

TO: J. Michael Duncan, Knight Commander
Kyle A. Domnick, National Undergraduate Chairman
Active Chapters
Alumni Chapters
Executive Council
Province Commanders
Former Knight Commanders

FROM: Larry Stanton Wiese
Executive Director

SUBJECT: Proposals to be presented to the Convention to amend the Constitution

DATE: April 15, 2009

Pursuant to Article 1, Section 711 of *Kappa Alpha Laws*, below are four (4) proposals which were filed on or before March 15, to amend the Constitution of Kappa Alpha Order. Proposal 1 was filed by Former Knight Commander Ben W. Satcher, Jr. and in part filed by Chief Alumnus Steven M. Steele and Deputy Chief Alumnus Jeffrey W. Love. Proposals 2 and 3 were filed by Former Knight Commander Satcher, and Proposal 4 was filed by Chief Alumnus Steele and Deputy Chief Alumnus Love. Proposed new language is noted in red. Deletions are noted by ~~strike through~~.

Proposal 1: Providing Commissions with a vote

Commissions are subordinate units of the Order unique in the fraternity world which empower an appointed group of alumni to select and initiate new members. In this way, they are related to Active Chapters which are the primary and only other subordinate units which may select and initiate new members. They are also related to Alumni Chapters in that they are composed of alumni of the Order. Yet, unlike Active or Alumni chapters, Commissions are not afforded the privilege of voting at Convention or Province Council. In the most extreme case, the *Kappa Alpha Laws* allows a group of ten alumni to form an Alumni Chapter, pay \$100 in dues and vote both at Convention and at Province Council while a 100+ year old subordinate unit of the Order, the Beta Commission at the Virginia Military Institute which has initiated thousands of members, is not afforded this privilege. As subordinate units which contribute meaningfully to the success of the Order, Commissions should be allowed to participate in the affairs of the Order at the province and national level. To accomplish this, multiple provisions of the Constitution will need to be amended as follows:

1-121. Composition and voting. The Convention shall be composed of the Former Knight Commanders, the General Officers, the Province Commanders, the National Undergraduate Chairman, the Chief Alumnus and one delegate from each qualified Active **Chapter**, ~~and~~ Alumni

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Chapter **and Commission** in attendance as members of the Convention. Each member of the Convention shall vote in person and shall be entitled to one vote only. An employee of the Order shall not be qualified to vote in any capacity.

1-123. Chapter **and Commission delegates.** ~~Active and Alumni Chapter~~ Delegates to the Convention shall be enrolled members of the Active **Chapter**, ~~or Alumni Chapter~~ **or Commission** they represent. Each delegate to the Convention from an Active **Chapter**, ~~or an Alumni Chapter~~ **or Commission** of the Order shall be entitled to have one or more alternate delegates named in the order of their priority, and alternate delegates shall have the same qualifications as those of the principal delegate. An alternate delegate shall only be entitled to act at the Convention in the absence of the principal, or a prior alternate delegate, of the Chapter **or Commission** which he alternately represents.

1-133. Cancellation or postponement and holdover of General Officers. The Executive Council may, with no more than two dissenting votes, cancel or postpone a regular or special session of the Convention by written notice to the Province Commanders and to the Active **Chapters**, ~~and Alumni Chapters~~ **and Commissions** not more than thirty days after its decision thereon. In the event that a regular session of the Convention is so canceled or postponed, the incumbent General Officers of the Order shall remain in office until the conclusion of the next succeeding regular session of the Convention.

1-312. Province Councils. A Province Council, composed of the Province Officers and representatives from each qualified Active Chapter in the province, and from each Alumni Chapter **and Commission** in the province shall be held at a place within the area of the province or at such other place as may be approved by the Knight Commander, by each province of the Order during each calendar year. A Province Council shall have no power to legislate or act with binding effect upon the Order or any chapter thereof. Upon failure of the Province Commander to hold the regular Province Council during the first five months of each calendar year, the Knight Commander shall call and fix the date and place for the Province Council and designate a Councilor to preside at and conduct its sessions.

1-711. Proposed amendments. A proposal to be presented to the Convention to amend this Constitution shall be filed with the Executive Director of the Order at least sixty days prior to the opening date fixed for the Convention and the Executive Director shall mail copies of any proposed amendments, properly filed, to each Active **Chapter**, ~~and Alumni Chapter~~ **and Commission**, to the National Undergraduate Chairman, and to each General Officer, each Province Commander and each Former Knight Commander at least thirty days prior to the opening date fixed for the Convention. In any year in which the Convention is to be held during the month of June, July, August or September a proposed amendment to this Constitution shall be filed with the Executive Director not later than March 15 of that year and the Executive Director shall, not later than April 15 of that year, transmit copies of any proposed amendments, properly filed, to the recipients enumerated herein.

Proposal 2: Making consistent the provisions related to election of the Chief and Deputy Chief Alumnus

The provisions of the Constitution enumerated below are inconsistent in their language regarding the election of the Chief and Deputy Chief Alumnus and the following proposal seeks to make these provisions consistent. If this proposal passes, it will require amendment of Article 11, Section 128.

1-271. Election. A Chief Alumnus shall be elected by representatives of the Alumni Chapters as provided in the Bylaws.

1-272. Election of Deputy Chief Alumnus. A Deputy Chief Alumnus shall be elected by a majority of the Alumni Conference **representatives of the Alumni Chapters as provided in the Bylaws.**

Proposal 3: Making consistent the term Board of Review as used in the Bylaws and in practice

The Constitution discusses the use of an independent review board for appeals from expulsion and the Bylaws in Title 12 use the term Board of Review which is the same in practice but requires consistency in terminology to avoid confusion. The following proposal achieves this result.

1-422. Appeal from expulsion. An individual who has been expelled from membership shall have the right of appeal to the Knight Commander by filing such appeal in writing with the Executive Director within 90 days of the date of his being sent notice of his expulsion to his last known address. The Knight Commander shall submit the appeal to ~~an independent review board~~ **a Board of Review** consisting of three ~~members designated by him.~~ The members shall be consenting Former Knight Commanders. In the event there be fewer than three consenting Former Knight Commanders, he shall designate consenting former General Officers as the remaining members.

Proposal 4: Providing for the creation of other Commissions

1-327. Commissions. The Knight Commander may, with ~~the concurrence of the Province Commander directly concerned and~~ not more than one dissenting vote of the Advisory Council, commission a group of not less than five alumni ~~of an Active Chapter which has formerly existed to operate as a Commission for that chapter using that chapter's designation as its identification.~~

xc: Steven M. Steele, Chief Alumnus
Jeffrey W. Love, Deputy Chief Alumnus
Taylor C. Lansdale, National Undergraduate Vice Chairman