

Table of Contents

Preamble	3
Constitution.....	3
New Member Attestation	3
Amendment	3
By-Laws	3
Governance.....	4
Alumni Council	4
The Executive Board.....	6
Composition	6
Duties	6
Meetings	6
Quorum.....	6
Voting	6
Membership.....	7
Regular Membership.....	7
Regular Honorary Membership	7
Alumni Membership	7
Special Honorary Membership	8
Associate Membership.....	8
Duties of Members	8
Benefits	8
Selection of Members.....	8
Proposal of Names	8
Balloting	9
Bids.....	9
Initiation	9
Pledging.....	9
Formal Initiation.....	9

Omicron Pi Omicron Constitution

Positions of Members 10

Dues, Assessments, and Fees..... 11

Offences 11

Trials 11

Sentences 12

Procedure for Payments..... 12

Fines 12

Rule of Order..... 13

Committees 13

Other Points of Law..... 14

Fraternity Pins 14

Seniority 14

Sale or Disposition of Assets (While the Fraternity Still Exists) 14

 Authority 14

 Approval Required 15

 Prohibition on Private Benefit..... 15

Dissolution 15

 Authorization 15

 Winding Up of Affairs 15

 Distribution of Assets Upon Dissolution 15

Compliance with New York State Law..... 16

Change Log 17

 2026 17

This draft constitution is a proposed revision and has not been ratified by membership

Preamble

This fraternity shall be known as the Omicron Pi Omicron fraternity.

The purpose of this Fraternity shall be to promote harmony and good will among its members, to bind them together for mutual help and assistance, and to further their educational and social development.

Constitution

New Member Attestation

All new members shall be required to read the Constitution and By-Laws and sign the same in the presence of one of the officers within two weeks after initiation, unless excused by two-thirds vote of those present at a regular meeting. The officer before whom the signature was made shall also sign his name as witness.

Amendment

Amendments to this Constitution shall not become effective until formally adopted by three-fourths of the active members at two regular meetings of the Fraternity, due notice having been given that such amendment was to be voted on. Furthermore, it shall not become effective until ratified by majority (50% +1) of those Alumni members voting upon the proposition.

By-Laws

- A. By-Laws, covering matters not fully covered in this Constitution may be adopted by the Fraternity and it must also be adopted by four-sevenths of the Directors of the Alumni Council.
- B. A by-law may be proposed by any member and shall not become effective until it has been adopted by a three-fourths vote of all the active members present at two regular meetings of the Fraternity, due notice having been given that such By-Law was to be voted on. The same regulation shall apply to amendments or repeals of By-Laws.

Governance

Two (2) bodies guide the fraternity. The Alumni Council is focused on the organization in its entirety, and the Executive Board is focused on the active chapter.

Alumni Council

- A. In order that the Alumni (and Associate) members may effectively participate in the affairs of the Fraternity and cooperate with, assist and advise the Active Chapter, an Alumni Council is hereby authorized to be constituted, in the manner and to have the powers and duties hereinafter provided.
- B. The Alumni Council shall have power to act upon all matters of general interest to the Fraternity; to determine its general policies; to propose amendment to the Constitution and By-Laws, by a majority vote (50% +1) of its voting members; to exercise supervision over the affairs of the Active Chapter, whose finances, acts and policies shall be subject to the approval and direction of the Alumni Council.
- C. The Alumni Council shall consist of seven Directors of whom five shall be Alumni members of the Fraternity and two Active Members representing the Active Chapter.
- D. The officers of the Alumni Council shall consist of a President, a Vice-President and a Secretary-Treasurer, whose terms of office shall be for one year. The duty of the President shall be to preside at all meetings of the Alumni Council and to act in an advisory and supervisory capacity regarding the Active Chapter and to initiate and carry out action for the good of the Fraternity, with the advice and approval of the Alumni council in cases involving radical changes in policy or action. He shall countersign all checks or drafts involving payment of money by the Council. The Vice President shall assist the President, when requested and shall assume his duties in case the President is incapacitated or the office of President becomes vacant. He shall preside at all meetings of the Alumni Council, in the absence of the President.
- E. The seven Directors shall be elected for terms of one and two years, respectively, in such numbers that the terms of four of three Directors shall expire in alternate years.
- F. The president, The Vice President, and the Secretary-Treasurer shall be Alumni members and shall be Directors of the Alumni Council; and nominees therefore shall be chosen from the nominees for Directors or from Directors whose terms continue for the ensuing year.
- G. The three officers and the five Alumni Directors shall be elected by a plurality vote of the Alumni members voting by letter ballot or electronic means, as hereinafter provided.
- H. The two Director representing the Active Chapter shall be elected by it at the last regular meeting before the Annual Meeting of the Alumni Council.

Omicron Pi Omicron Constitution

- I. The terms of office of all officers and directors shall begin and end at the close of the annual meetings of the Alumni Council.
- J. Regular nominations of one nominee for each office and the requisite number of Alumni Directors shall be made by a nominating committee of three Alumni members, elected at the preceding annual meeting of the Alumni Council. They shall notify the secretary-treasurer of their nominations, in writing or electronic means, not later than March 1st of each year, and the Secretary- Treasurer shall mail or electronically submit ballots, containing such nominations to each Alumni member not later than April 1st of each year, with instructions for voting and stating that ballots will be canvassed at the annual meeting.
- K. Other nominations may be made, by petition signed by five or more Alumni members, if filed with or mailed/electronically submitted to the Secretary-Treasurer on or before May 1st, and if made, he shall promptly mail/electronically submit supplementary ballots, containing both the regular and the other nominations to all Alumni members, with instructions as above provided.
- L. The nominations for officers and Directors to be voted on simultaneously with the voting for adoption of this Amendment shall be made by petition and shall be mailed/electronically submitted and received by a Secretary pro-tempora.
- M. Mailed ballots shall be enclosed in plain, sealed envelope, with the voter's name written thereon for identification, and enclosed in another envelope, directed to the Secretary-Treasurer or to the Fraternity at Potsdam, N.Y. Electronic ballots will be sent to the Secretary-Treasurer. The ballots shall be canvassed by Secretary-Treasurer at the Annual Meeting of the Alumni Council.
- N. The Annual Meeting of the Alumni Council shall be held at Potsdam, N.Y. on Sunday preceding the Annual Commencement of Clarkson College. This meeting will also be accessible via electronic means as arranged by the Secretary-Treasurer. Special meetings may be called at any time and place by the President or by three Directors and similarly will be accessible by electronic means.
- O. All members of the Fraternity shall have the right to be present at and to address meetings of the Council.
- P. The Fraternity shall send each of the alumni and associate members mailed or electronic communications to be issued once each semester. These letters shall contain such information about the Fraternity and University which will be of interest to the graduate members. Alumni member shall designate their choice of communication with the Secretary-Treasurer.
- Q. The Alumni Secretary-Treasurer will oversee preparing these letters and electronic communications.
- R. The Alumni fund will finance postage as necessary.

The Executive Board

Composition

The Executive Board shall be composed of the Executive Officers. Defined as President, Vice-president and Secretary-Treasurer

Duties

- A. The Executive Board, with the approval of the membership, shall determine the policies of the Fraternity. Whenever possible, the Board shall, for the sake of expediency, discuss all Fraternity business before it is brought before the Active Chapter.
- B. The Executive Board shall present a report on the acts, affairs, and finances of the Active Chapter to the Alumni Council at the Annual Meeting of the Council.
- C. All decisions of the Executive Board shall be subject to the approval of the Active Chapter. The Executive Board shall act as a court for all members accused of offenses.

Meetings

Meetings of the Executive Board shall be held weekly at the discretion of the President. With the consent of the President meetings shall also be held at the request of any member of the fraternity when he has business to bring before the Board. Members of the fraternity who are not executive officers may attend meetings of the Executive Board only with the consent of the President.

Regular Meetings

Regular meetings must be held at least once each month for the duration of the school year.

Special Meetings

Special Meetings may be called at any time and place by the President.

The President must call a special meeting upon written petition by members. No business may be done at a special meeting except for that business for which the meeting was called.

Quorum

Two thirds the number of active members shall constitute a quorum to transact business. The quorum refers to the number present, not the number voting.

Voting

- A. Voting may be by acclamation, ballot, division, or raising the right hand. A mail or electronic ballot shall be constitutional only when school is not in session. Upon request of any three members, voting must be by secret ballot.

- B. A majority of the votes cast shall decide.

Membership

There are five (5) types of membership with differing privileges.

There shall be no pecuniary benefits attached to membership in this Fraternity except as may be voted by the members.

Membership may be withdrawn or suspended as an outcome of due process described elsewhere in this constitution.

Regular Membership

No one shall be eligible for regular membership except a male student of Clarkson University who meets the requirements of the University and of the interfraternity Council for membership in a social fraternity at Clarkson.

Regular Members shall share the secrets of the Fraternity, shall be regularly initiated into the Fraternity, shall have the privilege of attending meetings, and shall have a voice in the proceedings as described elsewhere.

The enrollment of the Fraternity shall be limited in accordance with the regulations of the interfraternity Council but shall vary with the needs and desires of the Fraternity.

New members may be chosen irrespective of class.

Regular Honorary Membership

Regular Honorary Membership may be conferred only on male members of the faculty of Clarkson College.

Regular Honorary Members shall be elected by the unanimous vote of those present at a regular meeting of the Active Chapter.

Regular Honorary Members shall share the secrets of the Fraternity, shall be regularly initiated into the Fraternity, and shall have the privilege of attending meetings. However, they shall have no voice in the proceedings except by permission of the membership.

Alumni Membership

Regular Members who graduate or leave school shall be called Alumni Members.

Omicron Pi Omicron Constitution

Alumni Members shall have the same privileges as Regular Honorary Members. In addition, they shall have the right to vote on changes in the Constitution or Ritual, for members, officers, and directors of the Alumni Council, and on any matters directly concerning the Alumni.

Special Honorary Membership

Special Honorary Membership may be conferred upon any person who is not a male member of the student body or of the faculty of Clarkson College.

Special Honorary Membership shall be restricted to those whom the Active Chapter deem worthy of special recognition.

Special Honorary Members shall not be formally initiated into the Fraternity, shall not share the secrets of the Fraternity, and shall not have any voice in the proceedings of the Fraternity.

Associate Membership

Graduates or former students who are members of another fraternity represented at Clarkson University may be elected Associate Members by unanimous vote of the Active Chapter and the Alumni Council.

Associate Members shall have the same privileges as Special Honorary Members.

Duties of Members

In addition to those duties imposed by the obligation and charged upon the candidate at initiation, members are expected to be present at all meetings whenever possible, also to contribute their share towards the expenses of the Fraternity, to assist worthy brethren in need or distress, and to keep the proper officers of the Active Chapter informed of all things which may affect the welfare of the Fraternity.

Benefits

There shall be no pecuniary benefits attached to membership in this Fraternity except as may be voted by the members.

Selection of Members

Proposal of Names

Any active member may propose the name of a duly qualified person for membership.

All rushing and pledging rules will conform to the rushing schedule announced by the Interfraternity Council.

Balloting

- A. Balloting on membership proposals shall be considered at a special meeting. The meeting must be announced at least 48 hours in advance.
- B. Before a ballot may be taken, a member must have spoken in favor of the candidate, and a summary of his academic record must have been given.
- C. Discussion of each candidate shall be limited to fifteen minutes. However, this time may be extended at the request of a member and with the consent of the or a majority of the members present.
- D. After discussion a vote will be taken for each candidate. A three-fourths affirmative vote is necessary from voting members for a candidate to be extended a bid. A “blackball” vote may be exercised by any voting member to eliminate a candidate from consideration.

Bids

- A. A person who has been elected to become a member and who accepts a bid to pledge the Fraternity is subject to being voted on again at any time. A new ballot must be taken whenever a member requests one. If in any ballot a person is rejected he will be depledged.
- B. A candidate who has been rejected shall be reconsidered upon the submission of a written petition signed by two-thirds of the membership. This petition must be submitted and acted on within 48 hours from the time of the original rejection. If such a petition is not submitted, or if it is rejected, a revote may not be proposed again for two months from the date of the rejection.

Special Meetings may be called at any time and place by the President.

The President must call a special meeting upon written petition by members. No business may be done at a special meeting except for that business for which the meeting was called.

Initiation

Pledging

Prospective initiate, upon being pledged, shall be given mandates at frequent intervals up to the time of his initiation, requiring him to perform certain feats, details of said feats to be left to the discretion of the Pledge Master.

Formal Initiation

After successfully completing the pledging requirement for membership in Omicron Pi Omicron duly sworn in members will be expected to abide by the following:

Omicron Pi Omicron Constitution

- A. I will ever keep, and never reveal, any of the secrets belonging to the Fraternity except to a worthy Brother, or within the open Chapter, and then only when I have found him or them justly entitled to receive the same after due trial or lawful information.
- B. I do also sincerely swear that I will always help aid or assist a worthy Brother, he applying to me as such and I finding him worthy and in need of assistance, I being able to do so without inflicting greater injury, upon myself than would be inflicted upon him should I fail to assist him.
- C. I do also sincerely swear, that I will use my best efforts and means to promote the welfare of this Fraternity and its members, and be ever ready to defend them from unjust attacks and oppression, while engaged in honorable pursuits.
- D. I do also sincerely swear that I will not knowingly lie to, wrong, cheat or defraud this Fraternity or any of its members, nor permit it to be done by another if within my power to prevent.
- E. I do also sincerely swear that the secrets of a worthy Brother when confided in me as such, shall remain hidden and inviolate within my breast until I am released by him, from further obligation of secrecy.
- F. I do also sincerely swear that I will not violate the chastity of the wife, widow, mother, sister or daughter of a member of this Fraternity, nor permit it to be done by another, if within my power to prevent.
- G. I do also sincerely swear that I will answer and obey all regular signs and summonses seen, heard or received by me whenever it is possible for me to do so.
- H. I do also sincerely swear that I will not knowingly be present at, nor assist in initiating one who has not been, lawfully and unanimously elected to become a member nor will I hold Brotherly intercourse, with one who has been, suspended or expelled for cause until duly restored.
- I. I do also sincerely swear that I will give due allegiance to the Fraternity and obey all laws, rules and regulations of the same, so far as the same shall come to my notice.
- J. To all of which I do solemnly and sincerely promise and swear without the least mental Your big Brothers will now present you with your recognition pins."
- K. (Plus-Minus)

Positions of Members

- A. A resident member is a member who lives inside the house,
- B. A non-resident member is a member who lives outside of the house,
- C. A socially active member is a member who has paid the social dues.
- D. A socially inactive member is a member who has not paid the social dues. He shall also be subject to assessments for any social functions he may attend.

- E. At the beginning of each semester, each non-resident member will choose between being able to vote and not being able to vote.
- F. A voting member is a member who has the privilege to vote and must attend all meetings unless excused by a member of the Executive Board, All resident members are voting members, except for second semester seniors and graduate students, F
- G. A non-voting member is a member who does not have the privilege to vote and does not have to attend all meetings.
- H. The regular order of business may be suspended at the discretion of the presiding officer unless objected to by a member of the Fraternity; a majority of those present will be necessary to sustain the presiding officer or suspend the order of business.
- I. The regular order of business may not be in force at special meetings.

Dues, Assessments, and Fees.

The dues shall be determined by the Secretary-Treasurer and shall be paid by each active member

Assessments may be levied at any time by two-thirds vote of the active members present at a meeting.

The initiation fee shall be forty-five dollars. It is to be deposited in the fraternity's savings account and may be withdrawn from that account only with the approval of two-thirds of the active membership.

Offences

Offences against this Fraternity and its laws shall consist of violations of the obligation, failure to live up to the charges given at initiation, and such other offences as may be deemed worthy of notice by the Fraternity.

Trials

- A. Members accused of offences shall be tried before the executive committee, and a three-fourths vote shall be necessary to convict.
- B. No member shall be convicted of any offence without having been given a fair trial, and an opportunity for a full hearing on his own behalf.
- C. The decision of the Executive Committee in each case shall be final, except that it may at any time review its own decision upon a majority vote to do so.

Sentences

- A. A member convicted of willful violation of his obligation shall be sentenced to suspension and shall not be restored until at least one year from the date of suspension, and then only by three-fourths vote of all the active members of the Fraternity.
- B. For minor offences, suspension for suitable periods, fines, or other punishment, according to the judgment of the Executive Committee.
- C. A member convicted of willful revelation of the secrets of the Fraternity shall be sentenced to permanent expulsion.

Procedure for Payments

- A. Payments shall be due one month after the start of the semester.
- B. If not paid by then, a promissory note must be signed, due at the end of the semester, unless extended by a vote of the Executive Board.
- C. If by the end of the semester, two-thirds of the bill has not been paid, the owner may not live in the house again until the rest of the bill has been paid, unless so otherwise granted by the Executive Board.
- D. If money is still owed at graduation, a promissory note must be signed, being due the next January 1st.
- E. If money is still owed by that date, a one-month warning note will be sent out. The note will proclaim the legal action through a collection agency to take effect in one month if the bill has not yet been paid.
- F. If the indebted persists to neglect or ignore the House actions and fails to have paid the bill, legal procedures will commence.

Fines

- A. Any house breakage must be removed or begin to be removed by 10:00 a.m. the following morning.
- B. Any breakage that damages or destroys house property will be replaced within a reasonable period by the person or persons involved. Failure to do so will result in Executive Board action. If the breakage permanently damages house property, this situation be subject to the above statements to as large an extent as possible as well as immediate Executive Board action.
- C. Any such breakage in the living room will be subject to all the above conditions and in addition, an appropriate fine, determined by the House Manager, will be levied on each of the people involved in the breakage.

- D. An appropriate fine will be determined at the beginning of the semester by the President for a resident or voting member missing a meeting.
- E. Any fines levied can be appealed at an Executive Board meeting with the finer present.

Rule of Order

- A. Every member, when speaking, shall rise and address the chair respectfully, shall confine his remarks to the question under debate, and shall avoid all personalities and indecorous language.
- B. No member shall interrupt another while speaking except to call him to order or for purposes of explanation.
- C. If a member, while speaking, be called to order, he shall take his seat until the question of order is determined, when, if in order, may he proceed.
- D. When the presiding officer is addressing the Fraternity, or putting forth a question, he shall not be interrupted.
- E. The presiding officer shall decide questions of order, without debate, subject to an appeal to the Fraternity by any member, when the question before the Fraternity shall be, "Shall the decision of the chair be sustained?", a majority vote shall be necessary to sustain the chair.
- F. The presiding officer shall decide who is entitled to the floor.
- G. A question is not subject to debate until it has been duly moved, seconded, and stated from the chair.
- H. Every member shall have the right to call for the reading of a motion, resolution, paper, or document which may pertain to the question pending at that time.
- I. Two independent propositions shall not be discussed at the same time. One must be disposed of before the other be taken up
- J. Questions of privilege shall always be in order.
- K. Any motion whose nature does not forbid may be referred to a committee upon the direction of the presiding officer or by vote of the Fraternity, the action of the presiding officer subject to the approval of the Fraternity.
- L. The mover of a motion, with the consent of his second, may withdraw the same at any time before final action upon the same by the Fraternity.
- M. The Rules of order may be laid aside, temporarily by a two-third vote of the Fraternity, or by unanimous consent.

Committees

- A. The first person named on a committee shall be chairman of the same.

Omicron Pi Omicron Constitution

- B. A special committee, having finished the business entrusted to it, and reported, shall be considered discharged by the fact but it may be charged with further duties upon motion.
- C. c. A majority of the members of the committee must agree upon a report, but the minority may present a report if they desire.
- D. The presiding officer shall have the power to remove committees or members of the same, subject to the approval of the Fraternity.
- E. All committees whenever possible, shall hand in written reports, the same to be kept with the Secretary.

Other Points of Law

Robert's Rules of Order shall govern on all points of parliamentary law not covered or inconsistent with the other bylaws of this Fraternity.

Fraternity Pins

No one shall allow anyone outside the Fraternity except his sister, fiancée, mother or wife to wear his Fraternity pin.

Seniority

Situations determined by seniority will use the following methodology.

- A. 1 point for each semester of membership.
- B. 1 point for each semester lived in the house.
- C. Sophomores add 1 point, Juniors 2 points, Seniors 3 points.
- D. The President has top seniority regardless.
- E. In the event of a tie, the accumulative average will decide.

Sale or Disposition of Assets (While the Fraternity Still Exists)

Authority

The Fraternity may sell, lease, exchange, transfer, or otherwise dispose of real or personal property owned by the Fraternity when such action is determined to be in the best interests of the Fraternity and consistent with its purposes.

Approval Required

Any sale or transfer of assets having a value exceeding \$1 shall require:

- A. Approval by the Alumni Council by a vote of five-sevenths (5/7) of its members; and
- B. Ratification by the Alumni membership by a vote of two-thirds (2/3) of members present and voting at a duly called meeting.

Prohibition on Private Benefit

No asset of the Fraternity shall be sold or transferred for the private benefit of any member, officer, or director, except for fair market value and in furtherance of the Fraternity's lawful purposes.

Dissolution

Authorization

The Fraternity may be dissolved only upon:

- A. A recommendation adopted by a five-sevenths (5/7) vote of the Alumni Council; and
- B. Approval by a three-fourths (3/4) vote of the Alumni members present and voting at a meeting called expressly for the purpose of considering dissolution, provided that written notice is given to all members at least thirty (30) days in advance.

Winding Up of Affairs

Upon approval of dissolution, the Alumni Council shall wind up the affairs of the Fraternity in accordance with the New York Not-for-Profit Corporation Law by:

- A. Collecting and liquidating assets as appropriate,
- B. Paying, or making adequate provision for, all liabilities and obligations of the Fraternity; and
- C. Distributing remaining assets as provided in Section 3 of this Article.

All costs associated with dissolution are to be paid from Fraternity funds.

Distribution of Assets Upon Dissolution

Upon dissolution and after satisfaction of all debts and liabilities any residual assets are to be distributed subject to the following:

- A. Permitted Distribution.
All remaining assets shall be distributed to one or more nonprofit organizations

organized and operated exclusively for charitable, educational, or fraternal purposes, and which qualify as tax-exempt organizations under Section 501(c) of the Internal Revenue Code, as selected by the Board of Directors.

B. No Distribution to Members.

No part of the assets of the Fraternity shall be distributed to any member, officer, or director of the Fraternity.

C. Court-Directed Distribution.

If the Alumni Council is unable to designate an appropriate recipient organization, the assets shall be distributed as directed by a court of competent jurisdiction in the State of New York.

Compliance with New York State Law

All actions relating to the sale of assets or dissolution of the Fraternity shall be conducted in accordance with the New York Not-for-Profit Corporation Law, and any other applicable state or federal law in effect at the time of such action.

Change Log

2026

The constitution was revised to replace archaic language, to revise absolute dollar values to be in relative terms, remove no longer relevant content, contemporize the document for example allowing for email notifications and contemplating fewer active members at any given time, improve structure for readability, consistency, and understanding, and add new sections regarding the sale of assets and dissolution.

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