

# Arkansas Tech University – National Pan-Hellenic Council, Inc.

## By-Laws

### ARTICLE I – NAME

Section 1. The name of this organization shall be the Arkansas Tech University - National Pan-Hellenic Council, Inc. hereinafter referred to as “ATU-NPHC.”

### ARTICLE II- PURPOSE

Section 1. The purpose of the ATU-NPHC is to foster cooperation and a positive and courteous discourse among its member organizations, focusing on matters of mutual concern, working collaboratively on programs, community service, and other activities to promote Greek unity, improve the community and support academic excellence.

### ARTICLE III - MEMBERSHIP

Section 1. Arkansas Tech University National Pan-Hellenic Council (ATU-NPHC) is composed of the following member organizations currently chartered at Arkansas Tech University: Alpha Phi Alpha Fraternity, Inc., Omega Psi Phi Fraternity, Inc. , Zeta Phi Beta Sorority, Inc. Chapters of Alpha Kappa Alpha Sorority, Inc., Delta Sigma Theta Sorority, Inc., Kappa Alpha Psi Fraternity, Inc, Phi Beta Sigma Fraternity, Inc., Sigma Gamma Rho Sorority, Inc. and Iota Phi Theta Fraternity, Inc. will be eligible to join ATU-NPHC at such time as their charters are approved for this campus.

#### Section 2. Councils

Collegiate and alumni councils must be chartered where there is representation of at least two member organizations, with the approval of the national office of NPHC, unless otherwise prohibited by a college or university.

#### Section 3. Collegiate Councils

Collegiate councils shall be established as college/university councils and shall be comprised of representatives of the local collegiate chapters of member organizations who are matriculating at an accredited college or university that recognizes and supports the concepts and ideals of the NPHC. Once established, a council with fewer than two participating member organizations must request and receive special permission from the national office of NPHC and the college/university, to function in a given fiscal year.

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### Section 5. Limitation on Membership

Only chapters whose organizations are recognized by the national body of the National Pan-Hellenic Council may participate with Arkansas Tech University NPHC. Only chapters in good standing with their national organization may participate with ATU-NPHC. Only chapters whose national organizations are in good standing with the National Panhellenic Council can participate with ATU-NPHC. Only chapters operating on the campus of Arkansas Tech University are eligible to participate with ATU-NPHC

Section 6. For the purposes of active membership, the fiscal year of ATU - NPHC is from January 1st to December 31st. Dues are due on January 31st. Any chapter that fails to submit its dues by February 15<sup>th</sup> shall be notified that they are not financially in good standing and their membership and voting rights in NPHC shall be forfeit by February 28<sup>th</sup>. Chapters wanting to reinstate after February 28 shall pay a reinstate fee in addition to the delinquent dues.

Section 7. Each member organization in good standing shall select one representative to attend NPHC meetings. Each member organization is entitled to one vote, regardless of the size of the chapter. Each member of the Executive Board shall have one vote. The Assistant Director of Campus Life, Associate Dean of Campus Life and Student Union, any ATU faculty and/or and NPHC Alumni Council Adviser may attend all meetings of ATU-NPHC but do not have a vote.

Section 8. The president of each member organization will submit the name of their NPHC representative to the president of ATU-NPHC no later than the first day of class for both Fall and Spring semester of each year. Any representative who misses two meetings without being excused by the ATU-NPHC President will be subject to a fine. Any representative who misses three meetings without being excused will be reported to their member organization and a replacement requested. If a representative due to class conflicts, illness or other reasons is unable to make the meetings, the member organization will select a new representative and inform the ATU-NPHC in writing of the new representative within 2 (two) hours of the meeting.

### Article IV – Meetings

Section 1. Regularly scheduled delegate meetings of the ATU - NPHC will occur bi-weekly at 6:00 p.m. on Wednesday in Brown 436.

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Section 2. The last meeting in April is designated as the annual meeting. All officers will provide an annual report of their activities at this meeting. The auditor's report will be given at this meeting.

Section 3. Special meetings can be called by the Executive Board or upon request by a majority of the voting representatives of the ATU-NPHC. The notice for such meetings must be e-mailed to all members of the ATU-NPHC at least 5 business days prior to the meeting. Only the items named in the call to the meeting can be discussed at a special meeting.

Section 4. The quorum required for the delegate meeting of the ATU-NPHC is a majority of the chapter.

Section 5. The quorum required for the open body is 75% of the chapter.

Section 6. If an inclement weather emergency or some other emergency or conflict occurs, the Executive Board can cancel and/or reschedule a regularly scheduled meeting.

### ARTICLE IV –OFFICERS

#### Section 1. Officers

The officers of ATU-NPHC shall be the President, Vice-President, Secretary, Treasurer, and Parliamentarian. The offices of President, Vice-President, Secretary and Treasurer shall be elected. The Parliamentarian is an appointed office. That officer is appointed by the President after conversation with the executive board and council advisor.

#### Section 2. Duties

##### A. President shall:

1. Preside at all meetings of the ATU-NPHC
2. Have overall responsibility for ensuring the programs and activities approved by ATU-NPHC are implemented.
3. Nominate members of all standing committees to the Executive Board for approval.
4. Serve as ex-officio member of all committees except Nominations and Judicial Committees.
5. Approve all vouchers for expenditure of budgeted funds.
6. Has the authority to appoint ad hoc/special committees.

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7. Will appoint two members from the member organizations to serve as tellers to count the ballot vote for officer elections. Tellers need not be voting members of the council.
  8. Perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by ATU-NPHC.
- B. Vice-President shall:
1. Assist the President in the performance of their duties.
  2. Preside in the absence or incapacitation of the President.
  3. Shall chair the Program Committee.
  4. Perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by ATU-NPHC.
- C. Secretary shall:
1. Keep a true and accurate record of the proceedings of all meetings of ATU-NPHC and the Executive Board.
  2. Share the NPHC meeting minutes 24 hours after meeting with all member organizations and Office of Fraternity and Sorority Life.
  3. Distribute upcoming NPHC meeting minutes at least 5 business days prior to the next meeting. If this deadline date is met, the reading of the minutes can be waived.
  4. Notify all members of their appointment to standing and ad hoc committees.
  5. Preserve all important records, documents, reports and communications.
  6. Perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by ATU-NPHC.
- D. Treasurer shall:
1. Keep correct and complete records of all accounts, showing accurately the financial condition of the NPHC.
  2. Will chair the Finance Committee.
  3. Receive all revenues from all sources of funds, e.g., dues from member organizations, fundraising, donations, and deposit all funds in the ATU- NPHC's bank account.
  4. Submit all financial records for audit no later than February 1 on request.
  5. At a minimum, prepare and present a financial report for every meeting of the ATU-NPHC.
  6. Perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by ATU-NPHC.

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### E. Parliamentarian shall:

1. Advise the President and the Council on parliamentary procedure and interpretation of the ATU-NPHC constitution and bylaws.
2. Chair the Constitution and Bylaws Committee.
3. Maintain and update the constitution, bylaws, and Standing Rules of ATU-NPHC ensuring that the latest, approved version is available and accessible to all member organizations.
4. Perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by ATU-NPHC.

### Section 3. Eligibility and Terms of Appointments

- a. To be eligible to serve as an officer, members must be a full-time undergraduate student at Arkansas Tech University – Russellville Campus in good standing, cumulative 2.5 gpa, and enrolled in a minimum of 12 credit hours.
- b. The term of office is one year, beginning on May 1 and ending on April 30. The president and vice-president cannot serve more than two consecutive terms. The secretary, treasurer, and parliamentarian may serve an indefinite number of terms.
- c. It is preferred that the president and vice-president will have been active in an executive position in their member organization for at least one academic year before being running for the office of president or vice-president of ATU - NPHC.
- d. It is preferred that candidates for the office of Treasurer will have some expertise with MS Excel, QuickBooks, or some other financial/spreadsheet software. If no qualified candidates present as nominees, candidates who are not qualified must agree to acquire the needed skills.

### Section 4. Removal from Office

- a. Any officer who fails to carry out the responsibilities of their office may be subject to removal from office unless they have been excused by the president for reasons of illness or other personal issues (death, job related).
- b. The president will first notify the officer, in writing, of the areas of deficiency. A copy of this letter will also be sent to both the Office of Fraternity and Sorority Life. The officer has ten days to respond to the president's letter.
- c. If the officer continues to be deficient, the President will notify the Judicial Committee of ATU-NPHC that an officer has failed to perform the duties of their office as prescribed in these bylaws. The letter to the Judicial Committee will identify the specific areas of deficiency.

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- d. The Judicial Committee will convene a hearing on a day and time agreeable to the president and the accused officer. If either the president or the accused officer does not respond to the request to set a hearing date, the hearing date will be set at a time convenient for all other parties. The hearing date cannot take place until at least 10 business days have elapsed since the letter notifying the accused officer was sent to the Judicial Committee, unless the accused agrees to an earlier hearing date.
- e. The committee will first hear the evidence presented by the president. Then they will hear the evidence of the accused officer. The Judicial Committee has the authority to ask others with knowledge of the accusations to also attend and give evidence. The accused officer can also invite those with knowledge of their activities to attend the hearing to give evidence to the Judicial Committee.
- f. If the accused does not appear, the hearing will still be held.
- g. After all evidence has been heard, everyone except the Judicial Committee, the Office of Fraternity and Sorority Life staff will be excused. The advisers are present only to ensure that university rules and national NPHC rules are not being violated. The committee will, by majority vote, decide on its recommendation to the full Council regarding the removal of the accused officer.
- h. At the meeting of the ATU - NPHC, the Chair of the Judicial Committee will present the recommendation of the Committee. Removing an officer from office will require two-thirds vote of the council.
- i. If the person being charged with dereliction of duty is the Council President, the Vice-President will stand in the role normally assumed by the President. If both the president and vice-president are accused of dereliction of duty or some other infraction, the Council will elect a person to stand in the role of president for this matter. Council officers cannot serve on the Judicial Committee.
- j. There may be a rare occasion when there is a need to immediately remove a person from office because their actions can or has caused irreparable harm to the organization. The President will convene a meeting of the ATU-NPHC and outline the deficiencies of the officer. If the ATU-NPHC by majority vote concurs with the action of the President, the charges against the officer will be simultaneously sent to the officer charged with dereliction of duty and the advisors. The officer will not function in office until the ATU-NPHC has taken action on the preferred charges. The decision of the ATU-NPHC is final.
- k. Any vacancy created by the removal of an officer for cause, or a vacancy in an office for any reason, will be filled by the ATU-NPHC with the exception of the office of President. If a vacancy occurs in the office of President, the Vice-President will assume the unexpired term.

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Section 5. If a vacancy occurs in the office of the Vice-President, a special election will be held at the next council meeting.

Section 6. If a vacancy occurs in any office and the time remaining for that term of office is six months or more, then the person completing that term of office is deemed to have completed a full term. But if the time remaining in the unexpired term is less than six months, then the person completing that term is not deemed to have completed a full term in office.

## ARTICLE V- EXECUTIVE BOARD

Section 1. The Executive Board of the ATU-NPHC is composed of the officers. The Office of Fraternity and Sorority Life staff and NPHC Alumni adviser may attend meetings of the Executive Board, without a vote.

Section 2. Members of the ATU-NPHC who are not officers may attend the meetings of the Executive Board provided an advanced notice of 2 business days to the president.

Section 3. The Executive Board generally supervises the affairs of the ATU-NPHC in between regular meetings, except they cannot amend the constitution, bylaws, standing rules, or change any action without a vote from the NPHC delegation.

Section 4. The Executive Board, at a minimum, must meet monthly, but can meet as often as the need arises. The quorum for such meetings will be a majority of the officers.

Section 5. The Executive Board will appoint the members of the Nominating and Judicial Committees. Every effort will be made to ensure all member organizations are represented on both committees. The members of these committees will be announced no later than September 15 every year.

Section 6.. The Executive Board can hold electronic meetings, provided that all officers have the appropriate equipment. At a minimum, everyone must be able to hear all participants simultaneously (cannot meet via fax or chat room). If the Executive Board is meeting in person, an officer may submit a request to the president to attend the meeting via an electronic platform two (2) hours prior to the meeting. If less than two (2) hours, the reason must be an emergency (I.e. family, sickness, etc.) A vote by any electronic means may be authorized by the president. The Executive

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Board may establish its own rules on electronic meetings including voting procedures, notice, quorum, etc.

## ARTICLE VI – COMMITTEES

Section 1. Standing Committees of NPHC shall be the following: Finance Committee, Program Committee, Nominating Committee, Judicial Committee, and Constitution/Bylaws/Standing Rules Committee.

a. Membership on all Standing Committees shall range from no fewer than 3 and no more than 7 members. The president is ex-officio on all committees except the Nominating and Judicial Committees.

b. Candidates for Standing Committees Those individuals interested in serving on all other NPHC Standing Committees will submit their resume and a letter of support from their local chapter by July 1<sup>st</sup> to the President of ATU-NPHC. The President will nominate individuals for committees and also name the chair for any committee whose chair is not already established by these bylaws. The Executive Board will vote on confirming those nominated by the President. If a person is not confirmed by the Executive Board, the President will continue nominating individuals until all committees and chairs have been confirmed by the Executive Board. Every effort will be made to ensure that all member organizations are represented on Council committees.

### Section 2. Standing Committees

- A. Program Committee. This committee is chaired by the Vice-President. It shall be the duty of the Program Committee to develop a unified calendar and recommend appropriate projects and activities to be approved and implemented by ATU-NPHC.
- B. Finance Committee. This committee is chaired by the Treasurer. It shall be the duty of the Finance Committee to prepare the budget for the ATU-NPHC and present this budget to the council for approval. This committee shall also make recommendations on any fundraising activities that can increase revenues for ATU-NPHC. This committee shall periodically review the financial reports of the Treasurer and any other relevant documents to ensure the Council is operating in a fiscally sound manner.



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- C. Judicial Committee. The chair will be the parliamentarian. This committee is appointed by the Executive Board, who shall also name the chair. One representative from each member organization must serve on this committee. No officers can serve on this committee. The purpose of this committee shall be to review complaints made against individual members, officers, and/or member organizations and to make a recommendation to the ATU-NPHC Council on what, if any penalty shall be imposed. See the Standing Rules for a list of fines that can be levied.

**Section 3.** All committees will consist of no fewer than 3 and no more than 7 members.

**Section 4.** Standing and ad hoc committees may meet electronically. At a minimum, all committee members must be able to hear simultaneously. If a committee is meeting in person and a member of the committee wants to attend the meeting via an electronic platform that is also permissible.

*NOTE: If the bylaws don't authorize electronic meetings, including for the Executive Board, Standing Committee and ad hoc Committees, they cannot be held, not even by unanimous vote. At a minimum, all participants must be able to hear each other simultaneously.*

## ARTICLE VII – NOMINATIONS

**Section 1.** The call for nominations will be issued by the Nominating Committee no later than February 1. The Call for nominations will be posted on the ATU-NPHC web site and other social media outlets and emailed to each member organization.

**Section 2.** The nominations committee will develop a nomination form. All individuals wishing to be considered for office will complete the form on theLINK and submit it to the ATU-NPHC and Office of Fraternity and Sorority Life. Applications that are incomplete or which are received after the date set will be returned without consideration

**Section 3.** The nominations committee will review the credentials of all potential candidates and note the qualifications of each candidate for the office for which they are being nominated.

**Section 4.** The nominations committee will present the names of those considered qualified for office to the ATU - NPHC at the March meeting. The president will take additional nominations from the floor for each office.

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**Section 5.** The election of officers by the ATU-NPHC will take place at the April meeting.

## ARTICLE VIII – ELECTIONS PROCEDURE

**Section 1.** The Office of Fraternity and Sorority Life staff will serve as tellers. The tellers will receive the ballots, count the vote, and prepare a report in accordance with the Tellers Report listed in Robert’s Rules of Order Newly Revised.

**Section 2.** The Nominations Committee will prepare the ballot. All candidates for office must be nominated. There will be no write-in candidates.

**Section 3.** Nominees can run for more than one office at a time. If a candidate is elected to more than one office, the candidate will select which office they choose to serve in. An additional election will be held for the office not selected.

**Section 4.** Members of the Nominating Committee are eligible to run for office. The tellers who are counting the vote are not eligible to run for office.

**Section 5.** Election is by ballot vote only. Voting members of ATU-NPHC will give their ballots to one of the tellers after they have voted. The tellers will count the votes after all have voted who wish to do so. The Council can prescribe a reasonable time limit for the voting to take place.

**Section 6.** Election is by plurality vote. In case of a tie, the President will be the deciding vote.

**Section 7.** One of the tellers will hand a copy of the Teller’s report to the president. The president will share and declare who is elected to each office.

**Section 8.** The tellers will place all ballots in a sealed envelope and give them to the FSL Office. After one year, the ballots will be destroyed.

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### ARTICLE X – FINANCE

**Section 1. Dues and Fees.** The fiscal year for the ATU-NPHC is January 1 through December 31. Dues are due no later than January 31 for the current year. Dues are delinquent if not received by February 15. Chapters will lose their right to have a representative on the ATU-NPHC if dues are not paid by February 28. Chapters wishing to reinstate after February 28 will have to pay a reinstatement fee in addition to the delinquent dues. Fees are in the Standing Rules.

**Section 2.** ATU-NPHC can, by majority vote of the council, levy assessments for projects and programs approved by the ATU-NPHC. Unpaid assessments can cause a member organization to lose its active status, representation and voting privileges in ATU-NPHC.

**Section 3.** The Standing Rules contain certain fines and assessments for violation of specific rules governing ATU-NPHC.

### ARTICLE XI – PARLIAMENTARY AUTHORITY

Section 1. The rules contained in Robert’s Rules of Order Newly Revised shall govern the ATU - NPHC in all cases to which they are applicable, and in which they are not inconsistent with the constitution, bylaws, and special rules of order of the ATU-NPHC, and university policies of Arkansas Tech University.

### ARTICLE XII - APPEAL PROCESS

Section 1. The appeals process for the ATU-NPHC is as follows:

If a chapter goes through the judicial process and does not agree with the decision of the Judicial committee, they will have 24 hours to schedule a meeting with the President and Vice-President to discuss next steps. If the chapter does not agree with the decision of the President and Vice-President, they will have 24 hours to schedule a meeting with the Office of Fraternity and Sorority Life staff and council advisor to discuss next steps. If the chapter does not agree with the decision of the FSL staff/council advisor, they will have 24 hours to schedule a meeting with the Associate Dean of Campus Life to discuss next steps.

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### **ARTICLE XIII - AMENDMENTS**

Section 1. These bylaws can be amended by 2/3 vote at a regularly scheduled meeting of ATU-NPHC, or a special meeting called for that purpose, provided that the proposed amendments have been presented at the council meeting 30 days prior to the meeting in which they will be voted on.

## **ATU-NPHC Standing Rules**

### Standing Rule One – Regular Meetings of ATU-NPHC

- A. The secretary of ATU-NPHC will send out a poll asking for the day and times the representatives from each member organization can meet for the regular meetings of ATU-NPHC.
- B. The results of this poll will be presented to the Executive Board who will set the day and time for the bi-weekly meetings each semester.
- C. The secretary is responsible for submitting meeting requests through theLINK for NPHC meetings and uploading those details at least one week prior to the meeting.

### Standing Rule Two – Financial Regulations

- A. Each member organization will pay dues of \$50 per semester
- B. Dues not paid by January 31 are delinquent as of February 15. The late fee is \$10.
- C. Organizations whose dues are not paid by February 28 must pay a reinstatement fee of \$25 in addition to the delinquent dues.
- D. There are three signatories on the agency account: President, Treasurer, Office of Fraternity and Sorority Life staff.
- E. No officer can sign a check for their own reimbursement.
- F. Any officer or member seeking payment for expenses incurred while carrying out the programs authorized by ATU-NPHC must have receipts to get reimbursed.
- G. Fines
  - a. Scheduling an event during another organization's Founder's Week: \$125.
  - b. Reserving a date but canceling the event in less than 3 days: \$50
    - i. Under special circumstances, can this be voided
  - c. Failure to have at least one representative at an ATU-NPHC approved event: \$50

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- d. Being found guilty of conduct unbecoming and in violation of the ideals and purpose of NPHC may result in a fine that will be recommended by the Judicial Committee and approved by ATU-NPHC. Such activities may include but not be limited to: tearing down or defacing the flyers of another org.; using excessive derogatory language during a public event, like a step show; posting negative and defamatory statements on social media; physical altercations of any kind. Individual fines cannot exceed \$100. Member organization fines cannot exceed \$250.00
- e. Member organization representatives missing two or more council meetings without being excused by the ATU-NPHC President, \$5.00 per meeting.

### Standing Rule Three – Calendar

- A. Member organizations are responsible for submitting their activities and programs to the Vice-President for inclusion on the unified calendar.
- B. The Office of Fraternity and Sorority Life will hold a drawing to determine the order in which member organizations will select dates to hold new member presentations on campus.
- C. Founder's and Charter day of each organization is automatically reserved. Any organization that sponsors or co-sponsors a competing event, whether on or off campus, will be subject to being fined. The Judicial Committee will hear all charges and recommend the fine to the ATU-NPHC.
- D. If an organization reserves a date and then does not hold the scheduled event, they may be subject to a fine. This will be handled by the Judicial Committee. Organizations that have a change in plans must notify the Vice-President 3 days in advance that an event is being canceled to avoid being fined.
- E. All organizations are required to participate in ATU-NPHC approved programs and activities. Failure to have at least one representative at a NPHC event may result in the organization being fined.

[\[1\]](#) For purposes of these bylaws, the terms “financial and active” are understood to mean a member is recognized as having met his/her current financial obligations with both his/her member organization as well as his/her local council and is not under suspension.