(11) Submit an application fee of \$500.00 that will be applied to first year dues if admitted.

For the purposes of these By-Laws, “accredited” shall mean, in the United States, institutions which are accredited by one of the following regional associations: Middle States, New England, North Central, Northwest, Southern, or Western, and the accrediting agencies recognized by the American Council on Education; and, other than the United States, institutions which are accredited or approved in some similar manner.

For the purposes of these By-Laws, a chapter is “related to” an institution if its membership is drawn from students enrolled at such institution, and no formal agreement with or recognition by such institution shall be required or implied.

This subsection shall not be deemed to prohibit undergraduate chapters related to extension, branches or regional campuses of accredited institutions.

- (b) Alliance Partner. Any company or organization that serves and supports the fraternal market is eligible to be an Alliance Partner. The Council shall fix dues and service rates, as well as establish and publish any additional rules and procedures pertaining to Alliance Partners. Alliance Partner members are non-voting members of the Conference.
- (c) Associate Partner. Any fraternal organization that does not meet the criteria for membership in the Conference is eligible to apply to be an Associate Partner. The Council shall fix dues and service rates, as well as establish and publish any additional rules and procedures pertaining to Associate Partners. Associate Partners are non-voting members of the Conference.

Section 2. NIC Standards.

- (A) Member Organization Requirements. The North American Interfraternity Conference (NIC) is a voluntary trade association and membership in the NIC requires each member organization to adhere to the following Standards of Membership, known as the NIC Standards. Realizing that undergraduate chapters are self-governing, nothing in the NIC Standards shall be interpreted to imply that a member organization has a duty to provide day-to-day supervision or direction or control the daily activities of undergraduate chapters and/or individual members associated with that member organization. It is further understood that each member organization shall strive to work collaboratively with host institutions

through these Standards and The Campus Advocacy Protocols, while supporting its respective chapters to maximize student enrichment.

Member organizations are expected to provide appropriate follow up and ongoing education with their chapters on compliance with NIC Standards in a similar manner to which they accomplish the same regarding member organization policies and expectations.

(1) Academic Enrichment

- (A) Each member organization shall maintain a policy of a 2.5 minimum cumulative high school or college, if established, GPA for joining an undergraduate chapter.
- (B) Each member organization shall maintain a policy of a minimum chapter cumulative GPA of 2.7, or above the all men's GPA for host institutions whose all men's GPA is below a 2.7.
- (C) Each member organization shall maintain a ratio of at least 50% of its undergraduate chapters attaining a chapter-average GPA at or above the respective campus' All-Men's Average.

(2) Health and Safety. Each member organization shall have health and safety policies which mirror the NIC guidelines and address the following.

- (A) Alcohol and Drug policies consistent with those adopted by the NIC
- (B) Hazing
- (C) Sexual Abuse and Harassment
- (D) Fire, Health, and Safety
- (E) Carry Commercial General Liability Insurance.
- (F) Have and enforce a policy prohibiting women's auxiliary groups (i.e. "little sisters") associated with their undergraduate chapters.
- (G) Adopt and implement a medical Good Samaritan policy.
- (H) Provide ongoing education on member organization Health & Safety Guidelines.

(3) Maintain and enforce policies supporting opportunities for new fraternities and responsible growth. Each member organization shall:

- (A) Have and enforce a policy that supports the opportunity for all NIC member fraternities to flourish through responsible access to open expansion. "Responsible access" requires that the CEO of the Conference has confirmed that
 - (i) the member organization has openly and in a timely manner communicated its expansion intention and

timeline to the host institution, the IFC, and the Conference;

- (ii) the member organization has made reasonable efforts to partner with the host institution, IFC and fraternity/sorority community in its expansion efforts; (iii) there are no significant documented risk concerns with any existing interest group of the member organization on such host institution campus; and
 - (iii) the member organization has assessed and taken into consideration any campus readiness assessment developed by the Conference regarding such institution.
- (B) Commit to responsibly colonizing chapters that enhance the campus community by working collaboratively with other member organizations and the host institution and adhering to responsible access expectations.

- (4) Maintain and enforce a policy supporting student choice as to the ability of any male to freely choose when he can join an undergraduate chapter of any member organization without restrictions on the date, time and place of membership invitation, extension, and acceptance; or which would violate IFC SOPs.

(5) Interfraternalism

- (A) Each member fraternity shall adhere to all provisions of the Constitution and Bylaws of the Conference.
- (B) Each member fraternity shall have and enforce a policy that all of its eligible undergraduate chapters and colonies shall maintain membership in an Interfraternity Council, where applicable, that is in alignment with NIC Standards and IFC SOPs.

(B) Membership Data Submissions. Each member organization shall accurately submit the following data, within thirty days of request by the NIC, but no more than twice annually. Failure of a member organization to accurately submit the required data shall be referred to the NIC Membership & Accountability Committee for consideration of disciplinary action pursuant to Article X of the Constitution. Information collected under items 1(I) and 1(J) shall only be collected for collective industry purposes.

- (1) The following data regarding member organizations
 - (A) Total number of new members pledged during the academic year.
 - (B) Total number of new members initiated during the academic year.
 - (C) Total number of undergraduate members.

- (D) Total number of active undergraduate chapters during the academic year.
- (E) Total number of undergraduate chapters chartered during the academic year.
- (F) Total number of undergraduate colonies established during the academic year.
- (G) Total number of chapters closed during the academic year
- (H) Total number of active alumni chapters.
- (I) Total number of community service hours completed by all undergraduate chapters during the academic year.
- (J) Total number of philanthropic dollars raised for charitable causes by all undergraduate chapters during the academic year.
- (K) Annual verification of NIC Standards compliance.

Section 3. NIC Standards Compliance.

- (a) The authority for holding member organizations accountable to NIC Standards derives from Article X, Sections 2 and 3 of the NIC Constitution.

Section 4. Colonies.

A colony, meaning a newly-formed group or association of students sponsored, organized or assisted by a fraternity with the intent of it becoming a chapter or otherwise affiliated in any manner with that fraternity, may be established by a member fraternity only in relation to an accredited college or university. No member fraternity shall sponsor, organize, assist or participate in any manner in the formation, organization or establishment of a colony related to an accredited college or university, unless such college or university shall hold an approved candidacy status with the appropriate regional association, and such colony may become chartered only upon full accreditation of the institution.

Section 5. Comity.

No member fraternity shall accept a petition for membership, grant colony or other affiliated status, or grant a charter to any group substantially representing an existing or previously resigned or disassociated colony or active chapter of another member fraternity, until the fraternity with which such group was previously connected has officially given written notice to the Conference that all rights have been waived by them, or until five years have elapsed from the date of resignation or disassociation. No member fraternity shall, communicate with any active chapter or colony associated with another member fraternity about transferring, merging or consolidating its membership with the communicating member fraternity nor shall it communicate with the active chapter or colony about its member fraternity's status

without the express written permission of the affected Member Fraternity and which is subsequently recorded with the Conference.

Section 6. Affiliation of Local Chapter.

Member fraternities may accept petitions for a charter from and grant charters to eligible local chapters in accredited colleges or universities. Upon receipt and acceptance of such petition, a member fraternity may give written notice to the Conference of such acceptance, identifying the local chapter and the institution with which it is related. Upon receipt by the conference of such notice, the local chapter shall be subject to the rules of comity set forth in Section 5, except that the elapsed time from the date of resignation or disassociation shall be three years instead of five years. A petition may not be accepted unless it has been approved by both the undergraduate and alumni components of the local chapter.

Section 7. Antitrust Activity.

The Conference and its Members shall operate at all times in strict compliance with antitrust laws. The Conference shall not be used as a forum for anti- competitive activity, exclusionary conduct, or illegal coordination amongst its Members or Alliance Partners. Given the serious civil and criminal penalties associated with violations of antitrust laws, the Conference reserves the right to terminate a fraternity's membership in the Conference in the event it or one of its local chapters engages in conduct that violates this Section.

Section 7. Fiscal Year.

The fiscal year of the Conference shall begin September 1.

Section 8. Governing Rules.

The business of the Conference shall be governed by Robert's Rules of Order, except as hereinafter noted.

Section 9. Amendments.

Amendments to By-Laws relating to membership in the Conference, the qualifications, or privileges of membership of members may be made in the same manner as amendments to the Constitution are made. Other amendments to the By-Laws may be made by the Meeting of Members by a majority of the voting members voting thereon, with or without notice of the proposed amendment.

