

Alpha Gamma Rho Fraternity

Membership Expulsion Procedures Packet

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On October 15 and April 1 of each year, the home office will return all prior, outdated and incomplete expulsion documentation to the VNR Planning. Your chapter will still have time before the end of the semester to return the completed documentation to the Home Office for the final expulsion process.

Questions? If you have any questions on the expulsion procedures call the Home Office at 816-891-9200 and speak to Jackie Feeney at ext. 10 or her e-mail address is Jackie@AlphaGammaRho.org.

Trial Code

(For the Guidance of Collegiate Chapters)

Section 1. Members of Alpha Gamma Rho shall be subject to being charged, tried and disciplined for the following offenses:

- (a) Conduct dishonorable as a brother and as a gentleman.
- (b) Conduct harmful to the good name of the Fraternity, and tending to bring it into public disrepute.
- (c) Conduct injurious and damaging to the function, operation and good order of the Chapter.

Section 2. Any such charge may be presented at any regular meeting of the Chapter. It shall be made in writing, signed by the brother or brothers making it, and shall state the offense or offenses with sufficient particularity to inform the accused of the conduct complained of, and when and where it occurred.

Section 3. On presentation of any such charge, the Noble Ruler, if it meets the above requirements, shall furnish a copy to the accused, set a time and place for trial, and summon the accused to appear. Reasonable time shall be allowed for preparation of the defense (National policy requires two weeks).

Section 4. Trial of any charge shall be had before the Noble Ruler as judge (unless he be the accused) with the other brothers present, not less than six (and not the accused) acting as jury. A chairman, elected by said brothers shall serve as judge to try a Noble Ruler. The VNR-Planning shall keep minutes of the trial. The judge shall rule as to law and the admissibility of evidence, but the jury shall have full power to judge the law, and to determine the facts of the case. The accused may call upon any brother to assist him as counsel. Testimony of non-members shall be avoided if possible; if used it shall be submitted by deposition or by interrogatories and cross-interrogatories, taken as accused and accused shall agree, or if they cannot agree as the judge shall direct, with testimony given therefore. Trial procedure shall conform in general to that of the courts. After the evidence and arguments are completed, the judge may comment upon the law and the evidence following due consideration by jury, by secret ballot, shall vote upon each charge with a vote of a simple majority of the jury necessary for a verdict of "guilty" or "not guilty."

Section 5. If there is a finding of guilty, the jury shall fix the punishment of the accused which shall be reasonably proportioned to the degree of the offense, and subject to review or appeal may include one or more of the following: reprimand administered before the Chapter, a fine payable in money to the Chapter, denial or suspension of privileges for a fixed time, or expulsion from membership. All may be determined by a simple majority vote of said jury. The judge shall enter judgment upon the verdict in the minutes of said trial, and shall furnish the accused with a copy of such entry.

Section 6. There shall be an automatic appeal from a judgment of suspension or expulsion, and no such judgment shall become effective until it has been reviewed by the Executive Council and the National Convention. The VNR-Planning within 30 days after entry of such judgment shall send to the Executive Director a complete transcript of said proceedings including the charges, a fair summary of the evidence, the verdict and judgment, and furnishing a copy of said transcript to the accused.

The accused may appeal from any judgment by filing with the Executive Director within 60 days after the entry a transcript of the proceedings together with his written statement of any facts, grounds, or reasons he may believe entitle him to relief, furnishing concurrently a true copy of said transcript and statement to the VNR-Planning.

Section 7. A Chapter with the approval of the Executive council may reinstate an expelled member, but only upon his written request and by unanimous vote.

Procedures for Expulsion

1. Having what he feels is sufficient reason any brother may move during a chapter meeting to begin the expulsion process of another brother.
2. The Noble Ruler must then prepare and send (or give) a letter to the member in question, explaining the reason the expulsion process was initiated against him. This letter must inform the brother of the chapter meeting date at which his membership/expulsion will be decided. It **must** provide the member with at **least two weeks notice**. A copy of this letter is to be sent to the AGR Home Office.
3. During the designated meeting, a brother of the chapter must move for the expulsion of the brother in question. The motion should give the reason for expulsion. A *simple majority vote is needed to carry the motion. As soon as possible, inform the expelled individual in person or by letter should he not be present at the meeting.
4. The VNR-Planning must then certify the action to the AGR Home Office by sending certification of the vote (copy of minutes or letter stating that motion passed by at least a simple majority) and a copy of the initial letter sent to the brother in question, informing him of the charges.
5. Upon receipt of the above, the Assistant Executive Director will write to the brother in question indicating the action taken and the individual's recourses.
6. The National Board of Directors will ratify or deny the action taken by the chapter at the next National Board of Directors meeting.
7. The brother in question will be told to return his badge and shingle, upon expulsion, to the Noble Ruler of the chapter of his former membership for return to the AGR Home Office.
8. Should the motion for expulsion fail, the chapter may choose a lesser sanction against the brother in question.
9. In the event the chapter does not take action against a brother whose membership is subject to expulsion, the National Board of Directors, at any given meeting, may expel a brother in accordance with regulation by a two thirds vote. This approach, however, is extremely rare since the Board feels this should best be dealt with by the chapter.

* Alpha Gamma Rho Fraternity is an Illinois Not-for-Profit Organization. In compliance with Illinois Laws, a simple majority of the **total membership** of the Chapter is required to expel a member.

Checklist for Expulsions

Please use this checklist to ensure all procedures have been completed to process expulsions. Chapter meeting is held.

- > Chapter meeting is held.
 - √ The chapter has started the expulsion process on a member.
- > Letter sent by Noble Ruler informing the member is up for expulsion must have the following:
 - _____ Letter must be **dated and signed**. (Sample A)
 - _____ Signed document by brother(s) bring another brother up for expulsion and the reason. (Sample A)
 - _____ Letter must allow **14 or more** days prior to meeting when expulsion will be voted on. Count of days starts when the member receives the letter. Note: this may mean the chapter cannot vote on the expulsion until three (3) weeks from the initial meeting starting the process. (Sample B)
 - _____ Letter must state reason for expulsion (i.e. refer to page 3, Trial Code, Section 1a, 1b or 1c). (Sample B)
 - _____ Letter must state date, time and location of the meeting when expulsion will be made. (Sample B)
- > After member is voted to be expelled, send either a copy of the minutes or a letter written by Noble Ruler to Home Office. Information needed:
 - (Sample C & D)
 - _____ Minutes or letter must be **dated**.
 - _____ Minutes or letter must **state count** of vote taken (i.e. 23 for, 2 against). There must be a simple majority of **all undergrads, not just those present at meeting**.
 - _____ If sending letter, it must be **signed** by Noble Ruler or VNR Planning (example of certification letter is attached, sample D).

For prompt processing, please make sure all required information is included in documentation before sending it to the Home Office. Expulsions cannot be processed with incomplete documentation and will delay the process.

Questions? Please contact:

Jackie Feeney, 816-891-9200, ext. 10 or Jackie@AlphaGammaRho.org
Home Office Fax number: 816-891-9401

SAMPLE A FROM CHAPTER

August 20, 2000

To the Noble Ruler and Brothers of Alpha Upsilon Chapter:

The undersigned, Brothers Smith and Jones, hereby charge Brother Doe with the following offenses and affirm that the said brother is guilty of the same, to wit:

Charge 3: Conduct injurious to the good order and discipline within the Chapter.

Specification 1: After initiation 08/30/99, John Doe “dropped out” of school during mid-semester and left owing the chapter \$484.50 in unpaid bills. He has been contacted about this debt multiple times and is certainly aware of the obligation, but after about 10 months it remains unpaid.

All of the above charges we, Smith and Jones, affirm on our honor as brothers and gentlemen to be true to the best of our knowledge and belief. We request that due citation and summons be issued and trial conducted so that we may introduce evidence in support of these charges.

Smith

Jones

NOTE: This form must be submitted to Home Office signed by brother(s) who are bringing another brother up for expulsion.

_____ Make sure document is dated.

_____ Make sure the reason for expulsion is listed.

_____ Make sure the name(s) of the brother(s) who is bringing a brother up for expulsion has his(their) name printed and he(they) has signed the document.

SAMPLE B FROM CHAPTER

August 26, 2000

Mr. John Doe
10234 Anywhere Dr
Small Town, St. 12345

Dear Mr. Doe,

This letter is to inform you the amount owed (\$484.50) to the Alpha Gamma Rho Fraternity, Alpha Upsilon Chapter is ten months over due. Due to lack of payment, Brothers Smith and Jones have charged you with Charge 3: Conduct injurious to the good order and discipline within the chapter. Your trial is set for Sunday night, September 11 at 8:00 pm.

If payment is received prior to Sundays meeting, charges are subject to be dropped. You are not required to attend; however any evidence you may submit upon your behalf will be beneficial.

Sincerely,

F. John Name
Noble Ruler
Alpha Upsilon Chapter
Alpha Gamma Rho Fraternity

NOTE: This letter must be submitted to the Home Office.

_____ Make sure this letter is dated.

_____ Make sure the brother being brought up for expulsion receives this letter 14 days in advance of the meeting, when the expulsion vote will be taken. (**Suggestion:** set the date of the expulsion vote for three (3) weeks after the meeting when the expulsion process started. This will ensure the brother has the letter 14 days in advance).

_____ Explain the reason the brother has been brought up for expulsion.

_____ Letter must be signed by the Noble Ruler or VNR-Planning.

SAMPLE C MINUTES FROM CHAPTER

Minutes for the Chapter Meeting on 9-17-06

Membership Development. (cont'd)

-Big Bro's. watch board for meeting

- Sports
- 2 games this week – Tue & Thur this week – 6:00 pm
- Football is about to start up
- Won soccer game against KA's

- Bro Doe trial - 44 brothers present and accounted for

Guilty – 44

Expel – 44

Not Guilty – 0

Not to Expel – 0

-New Business:

- Fire Alarm went off.....

NOTE: The Sample (C) Minutes **or** the Sample (D)

Sample C (Chapter Minutes) or Sample D (Letter reporting expulsion vote results) must be sent to the Home Office.

_____ Make sure a date is noted when the vote took place.

_____ Make sure the vote is listed as above. (To pass, the expulsion vote must be 51% of total collegiate membership, not just of those attending the meeting.)

Sample D

Letter From Noble Ruler to Home Office Reporting Expulsion Vote Results

[chapter letterhead]

[date]

Alpha Gamma Rho Home Office
10101 North Ambassador Drive
Kansas City, MO 64153-1395

Dear _____:

This is to inform you that the _____ Chapter has voted to expel _____ [name, member number] _____. The chapter voted to expel _____ [name] _____ on _____ [date of vote] because _____ [reasons] _____. A letter was sent to this member notifying him of the date, time and place of the meeting. The motion passed with _____ # _____ members voting for expulsion and _____ # _____ members voting against. As of _____ [date of expulsion vote] _____ there were _____ # _____ members in the chapter.

We have also enclosed a copy of the letter sent to this member providing the required notice of the expulsion vote.

Fraternally,

[officer of the chapter signature]

[name, office]

Enclosure

NOTE: Sample D or Sample C must be sent to the Home Office.
If using Sample D, the following must be included:

_____ Date
_____ Name

_____ All blanks filled in
_____ Signed by Noble Ruler

Documentation Needed to Complete Expulsion

Member to be
Expelled: _____

Date: _____

Chapter: _____

ID #: _____

The expulsion of this member *cannot be completed* at the Home Office for the following reasons.
Please complete the documentation that has been checked and return it to the Home Office immediately.

_____ Home Office has not received a signed document by the brother(s) bring up another brother for expulsion and the reason. (Sample A)

_____ Home Office has not received a copy of the letter written to the member informing him of his upcoming expulsion vote. (Sample B)

_____ Letter written to member to be expelled is not dated.

_____ Home Office has not received a copy of the minutes or a letter from the Noble Ruler to certify the expulsion vote. This must state the count of the vote, and must be a simple majority of all undergrads, not just those present at the meeting. (Sample C or D)

_____ Chapter Minutes or certification letter from Noble Ruler does not state date of meeting when the vote was taken.

_____ Chapter Minutes or letter from Noble Ruler does not state count of vote taken.

_____ Certification letter to Home Office is not signed by Noble Ruler or VNR Planning.

All documentation is being returned due to:

_____ Excessive time lapse from the start date of _____ to current date. Please start expulsion process over.

_____ Missing documentation has not been sent to Home Office. Please start expulsion process over.

_____ Chapter did not give member to be expelled 14 days notice of the Chapter Meeting when the final expulsion vote will be held. Please start expulsion process over.

Questions? Please contact:

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Home Office Fax number: 816-891-9401