

Template Constitution and By-Laws for Creating a New Student Organization

This document is intended to serve as a model for students to follow when writing the constitution for a new or existing student organization. An official student organization may structure and govern itself in any way deemed appropriate, so long as it does not violate any criteria stated in the *Student Organization Handbook (current edition)* and the *Policies Applying to Campus Activities, Organizations and Students*.

→ Items that must be included in the Constitution and By-laws are marked throughout this document in **bold** and indicated with arrows.

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Definitions

A constitution is comprised of the fundamental laws and principles that prescribe the nature, function and limits of an organization. Essentially, the constitution provides a basic structure upon which an organization operates. As a basic structure of the organization, amendments and changes to the constitution should be difficult to make, but not impossible, and should require a high level of participation/approval from the membership.

By-laws are secondary laws, which rule or govern the internal affairs of an organization. By-laws are an expansion of the articles or sections of the constitution. They describe in detail the procedures and steps for an organization to follow in order to conduct business effectively and efficiently. Since by-laws are more “nuts and bolts” procedures, they should be easier to amend/revise than the constitution.

STUDENT ORGANIZATION
CONSTITUTION TEMPLATE
UNIVERSITY OF CALIFORNIA, SAN DIEGO

<INSERT ORGANIZATION’S FULL NAME AND ACRONYM>
<INSERT DATE>

PREAMBLE

→ **An introductory statement usually, no longer than two or three sentences, stating the intent or mission of the constitution.**

For example: “We, the members of (name of organization) at Sixth College at UC San Diego, established to provide (your mission statement), do ordain and establish this constitution and subscribe to the regulations and policies of the University.”

ARTICLE I
NAME OF ORGANIZATION

→ **The official name of the student organization that will be used in a variety of University and Student Life publications. It is recommended that the name be stated in the document exactly how the organization prefers to be recognized. If an organization chooses to use the University name as part of its name it must be written as follows, “_____ at UCSD.”**

For example: “The name of this organization shall be (name of organization), hereinafter referred to as (shortened name of organization, perhaps an acronym, as it will appear throughout the constitution [optional]).”

ARTICLE II
PURPOSE OF ORGANIZATION

State the purpose of your organization. This statement will be used to describe what the organization is about to those looking for (or at) student organizations to join or work with. It will also impact decisions related to what are appropriate (and inappropriate) spheres of activity for the organization to be engaged in. The purpose statement should be broad enough in scope to allow the organization freedom of action but specific enough to show the uniqueness of the organization.

For example: “The purpose(s) of this organization shall be...”

Things to consider:

- What is the purpose for establishing the organization?
- What is the intended impact of the organization on the Sixth College and/or UCSD community?
- What services will be provided and for whom?

ARTICLE III
MEMBERSHIP PRACTICE

→ **“Active membership of this student organization shall be chosen without discrimination on the basis of race, religion, sex, sexual orientation, color, disability, national origin, age, or marital status, except in cases of fraternity and sorority organizations which are exempt by federal law from Title IX Regulations concerning discrimination on the basis of sex. Active membership should also be composed of at least 50% UCSD Students (undergraduate or graduate).”**

A. Eligibility for membership

→ **State criteria and qualifications for membership**

For example: “All students at UCSD shall be eligible for membership.”

Things to consider:

- Who is eligible for membership (e.g., UCSD students, faculty and staff members, community members, etc.)? Remember that at least 50% of the organization’s membership must be undergraduate and graduate students. Students enrolled at the University Extension Center do not count towards the minimum number requirement.]\

B. Criteria or qualification for membership

Things to consider:

- Are there any specific qualifications needed or criteria that need to be met for membership (e.g., good academic standing, dues, etc.)? Are there ongoing requirements, in addition to the other requirements, to join the organization?

C. Categories of membership

Things to consider:

- Are there various categories of membership such as active, associate, inactive, alumni, honorary, auxiliary, etc.? Discuss what defines each particular category of membership and how members may move from one category of membership to another.
- What are the privileges, duties and/or responsibilities of each type of membership? Be sure the organization refrains from demeaning and/or demoralizing any particular category of membership.
- Voting ability for members. Who is eligible to vote? Every voting person should get one vote and only one vote. The primary exception is if the Constitution provides that the President of the organization only votes in order to make or break a tie.

D. Withdrawal or removal of members

Things to consider:

- What is the process for withdrawal from the organization?
- What are the grounds for removal of a member (i.e. under what circumstances would/could this occur, votes required, etc.)?
- What is the process for removal of a member of the organization? (outline a due process, including charges, response to charges (argument), appeal and removal/reinstatement policies).

This should be framed in the following way:

- 1) Charges or complaint brought against an individual
- 2) Evidence to support complaint is presented,
- 3) Individual given an opportunity to argue a defense and offer counter evidence,
- 4) Vote is taken (and the vote count must be specified in the Constitution).
- 5) Appeal process for the decision made by vote. Only one level of appeal is required.

This same process should be replicated under impeachment of officers.

- Who has a right to request the removal or withdrawal of a member? If everyone does not share this right, explain why.

- Does an appeal process exist, and what are the policies and procedures to follow for such a process?

ARTICLE IV OFFICERS

→ A. List of officers

For example: “The officers shall be:

- | | | |
|-------------------|--------------|--------------|
| 1. President | 3. Secretary | 5. Historian |
| 2. Vice President | 4. Treasurer | 6. Other” |

Remember that decision making and control of the organization must remain in the hands of currently enrolled students. Each group must have a primary, secondary, and treasurer and all officers must be in good academic standing with the University.

B. General duties and responsibilities of officers. Get more specific in your by-laws.

Things to consider:

C. Qualifications for becoming an officer

Things to consider:

- Who is eligible for office (e.g., only UCSD students, good academic standing, specific skills, necessary experience, class level requirement, etc.)?
- Outline a backup plan in case eligibility cannot be met by any or few members (i.e. all eligible members graduated).
- Officer qualifications are a satisfactory method of attempting to restrict your executive positions (i.e. Pres, VP, Treasurer, etc.) to those members with more seniority and experience. However, your organization will not be permitted to have newer member votes counting for less than more experienced members.

D. Terms of office

Things to consider:

- Specify time frame (e.g., quarter, academic year, etc.).
- When do officers assume their positions?
- Officer transitions. When are elections held? (i.e. Elections are held as specified in Article V, section A.) When does the officer transition or transition retreat occur?
- Suggestion: Elect officers in early to mid-Winter quarter, use the rest of Winter to transition officers, have the new board take office on day 1 of Spring, so that the old board can help and advise while the new board is in charge. This creates overlap in duties and a designated training period and makes the organization stronger.

E. Procedure for filling vacated offices

Things to consider:

- Are special elections held?

- Is ascending order used (moving up the rank order of officers to fill a position)? What is the order of succession (the rank order of officers to be used in ascending order)? Is the order of succession used for each position down the ladder, or can it stop along the way?
- Are appointments made, or are interviews coordinated?

F. Procedure for removal of officers

Things to consider:

- Who can initiate the removal of an officer?
- What are the specific procedures to be followed for removal (due process)?
- What type (secret ballot, voice vote, roll call vote, etc.) of vote is required for removal? Is the success vote figure determined by eligible voters present or by individuals present?

Review due process section under removal of members.

G. Appeal policy

Things to consider

- See Article III D for details on due process.
- Is there a set time period to carry out an appeal?
- What are the steps involved with an appeal?

ARTICLE V ELECTIONS

A. →Times and period when elections occur

Things to consider:

- How often and what time of year are elections held?
- Are there any special elections?
- Transitions retreat

B. →Nominations

(general members must be included in the nomination process)

Things to consider:

- How are nominations made?
- Are there self-nominations?
- Is an application process required for nomination?

C. Notification and posting of elections

Things to consider:

- What is the process for notifying others or posting information regarding elections (e.g., letters, flyers, poster, announcements, etc.)?
- How long is the notification and posting period?

E. →Election procedures

- **(general members must have the ability to vote for those nominated)**

- Things to consider:
- What is the specific procedure followed for elections?
- Is there a secret ballot taken, or is it a hand or verbal vote?
- How are run-off elections conducted is there is a tie between 2 or more candidates?
- What number or percentage of members or quorum is necessary for elections to be complete (e.g., 2/3, etc.)? How many members need to be present in order to hold elections and how many of those members must vote for someone in order for that person to be elected? What if the vote cannot take place if not enough members are present? Can people vote by email or by proxy?
- Who is eligible to vote?
- Is there enough time from when elections occur to when the new person takes office to transition information?
- When does the newly elected officer officially take office?

**ARTICLE VI
COMMITTEES**

A. Types of meetings

Things to consider:

- State the names, purposes, and responsibilities of the various standing committees (e.g., executive board, publicity, fundraising, etc.).
- How are members selected for each committee?
- How is the head of the committee chosen?

B. Temporary/special committees

Things to consider:

- How and when are such committees formed?
- What are the purposes and responsibilities of special committees?
- What is the duration of a temporary or special committee?

**ARTICLES VII
MEETINGS**

A. Types of meetings

Things to consider:

- Are there different types of meetings (e.g., business, regular, special, executive, etc.)?
- Who is required to attend each type of meeting? What happens if a meeting is missed?

B. Time and occurrence of meetings

Things to consider:

- How often are meetings held (e.g., weekly, monthly, etc.)?
- Is there a set date for meetings?

C. Special meetings

Things to consider:

- What are the circumstances under which special meetings may be called? Who can call the meetings?

D. Quorum

A quorum usually consists of the next whole number above one half of the total active membership. However, the number should be determined according to the organization's need. For example, a quorum could be defined by an individual organization as "Two-thirds of the eligible voting membership."

Things to consider:

- Note that the purpose of quorum is to insure that enough members are present and expressing their opinions for the decisions made at this meeting to be considered valid and meaningful to the organization. You may wish to state this in this section of the constitution.
- State the percentage or number of members needed for a quorum.
- What happens if quorum does not exist at a meeting? What if quorum is not reached for a few meetings?
- Will there be an attendance policy created to ensure quorum?

E. Method of conducting meetings

Things to consider:

- What rules shall govern the conduct of business for the organization (e.g., Robert's Rules of Order Newly Revised, General Consensus, etc.)?

F. Meeting minutes and records

Meeting minutes and other records are vital for an organization's success. Election results, impeachment of an officer, removal of a member, approval of a budget or expense and confirmation of amendment approval are just a few of the important items that meeting minutes are used to validate/verify.

→ **Example: "It shall be the responsibility of the secretary to take meeting minutes and keep related records of all meetings (including special and emergency meetings). Minutes will be read or distributed at the beginning of the meeting that follows the meeting from which the minutes were taken. Additions and corrections are to be made at this time and a final approval of the minutes must be made."**

Things to consider:

Who is responsible for taking notes and/or meeting minutes?

How are these records stored and who is responsible for them?
How does the organization share the meeting minutes with the membership to solicit corrections to the minutes?

ARTICLE VIII FINANCIAL RECORDS

→ **“The University shall have the right to audit the financial records of this organization. If dues are collected, it should be stated; also the purpose for which the dues are levied.”**

If the organization will receive funding from Sixth College Student Council (SCSC), Associated Student at UCSD (ASUCSD) or the Graduate Student Association (GSA), the organization must comply with all funding policies and procedures issued by the funding authority.

→ **A. Dues/membership fees**

For example: “The dues for membership to (name of student organization) shall be (amount of dues).” These dues finance the following events, budgets; programs, etc. (list all).”

Things to consider:

- Is there a set fee and/or dues? The constitution should state if the organization charges membership dues. However, given the need over time to change the dollar amount of dues, such amounts or dues formulations should appear in by-laws unless the organization does not plan to write any bylaws.
- When are fees due?
- Who is the officer or member responsible for collecting and monitoring fees?
- Are there other optional fees that members may incur (i.e. event t-shirts, formal dinners, etc.)?
- Is there a way for members to fundraise to pay their dues if they cannot afford it? Can payment plans be arranged to allow students to pay over time?
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B. Budget expenditures

For example: “These dues finance the following events, budgets, programs, etc. (list all).”

Things to consider:

- Who are the officer(s)/member(s) responsible for authorizing all expenditures and reimbursements?
- Is a vote of the members required for all expenditures?
- What is the process used to insure that the membership must approve how the organization funds are used? Is an annual budget proposed with membership ratification or are expenditures discussed and approved on an as needed basis?

- Officers should never have complete control of financial matters to the exclusion of the general membership.
- What is the procedure for disbursement of all remaining funds upon dissolution of the organization?

ARTICLE IX ADVISORS

What an advisor is and does

A student organization advisor is a person, selected by the organization or appointed by the college, to provide guidance and advice in the operations of the organization. Advisors are educators outside of the classroom setting and a resource person for the organization. Advisors have a variety of roles with an organization including being a mentor, teacher, leader and follower. One key role of the advisor is to represent the university and the college by helping the members be mindful of the interests, policies, and expectations of the university and college as the members are managing their organization.

Ideally, the advice of the advisor to the organization's membership and leadership is welcome and seen as valuable. The decision making and goal setting for the organization should remain in the hands of the student membership but should be tempered with the valuable insights of the advisor.

If for some reason, the organization is experiencing challenges with the advisor of their organization they are encouraged to speak with the advisor first about their concerns. If conflicts are unable to be resolved directly with the advisor, principle members of the organization should consult with the Dean or Assistant Dean of Student Affairs.

What an advisor is not and does not do

Unfortunately, some student organizations have a misinformed notion of what an advisor does and does not do. An advisor is not someone who cleans up after a major event or makes sure that regular meeting rooms for the organization have been reserved; these are responsibilities of the student leadership of the organization. An advisor is not someone to invite to events but otherwise exclude from the business of the organization until the organization is in trouble; the advisor should be informed about and consulted with regard to the on-going business of the organization. An advisor does not take control of the organization; this is the responsibility of the student membership. If the organization ceases to exist due to inaction by the student membership, this is an unfortunate but appropriate outcome. **Organizations should not look to their advisor to do crisis intervention on behalf of the organization but only to seek to do so in conjunction with the student leadership.**

A. Selection of advisors (when the advisor is not appointed by Sixth College)

Things to consider:

- How is an advisor selected (e.g., by appointment, election, or selection)?
- How is a pool of advisor candidates developed?

B. Qualifications

Things to consider:

- Are there any specific criteria for selecting an advisor?

C. Terms of service

Things to consider:

- How long of a term does/can the advisor serve?
- Are there limitations on the number of terms?

D. Roles and duties of an advisor

Things to consider:

- What are the responsibilities of the advisor?
- What are the groups' expectations for the involvement of advisors?

ARTICLE X AMENDMENTS

Remember that a separate amendment procedure should be written for the constitution and the by-laws. The by-laws should be easier to amend than the constitution.

A. Proposing amendments

→ All amendments shall be in agreement with University regulations and policies and are not approved until reviewed by a Student Affairs official. Organizations must notify their Organization Advisor in Student Affairs once the new document ready for review.

Things to consider:

- Who can propose an amendment and what is the procedure (e.g., verbal, written, how much time must pass between an amendment being introduced and it being voted on, etc.)?

B. Provisions

→ Example: “Amendments to the constitution shall be approved by a 2/3 vote [actual percentage of membership is variable; i.e. 2/3 or 1/2 or 3/4] of the total membership eligible to vote. A signed copy of the amendment(s) shall be filed at the Sixth College Student Affairs office within one week after adoption. All amendments shall be in agreement with Sixth College and University regulations and policies and are not approved until reviewed by a Student Affairs official. The amendments shall be filed with the Sixth College Student Affairs office through your advisor within one week of adoption.”

Things to consider:

- When can an amendment be proposed?
- Is there any notice required in advance for amending the constitution and/or bylaws?
- How many members must be present for adoption of the amendment?
- Who can vote on the amendment?

- How many votes are required for passage?