

Constitution and By-Laws Guidelines for Student Organizations

The constitution and by-laws guide an organization in its operations and activities and, accordingly, are intended primarily for the organization's benefit and use. The constitution contains the fundamental principles and structure of the organization, and the by-laws outline the basic rules of procedure by which a group's membership govern their organization.

The constitution and by-laws should be carefully formulated, clearly worded, and kept up-to-date so that the needs of the organization can be met. It is recommended that each member of an organization have a copy of the constitution and by-laws.

The following outline is provided to assist in the preparation of a constitution and, if needed, by-laws. Use this guide to prepare the constitution for your new student organization. An electronic copy of the constitution is required by the SOURCE when you register your organization. If there are any problems or concerns with your constitution, a member of the SOURCE staff will contact you.

Constitution

The constitution should be simple yet comprehensive and difficult to amend, leaving any specific procedural rules to be included in the by-laws. When amending the constitution, as with the by-laws, previous notice of any proposed changes are usually required to be given to the membership and should not be changed in the same meeting in which proposed.

Article I - Name, Purpose, and Non-Discrimination Policy of the Organization.

Section 1: Name: If your organization has achieved the Established level of registration and has "The Ohio State University" or "Ohio State" in its title, it must follow the main portion of the name. For instance:

Acceptable: Chess Club at The Ohio State University (or Ohio State)

Unacceptable: The Ohio State University Chess Club or Ohio State Chess Club ("OSU" should not be used because it can be confused with Oklahoma State and Oregon State Universities) If your organization is affiliated with a national or international organization, details of the affiliation should be adequately described.

Section 2 - Purpose: Organizations should take care to include a complete statement of purpose and objectives. Programs sponsored by the organization must comply and be consistent with the organization's stated purpose and objectives.

Section 3 - Non-Discrimination Policy: All student organizations desiring to benefit from registered student organization status with The Ohio State University must include in their constitution a non-discrimination policy statement that accords with and is at least as broad as the University's Non-Discrimination policy statement.

An example of an acceptable non-discrimination policy statement is as follows:

This organization and its members shall not discriminate against any individual(s) for reasons of age, color, disability, gender identity or expression, national origin, race, religion, sex, sexual orientation, or veteran status.

Article II - Membership: Qualifications and categories of membership.

Voting membership should be defined as limited to currently enrolled Ohio State students. Others such as faculty, alumni, professionals, etc. are encouraged to become members but as non-voting associate or honorary members. [For educational and leadership development reasons, student organizations are to be student initiated, student led, and student run.]

Article III - Organization Leadership: Titles, terms of office, type of selection, and duties of the leaders.

Organization leaders represent the Executive Committee and general membership and are elected or appointed from

the ranks of the organization's voting membership. The titles of organization leaders, the length of terms, specification as to which leaders are elected or appointed and by whom, and the general duties of each leadership position should be clearly specified. Organizations need to have the necessary leaders to conduct their activities.

Article IV - Executive Committee (if needed): Size and composition of the Committee.

This Committee (like a board of trustees or directors) represents the general membership and conducts business of the organization between general meetings of the membership and reports its actions at the general meetings of the membership. In many organizations, this Committee is comprised of the organization leaders, chairpersons of the standing committees, and sometimes ex officio members from related student organizations.

Article V - Standing Committees (if needed): Names, purposes, and composition.

These committees serve the organization leadership, Executive Committee, and general membership and are permanent and designed to carry out the basic functions of the organization. Chairpersons of these committees are often appointed by the organization leadership.

Article VI – Method of Removing Officers and Members.

General members and elected or appointed leaders should be expected to meet certain standards and conduct themselves in a way that reflects well on the organization. In the event that a member or leader does not meet those expectations, the organization should have procedures in place for objectively considering the member's or leader's probationary membership status or removal from the organization. The process described in the constitution should specify which body conducts this review and ultimately makes the decision. It should be noted that the organization's non-discrimination policy should protect members from removal based on those listed statuses.

Article VII – Advisor(s) or Advisory Board: Qualification Criteria.

Advisors of student organizations must be members of the University faculty or Administrative & Professional staff. Responsibilities and expectations of advisors should be clearly and adequately described.

Article VIII – Meetings of the Organization: Required meetings and their frequency.

Required meetings and their number are specified here. For instance, two general meetings of the membership may be required each academic term except for summer.

Article IX – Method of Amending Constitution: Proposals, notice, and voting requirements. Proposed amendments should be in writing, should not be acted upon but read in the general meeting in which they are proposed, should be read again at a specified number of subsequent general meetings and the general meeting in which the votes will be taken. Approval should require at least two-thirds of voting members present (and to conduct any business an organization should have quorum present at a business meeting, which is at minimum 50% + 1 of total organization members). The constitution should not be amended easily or frequently.

Article X – Method of Dissolution of Organization

Requirements and procedures for dissolution of the student organization should be stated. Should any organization assets and debt exist, appropriate means for disposing of these assets and debts should be specified clearly and unequivocally.

By-Laws

By-laws contain the standing (permanent) rules of procedure of an organization. Articles in the by-laws may be covered in appropriate detail in the constitution of very small organizations. However, most groups keep separate by-laws because they usually contain more detail and are subject to change more than that of the constitution and, therefore, may require different procedures for amending.

Provision for amendment of the by-laws should be somewhat easier than that of the constitution as rules of procedure should adapt to changing conditions of the student organization. When amending the by-laws, as with the constitution, previous notice of any changes is usually required to be given to the membership and should not be changed in the same meeting in which proposed.

By-laws are more permanent, however, than passing a general motion, which may require only a simple majority vote of voters present at a general meeting of the membership (a quorum being present). By-laws cannot run contrary to the constitution.

Article I – Parliamentary Authority

Most organizations use Robert’s Rule of Order to govern their organization’s decision making except when these rules are inconsistent with their constitution or by-laws of the organization. These rules are of Western cultural origin, and based on the premise that “though the minority shall be heard and absentees protected, the majority will decide.”

A recommended wording is “The rules contained in [specify the source for parliamentary practice] shall govern the organization in all cases to which they are applicable, and in which they are not inconsistent with the by-laws of this organization.”

Article II- Membership

Procedures for becoming a member, which may vary by membership category, amount of dues, if any, and how often they should be paid, termination of membership, and so on should be described in detail.

Article III- Election / Appointment of Government Leadership

Elections rules and procedures, including eligibility for office, the nominating process, design of ballots and balloting procedures, and so on should be specified as well as appointment and ratification procedures. The timing of elections and/or appointments should be specified along with procedures to cover special circumstances (resignations, impeachments, etc.).

Article IV- Executive Committee (if needed)

Specific duties of the Committee and its responsibilities to the membership.

Article V- Standing Committees (if needed)

Specific duties of each committee and their responsibilities to the organization leadership, Executive Committee, and general membership.

Article VI - Advisor/Advisory Board Responsibilities

Expectations of the advisor in the organization (e.g., availability, meeting attendance, second signer on checks, etc.)

Article VII - Meeting Requirements

Regular, special, size and determination of quorum (number of voting members required to vote on decisions placed before the general membership, executive, and standing committees).

Article VIII - Method of Amending By-Laws

Should be similar to amending the constitution. However, by-laws are apt to change more often than the constitution, thus amending should be somewhat easier. By-laws may be amended by proposing in writing and reading the change at a general meeting of the membership and then bring the proposed change up for a vote at the next general meeting with a 2/3 majority vote of the membership present (a quorum being present).

Note - Some organizations desire a structure that is fundamentally different from the guidelines presented here. Under these circumstances, the organization should contact the Student Activities Office to assist in the design of an alternate structure. The goal would be to incorporate basic principles important to the University while promoting those of the organization.