

Definition of the Relationship Between The Pi Kappa Alpha Fraternity and Chapters Affiliated as The Pi Kappa Alpha Fraternity

Introduction

This document has been composed to help both The Pi Kappa Alpha Fraternity and the chapters which compose this Fraternity understand the relationship which exists between the Fraternity and the chapters. The Fraternity recognizes the value of students who are motivated by the commonly expressed need to belong - to advance the educational interests of its members, to promote leadership development and to make, maintain and uphold a high standard of life, happiness and integrity for its members by uniting them in closer bonds of friendship and brotherly union.

The growth of the International Fraternity came about when the first chapter established a second chapter, and those undergraduates served as the entire general fraternity, sharing their common beliefs through rituals and purposes, and issuing charters and permission to use a common name, Pi Kappa Alpha. In time, these students determined there should be volunteer leaders, advisors and staff, to knit the individual chapters together in a fraternal sense, and that there should be a permanent, staffed administrative office to assist the Chapters and the Fraternity in administrative matters and to encourage their achievement. So, the Fraternity is an international fraternal affiliation of all of the Chapters, active members, and alumni members assisted by related fraternal entities, including the Pi Kappa Alpha Corporation, whose administrative function is addressed in section 5 below.

Presented here is the meaning and non-meaning of each chapter's self-operation through a charter and power to initiate members into the chapter; the scope of the Fraternity's assistance; and the composition of the Fraternity. The Pi Kappa Alpha Fraternity is referred to as "the Fraternity" throughout this document and the Chapter is referred to as "the Chapter".

1.a. The Charter and Initiation of Members into the Fraternity: How and Why Chapters Self-Operate

Each Chapter receives a charter from the Fraternity. This charter is granted by and through the vote of the other previously existing chapters.

When the Chapter receives its Charter from the Fraternity, it is granted the right to use the exclusive name, nicknames, logos and insignia of the Fraternity, and in references to each member, and on the Chapter House. The Charter grants the Chapter the right to recruit and initiate members into the Chapter using the ritual and an initiate into a chapter also becomes a member of the Fraternity.

Each member of a Chapter has the opportunity to enhance his undergraduate experience through his interaction with other Chapter members and his participation in the Chapter's activities. They can acquire many friendships which may last a lifetime. Beyond this camaraderie, the Chapter provides a living laboratory with the potential for each member's non-academic training of his character, leadership, self-responsibility and achievement as a young adult in college. For many young men, the Fraternity chapter experience is their first time living away from home and their

families. As adults who have graduated from high school and are attending college, they have the right and personal obligation to control their day-to-day lives and to make their own decisions. They have the opportunity to learn self-reliance through self-discipline. They can experience the satisfaction that comes from setting and achieving goals and perhaps learn from their disappointments. Those accomplishments occur through self-direction and self-operation by the Chapters and their members.

Thus, the Chapter functions as a self-operated, self-governed and self-financed group. Specifically, the Chapter is an unincorporated association under the law of the state where it is located and operates itself on a day-to-day, week-to-week, month-to-month and year-to-year basis. The Chapter selects its own officers, assesses dues, recruits new members, initiates members, conducts Chapter meetings, encourages fellowship, promotes education, participates as teams in intramural athletics, participates in campus and Interfraternity programs, sponsors candidates for school offices, enjoys social events, sends delegates to the International Convention, Leadership Conferences and other seminars, maintains a Chapter house and is responsible for financing its own activities. The Chapter operates itself on a day to day basis and is responsible for compliance with all applicable rules and regulations of the college or university where it is located and with all applicable laws of the various governmental bodies, local, state and federal and the Fraternity's **Standards**.

Such an understanding of the composition of the Fraternity leads to the conclusion that it is a brotherhood of equals among Chapters and members. The Fraternity is not a hierarchy where one is superior to the other or where the Chapters are subordinate to the Fraternity. If anything, the Chapters govern the Fraternity through their Conventions where they all have the same voting rights. In turn, the Chapters commit to each other to pursue the Fraternity ideals and to abide by the Fraternity's **Standards**.

1.b. The Charter and Initiation: What is Not Meant

The right to use the Fraternity name, logo and insignia does not give the Chapter or any member the right to sell or re-license the use of the logo or the insignia or the name to third parties, to use the name in any manner which is detrimental to the Fraternity, or contrary to the **Standards**, or to bind the Fraternity to any agreements or obligations of any nature whatsoever. The Chapter is given a specific chapter name upon chartering and should always use that chapter name (i.e. Upsilon Chapter of The Pi Kappa Alpha International Fraternity) when entering into agreements or in its correspondence. The Chapter should avoid any implication that it has any authority to speak for or to obligate the Fraternity, unless the Chapter receives specific prior written approval from the Fraternity. And, it should be understood that the members who compose the Chapter are individuals who are students first and they are not employees, servants or agents of the Chapter or of the Fraternity merely because they are fraternally affiliated with it.

A caveat about the Chapter is based on the fact that its members are adults who have high school degrees and who are attending college. These members are solely responsible for their personal activities. The caveat is that no one should assume that any particular activity of a student or students who are affiliated with a chapter is an activity authorized by that chapter or conducted on behalf of that chapter.

Any hazing of new members as a condition of membership or a "hell week" are types of activities which violate the Fraternity's **Standards**. If those events occur, they are done against the

Fraternity's **Standards** and could subject the Chapter to loss of its Charter and liability to the individuals.

The fact that a Charter has been issued and that the Fraternity allows the use of its name as a Chapter does not mean that the Fraternity obligates itself to operate the Chapter or to monitor, oversee, supervise or attempt to control the Chapter or its members or to discharge the separate rights and obligations which the Chapter has as its own self-operated entity. The Chapter and its members have the sole responsibility to self-operate and to self-govern their own actions. The success of the Chapter is generally attributable to how well its members carry out their rights and obligations and the opportunities presented to them as young adults matriculating in college.

2.a. The Fraternity's Assistance: Scope and Availability

The Fraternity offers the Chapter access to a multitude of services, programs and assistance dealing with virtually every aspect of undergraduate group living and campus life. These services include:

- A. Advice and suggestions on such practical matters as the operation and management of a Chapter, the management of the Chapter finances, recruitment of membership, Chapter scholarship, Chapter athletics, Chapter projects and philanthropic events, risk awareness for Chapter events and educational guidebooks.
- B. Membership education programs, Chapter officer leadership seminars and other self-development programs.
- C. Guidelines for the Chapter's initial organization with suggested provisions, which contain alternatives for the Chapter's decision and use.
- D. Access to educational resources, including guidelines, brochures and videotapes and assistance in obtaining speakers.
- E. Chapter consultants who are available to talk and correspond with Chapter officers about questions in the areas of Chapter administration and any problems or concerns. In addition, the Chapter consultants may visit the Chapter periodically, and may make suggestions during and after each visit. The Chapter consultant can meet with the college staff and can offer assistance to the college staff in implementing any suggestions for the Chapter.
- F. Staff assistance in the initial recruitment of prospective members for a new Chapter and additional assistance in the Chapter's on-going recruitment efforts.

The Fraternity believes in education and is committed to the proposition that self-management as an active Chapter will give its members the opportunity to broaden and expand their non-academic education. The Fraternity urges the Chapter officers and leaders, in turn, to utilize the materials and information which they receive to continue the education of the Chapter members. The Fraternity views the self-management techniques which are experienced by a Chapter and by its members as an on-going exercise which should help prepare the members for their remaining adult lives. The Fraternity advocates adherence to its ideals which, when combined with the Chapter's and its members' acceptance of responsibility, can enable the Chapter and its members to develop a satisfactory lifelong pattern of achievement.

2.b. The Fraternity's Assistance: What is Not Meant

Any assistance provided by the Fraternity to the Chapter in the form of guidelines and suggestions should not be misinterpreted. Although every Chapter functions as a component of the entire

Fraternity, the Fraternity recognizes that each Chapter is viewed as an unincorporated association under the law of the state where it is located and, as such, the Chapter is a separate legal entity from the Fraternity and its members are individuals who are solely responsible for their own behavior and who are required to abide by the law and all applicable rules and regulations from the respective colleges and universities. The Fraternity does not tell or instruct the Chapter how it must self-operate the Chapter, members' activities or its house. The educational materials and guidebooks and suggestions therein are NOT intended as mandatory, but advisory, as one type of best practices gleaned from other chapters' experiences and other resources, the benefit of which is apparent. Each Chapter can analyze and implement these ideas in a manner that best suits that Chapter and its members. The Fraternity does not exercise, or seek to exercise, any control over the Chapter or its members as they go about their day-to-day lives as students whose primary goal is to obtain an education at a particular school. The Chapter's association with the Fraternity is secondary to that educational purpose, yet the Chapter may serve as a focal point of the everyday lives of its members. The Chapter is an organized group. Part of the benefit from the experience, which the members of the Chapter will receive, is the appreciation of the fact that they have both the right and the obligation to operate as an autonomous entity. The experience of learning to bear responsibility for one's actions should be one of the most rewarding and beneficial events of undergraduate training. The Fraternity does not undertake to assume responsibility for actions or conduct of the Chapter or its members. The Chapter and its members are subject to and are expected to comply with laws, rules and regulations of the host school, the local municipality, the state, the federal government and the **Standards** of the Fraternity.

The Fraternity does not, and cannot, oversee, monitor or control the Chapter's activities and it does not and cannot undertake any duty to see that the Chapter abides by the law or the school's regulations or the Fraternity's **Standards**. If the Chapter or its members violate the law or the rules and regulations of the host school or the Fraternity or the Fraternity's **Standards**, the Chapter runs the risk that the Fraternity will exercise its rights to terminate the charter or to terminate the individual's membership. The responsibility to avoid these violations is the Chapter's and each of its members.

For example, the members of a Chapter are never employees, agents or servants of the Fraternity and are ordinarily not in that capacity in regard to the Chapter. Such violations are most often the result of an aberrational individual conduct of a member which is not authorized by the Chapter and is contrary to the Fraternity's **Standards**.

Furthermore, the Chapters and members do not expect and have not asked the Fraternity or the Corporation to monitor, oversee, direct or attempt to control their daily activities. The Chapters, members, staff, alumni and volunteers should all understand that such a relationship is not contemplated or expected and is not practical and would be impossible to perform, recognizing that over 200 Chapters and over 12, 000 undergraduates are usually active throughout the United States and into Canada at any particular point in time. In addition, such a relationship would infringe upon the philosophy and principle that each Chapter and member needs the opportunity for self-growth and self-achievement through self-operation and self-discipline.

3.a. The Fraternity's Other Benefits: Description and Meaning

In addition to offering the Chapter access to the Fraternity's services, programs and assistance in dealing with the undergraduate Chapter experience, the Chapter and its members have access to other benefits of the Fraternity. These include:

- A. Receipt of the Fraternity's quarterly publication, the "Shield and Diamond".
- B. Assistance in alumni association organization and operations.
- C. Awards and recognition of Chapters for achievement in campus leadership, scholarship, intramural athletics and overall performance.
- D. Assistance in coordinating regional leadership conferences for undergraduate student leaders and interested alumni and other advisors to the Chapters.
- E. Assistance in developing community service programs in public relations.
- F. Guidance in selection and consultation with various advisors, including alumni advisors, resident advisors and faculty advisor.
- G. Assistance by providing forms for the various membership and financial reports which the Chapter is required to submit to the Fraternity as a condition of maintaining the Chapter's charter.
- H. Service as a historical archive for the storing of the Chapter's documents. (Storage means storage only and does not imply review of these documents by Fraternity staff.)
- I. Assistance to the Chapter and its alumni and other interested persons to obtain housing, including an opportunity for loans which meet prudent business standards.
- J. Guidance to the Chapter's members in applying for educational grants and scholarships, subject to availability.

The above list outlines some of the ways that the Fraternity assistance is rendered. The emphasis is to encourage and assist the Chapter's members in their collective experience as a self-managed Chapter. The Fraternity makes suggestions and furnishes the Chapter with ideas and examples, which have shown to be helpful through experience. The Fraternity provides educational materials which are available to the Chapter and its leaders for the implementation of scholarship, leadership, social, civic and athletic programs through advice and suggestions about best practices, but the implementation, conduct and achievement of such programs are solely that of the Chapter and its members.

3.b. The Composition of the Fraternity

As noted in the opening paragraphs, the Fraternity is composed of over 200 chapters, thousands of active undergraduate members and many more alumni. The Chapters and its members govern the Fraternity. The Chapters, represented by delegates, attend the Fraternity Convention held every other year. The delegates vote in their representative capacity to select international officers, enact legislation, and approve amendments to the ***Constitution*** and ***Chapter Codes***. The staff of Pi Kappa Alpha Corporation, by contract with the Fraternity, with a sole office in Memphis, Tennessee provides administrative services to the Fraternity, which include arranging for and setting up the biennial Convention for the Chapters, members, international officers or alumni. That office also serves as a "clearinghouse" for administrative functions for the Fraternity between Conventions and for meetings of the internationally elected officers and other alumni volunteers and for the implementation of the matters, things and actions approved by the Chapters at each Convention and by the elected officers of the Fraternity, which result in the various services and benefits being offered to the Chapters and the members between Conventions.

3.c. The Fraternity's Other Benefits: What is Not Meant

The Fraternity's assistance to the Chapter in all of these areas stems from its commitment to assist the Chapter as an active chapter in various ways. The Fraternity obviously cannot guarantee that the Chapter will be a success or that any Chapter or member will qualify for all benefits or that any particular benefits will be available at all times. The Fraternity desires that the Chapter fully understand the proper relationship between the Chapter and the Fraternity. The Fraternity stands ready to assist the Chapter in certain ways as previously outlined. However, the Chapter will have many other needs in its day to day experience as an organization where the Fraternity is not able to render the assistance as may be needed. For example, only the Chapter has the power to select its members, to conduct its internal elections of officers, to set its budget, to perform social planning, to set the Chapter's dues and assessments, to perform house maintenance and operations, to run the kitchen, or to conduct any of the other aspects of the Chapter's day to day management and life. The Fraternity does not have this authority and does not exercise any of these powers. The Fraternity does not become involved in the Chapter's disputes over the violations of school, local, state and federal rules or regulations or suits by purveyors to collect bills, two of many possible examples. Handling of those types of decisions and matters are part of the Chapter and its members' maturation process and of the total undergraduate experience. The Fraternity does stand ready to provide advice, suggestions, and recommendations to the Chapter in response to such problems, but the responsibility and decision as to the solutions are the Chapter's. The Fraternity serves an important function in assisting the parents, families, schools, churches, student organizations, and other support groups in giving the Chapter and its members an opportunity for a beneficial and more complete undergraduate experience.

4.a. The Fraternity's Help to the Chapter in Difficult Times: What It Means

A chapter might experience problem areas from time to time, which could jeopardize its existence. Examples of these problems are low membership, poor financial or other types of management, or even instances of conduct which violate school rules, the law, or the *Standards* of the Fraternity. The Fraternity wants to remind the Chapter that certain activities, such as hazing, alcohol or drug abuse or violation of any applicable statute, regulation or law regarding the same; sexual abuse or commission of crimes or violation of school rules and regulations or statutes and ordinances of the city, county or state where the Chapter is located; or violation of federal law can result in the loss of the Chapter's charter and the potential loss of membership for the responsible individuals. The Chapter is also advised that a loss of the Chapter's charter automatically places all undergraduate members on alumni status. The Fraternity might be contacted by the host school for comment and input on solutions, dependent upon the circumstances and the Fraternity may respond to the school. In some cases, representatives of the Fraternity might visit the campus to determine which of the undergraduate members on alumni status will be asked to form the nucleus of a reestablished Chapter at the school with the emphasis upon obtaining a cohesive group which best reflects the ideals of the Fraternity and the best interests of the Chapter for the future. This action does not amount to an investigation of the past problems, but rather deals in solutions for the future. The Fraternity retains the right to advise the Chapter that its charter is in jeopardy and to suspend the Chapter's charter, to make certain conditions or goals for the Chapter to achieve as a condition of retaining its charter, removing the suspension or reactivating the Chapter. A charter can only be revoked by action of the collective chapters, usually at an International Convention. The assistance the Fraternity offers towards solving the Chapter's problems remains available in the Fraternity's sole discretion. The Fraternity reserves the right to determine when a Chapter needs help or that the Chapter may need help from sources other than from the Fraternity. In short, the Fraternity

retains the right, as explained in the Constitution, to suspend or revoke the Chapter's charter or the Chapter may elect to turn in its charter. This forms the fundamental basis of the relationship between the Fraternity and the Chapters. That is, the Fraternity provides educational materials, advice and suggestions in a variety of areas and reserves the right to suspend or terminate the relationship, as does the Chapter. In between, the rest is up to the Chapter and its members.

4.b. The Fraternity's Help to the Chapter in Difficult Times: What is Not Meant

The Fraternity desires that the Chapter understand and appreciate that its assistance to a troubled Chapter does not mean that the Fraternity will conduct its rush activities, or make its pledging or initiation decisions. The Fraternity will give the Chapter advice in this regard and reserves the right, but not the obligation, to assist the Chapter in the conduct of rush or pledging activities. However, the Fraternity wishes to emphasize that these activities remain the Chapter's responsibility and decision. Furthermore, the Chapter should understand and appreciate that the Fraternity does not conduct the operation of the Chapter's financial transactions or social functions, nor does it inspect the Chapter house. For example, the Fraternity does not prepare leases with the Chapter's landlord or leases to the Chapter's undergraduate students. The Fraternity does not run the Chapter's kitchen, order food, pay its rent, or collect its rent, and the Fraternity does not oversee that the Chapter complies with the host school's rules and regulations or any applicable local, state or federal law or house safety. Those aspects are the province of local authorities and professionals. The Fraternity does not organize or pre-approve Chapter activities or functions, including but not limited to social events. It does not have the authority, budget, personnel, or expertise to attempt such a mammoth undertaking. If the Chapter needs help and the Fraternity offers assistance through suggestions and guidelines, please remember that the decisions and responsibility for any Chapter's success lies ultimately with the Chapter and its members and often with help from Chapter alumni.

There are numerous other examples of what the Fraternity does not do, which examples can be summed up by saying: "the Fraternity does not control the Chapter or its members or their activities; however, if the Chapter violates the Fraternity's **Standards** or any rules or regulations from the host school or any applicable local, state or federal agency, the Fraternity retains the right to suspend or revoke the Charter, in the case of the Chapter, or to suspend or revoke membership, in the case of an individual."

5. The Relationship Between the Fraternity, Pi Kappa Alpha Corporation and Chapters

The Pi Kappa Alpha Corporation is a Tennessee non-profit corporation that assists the Fraternity, by contract, in administrative and business matters between conventions. This entity will be referred to herein as the Corporation. Examples of functions performed by the Corporation are the employment of a staff, the maintenance of membership records, the receipt and disbursement of funds, the publication of a magazine, the dissemination of educational materials, making arrangements for conventions and various periodic meetings of volunteers and/or staff and providing support for those meetings, coordination of business matters and maintenance of an office facility in Memphis, Tennessee.

In performing these administrative and business functions, the Corporation does not undertake to monitor, oversee, direct or control the Fraternity, or any Chapter or any members in their day-to-day, week-to-week or month-to-month activities or lives or in any other fashion.

6. Notes to Parents and Family of Chapter Members

Your son or family member has chosen to join a Chapter which is fraternally affiliated with over 200 other chapters across the country and into Canada and thousands of other young adult undergraduate men and the alumni members whose collective affiliation is known as The Pi Kappa Alpha International Fraternity. When he is initiated by his Chapter, he will also become a member of the Fraternity which was founded in 1868 at the University of Virginia. One of the philosophies of the International Fraternity is that each chapter serves as a potentially valuable component and source of the non-academic side of his education. On the non-academic side, your son/family member is exposed to concepts of working together with other chapter members as a group to set and achieve goals, to accept positions of responsibility and to discharge them, to learn to work and live with others, to have opportunities to advance into positions of leadership among his peers and to accomplish and function in a leadership role, to develop initial and lifelong friendships, to enjoy his daily life and social activities with friends and companions who share similar interests, to practice the Fraternity's philosophy by focusing on character development, development of leadership traits, development of personal responsibility, achievement of goals and development of strong personal relationships. The members within a Chapter and between and among Chapters and alumni often develop networking relationships. The Fraternity and its chapters, members and alumni understand that education, leadership and character development cannot be mandated, controlled or monitored, but must be developed by each individual. Accordingly, a Chapter within the Fraternity can provide an opportunity for such growth; the extent to which your son/family member achieves that growth is largely dependent on several factors which include his willingness to cooperate, to absorb education, to participate in Chapter activities, to work as a team member, to accept and discharge any responsibilities, to thereafter accept any leadership roles which his performance has merited in the eyes of his peers, to enjoy an enhanced undergraduate collegiate experience and to augment and supplement the academic education which he receives with the non-academic rewarding experience with his Chapter.

If you have a question regarding your son's/family member's conduct or anything related to him, please address it to his Chapter. The Fraternity does not and cannot, as a practical matter, get involved in the day-to-day lives or activities of the thousands of young men who are affiliated with the numerous (over 200) Chapters. Instead, your son interacts with the Chapter and his peers within it as part of his day-to-day relationship with them. Also, your son's/family member's financial relationship is solely with his Chapter, so please address any of those questions to his Chapter.

Conclusion

The Chapter and its members are important components of the Fraternity and, collectively with alumni, constitute the Fraternity. This Relationship Statement should clarify how the Chapter and its members relate to the Fraternity and vice versa. The Chapter and its members perform their activities and function as a self-operating, self-governing and self-financed entity which enables the Chapter members to enjoy and benefit from their non-academic undergraduate experience.

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