

Developing a Constitution and By-Laws

For your convenience, a suggested format and sample constitution and by-laws have been prepared. The sample is only an example to follow. It is not to be used as a "fill-in" form. If you need further assistance, contact the Student Life Office.

A **constitution** is the basic framework of an organization. It should state the general operating procedures and policies of a group, which are not subject to frequent change. It consists of a few fundamental provisions clearly and briefly written, stated in separate articles which may be divided into sections. The **by-laws** contain a more detailed method of doing business and specific rules. For example, the constitution would establish that dues are a requirement for membership and would outline the method of determining the amount; and the by-laws would state the specific due's amount.

SUGGESTED FORMAT FOR CONSTITUTION:

PREAMBLE	OPTIONAL PREFACE
ARTICLE I.	NAME & PURPOSE
ARTICLE II.	MEMBERSHIP
ARTICLE III.	QUORUM
ARTICLE IV.	OFFICERS, QUALIFICATIONS AND
DUTIES	
ARTICLE V.	ELECTION OF OFFICERS
ARTICLE VI.	IMPEACHMENT AND VACANCIES
ARTICLE VII.	FACULTY/STAFF ADVISOR
ARTICLE VIII.	DUES
ARTICLE IX.	MEETINGS
ARTICLE X.	COMMITTEES
ARTICLE XI.	RULES OF ORDER
ARTICLE XII.	BY-LAWS AND AMENDMENTS
ARTICLE XIII.	RATIFICATION

SAMPLE CONSTITUTION

CONSTITUTION FOR (name of organization) at Southern Polytechnic State University

PREAMBLE

Introductory Statement of Purpose— (optional preface to the constitution which usually contains reasons for formation of the organization) *The following is the XXXXX preamble:*

ARTICLE I: NAME & PURPOSE

Section A. The name of the organization should reflect the nature of the organization and cannot imply limited or discriminatory membership. The name of the organization shall be _____ at Southern Polytechnic State University.

Section B. The purpose(s) of the organization should be listed. Use descriptive verbs that apply to your organization's purpose. The purpose of *(name of organization at Southern Polytechnic State University)* shall be the following:

1. *To provide....*
2. *To assist....*
3. *To participate....*
4. *To promote....*

ARTICLE II: MEMBERSHIP

(Types of membership, requirements for membership, and a non-discrimination statement should be listed.)

Section A. General Membership shall be open to all undergraduate and graduate students *(specify requirements: currently enrolled in at least six (6) semester hours) at Southern Polytechnic State University.*

Section B. Associate Membership shall be composed of faculty and staff of Southern Polytechnic State University *(and/or community professionals in _____ industry).* Students enrolled in less than four (4) hours should be assigned associate membership. State the limitations of associate members – not required to pay dues, cannot hold office, do not have voting privileges, etc.

Section C. Members are considered in good standing (list requirements – if they have paid their dues, attend at least (____) meetings per semester, etc.). Only members in good standing can vote.

Section D. Non-Discrimination Statement: No otherwise qualified individual shall be excluded from membership on the basis of age, race, gender, disability, national origin, religion or sexual orientation. (This statement can be reflected in your constitution as printed here.)

ARTICLE III: QUORUM

A quorum of membership for voting purposes shall be reached when (____%) of the general members are present. (A quorum is usually a simple majority of members, but can be 2/3, 3/4, etc. Two-thirds quorum is suggested.)

ARTICLE IV: OFFICERS, QUALIFICATIONS AND DUTIES

(List the officers' positions, qualifications for holding office, and duties of their offices.)

Section A. The officers of the organization shall be the following: President, Vice President, Treasurer, Secretary, and (others designated as necessary).

Section B. Officers must possess a minimum 2.25 cumulative GPA during their term of office, be a member in good standing, *(some organizations specify membership for at least one semester prior to holding office)*, etc.

Section C. The duties of the officers shall be as follows:

1. President
2. Vice-President
3. Treasurer
4. Secretary
5. Other Officers

ARTICLE V: ELECTION OF OFFICERS

(List the term of office, nomination, vote counting, installation, and special election processes.)

Section A. The term of office shall be *(one year, one semester, etc.)* beginning on _____ and ending on _____.

Section B. Nominations shall take place on *(day of election, the week of month preceding election, etc.)*.

Section C. Votes shall be counted by *(advisor suggested)* _____.

Section D. Installation of new officers shall take place *(week of month, semester)* _____.

Section E. Special elections shall be held if a vacancy occurs. The elections should occur within _____ *(days, weeks)* of the vacancy. Members shall be notified by *(how and how much notification...phone, mail, email, direct contact, etc.)*.

ARTICLE VI: IMPEACHMENT AND VACANCIES

The process of impeachment of an officer, committee chairs, and filling vacancies should be stated.

Section A. Impeachment of Officers

1. Charges may be brought against an officer by any member of the organization. It will take a unanimous vote of the Executive Committee, excluding the accused officer, to impeach.
2. The impeached officer shall then be provided due opportunities for defense. *(suggested two weeks preparation)*.
3. A 2/3 vote of the voting body is then required to effect the resignation of the officer.

Section B. Filling Vacancies

1. All vacancies in elected positions shall be filled for the remainder of the unexpired term.
2. If one or more officers are unable to assume or continue with their duties, the remaining officers shall hold a special election to fill those vacancies under the guidelines for elections in this document. In the event that such an election cannot be held within a reasonable amount of time due to the University not being in session, the remaining officers shall appoint the replacement with the advice and counsel of the advisor.

ARTICLE VII: FACULTY/STAFF ADVISOR

(State the procedure for selecting a faculty/staff advisor. Duties and responsibilities should be included.) This group shall have an advisor who is interested in the purpose of and gives counsel to the organization. The advisor must be a full-time member at Southern Polytechnic State University. The advisor is selected or appointed on an annual basis by the majority of the organization's general membership. The advisor serves as an ex-officio member and does not vote.

ARTICLE VII: DUES

(Provisions for membership fees, dues, and assessments, if there are to be any, should be set in detail: How often dues are expected to be paid, collection and handling procedures, delinquent membership dues, how the amount of dues will be determined, etc. The provision for the organizations' account, should the organization become inactive or folds should be included (e.g., donate to _____charity, scholarship fund, etc.).)

Section A. Dues collection *(if any, when: academic year, semester, month, etc.)*.

Section B. Dues shall be set at the beginning of each academic year by recommendation of the officers and a vote by the voting body.

Section C. Delinquent membership dues...

Section D. If the organization becomes inactive or folds, the remaining funds in the account will be donated to...

ARTICLE IX: MEETINGS

(Provisions for setting regular meetings times, stipulations for calling special meetings, and the officer which has the authority to call special meetings should be included.)

Section A. Meetings shall be held regularly at a time to be specified by the organization at the beginning of each (*academic year, semester, week of the month, etc.*). There should be at least (*indicate minimum # of meetings per semester*) _____ meetings per semester.

Section B. Special meetings may be called by the (*President, combination of officers and advisor, etc.*) Notifications, how, when?

ARTICLE X: COMMITTEES

(Names of standing committees, if any should be listed. Include the method of choosing the chairpersons and committee members, the duties of the committees, and provisions for creating ad hoc committees.)

ARTICLE XI: RULES OF ORDER

(A provision for some accepted rules of order for parliamentary procedure, such as "Robert's Rules of Order" should be provided.)

Robert's Rules of Order shall be used as a guide by the presiding officer in all situations not covered by the provisions of the constitutions.

SUGGESTED FORMAT FOR BY-LAWS

BY-LAWS - contain details necessary to amplify and carry out the provisions of the constitution. All by-laws dealing with the same general subject are grouped together by section under one article. For instance, there are usually several sections relating to committees. These sections are arranged in consecutive order, and together form a by-law or article. By-laws may include the following:

1. Kinds of membership
2. Detailed requirements for membership
3. Method of admitting new members
4. Dues
5. Powers/duties of committees
6. Powers/duties of officers
7. Election of officers/committees
8. Provisions for calling & conducting meetings
9. Parliamentary authority
10. Number constituting a quorum
11. Vote required for decisions
12. Procedure for amending by-laws

ARTICLE I	DUES
ARTICLE II	MEETINGS
ARTICLE III	COMMITTEES
ARTICLE IV	AMENDMENTS AND BY-LAWS

ARTICLE XII: BY-LAWS AND AMENDMENTS

(State the requirements for adopting by-laws and amendments to your constitution.)

Section A. By-laws

1. By-laws may be created by (*officers, members with recommendation from the officers, etc.*).
2. By-laws must be in accordance with this constitution as amended.
3. By-laws must be sponsored by at least (two) persons, one being an officer, committee chair, etc.
4. By-laws shall be adopted by a (*2/3, 3/4, etc.*) vote of the voting body. (*2/3 suggested*)

ARTICLE XIII: RATIFICATION

(This section should state the requirements for ratification of the newly formed organization.)

This constitution shall be enforced upon ratification by a (*2/3, 3/4, etc.*) of the voting body, and upon approval of this constitution by the Student Activities Committee. (*2/3 suggested*)

SAMPLE BY-LAWS

BY-LAWS FOR (name of organization)

ARTICLE I: DUES

Section A. Dues will be *(specify amount)* per *(semester, year, month, etc.)*

Section B. Dues will be collected by *(specify meeting day, e.g., second meeting each semester, etc.)*

Section C. Dues will be delinquent if not collected by *(specific day, meeting, etc.)*

ARTICLE II: MEETINGS

Section A. General membership meetings will be held *(specify date, time, etc.)*

Section B. Officers will meet *(specify time, day, etc.)*

ARTICLE III: COMMITTEES

Section A. Ad Hoc Committee

Section B. The purposes of the ad hoc committees are the following:

ARTICLE IV: AMENDMENTS TO BY-LAWS

Section A. Amendments to the by-laws may be presented by any member in good standing.

Section B. Amendments to the by-laws shall be adopted by a *(2/3, 3/4, majority, etc.)* vote of the voting body. *(2/3 suggested)*