

What is a Constitution?

A constitution contains the fundamental principles that outline the purpose, structure, and limits of an organization. Essentially, the constitution provides a foundation upon which an organization operates.

Why should I have a Constitution?

Every recognized student organization at NDSCS is required to file a current copy of their constitution and bylaws with the NDSCS Student Senate in the fall of each year. An updated copy should be filed promptly should the document change during the year. Your constitution serves an important purpose for your organization. The process of writing a constitution should help to:

- Clarify your purpose
- Outline your basic structure
- Provide the cornerstone for building an effective group
- Allow members and potential members to have a better understanding of what the organization is all about and how it functions.

If you keep in mind the value of having a written document that clearly describes the basic framework of your organization, the drafting of a constitution will be a much easier and more rewarding experience.

What should I include in my Constitution?

- A constitution should provide the structure for an organization, describe its purpose, and define the duties and responsibilities of the officers and members. The objective is to draft a document that covers these topics in a simple, clear, and concise manner.
- What follows is an outline of the standard information to be included in a constitution. Since your constitution should be tailored to the needs of your organization, you may wish to include additional articles or use a different organizational structure. However, the basic information outlined below must be included in the constitution you submit .

Guidelines for Writing a Constitution

• **Article I Name**

State the name of the organization—for example, "The name of this organization shall be (insert name of organization here)."

• **Article II Purpose & Goals**

Section One: Provide a general statement about the purpose and goals of the organization, as well as the type and scope of the organization's activities. This is also an appropriate place to mention the organization's affiliation with other groups, if any (for example, if the group is a chapter of a national organization).

Section Two: **"Name of Organization" abides by and supports established NDSCS policies, State and Federal Laws.**

• **Article III Membership**

Provide a general statement about membership eligibility, standards, and requirements. For example, "**Membership shall be open to all registered students at NDSCS.**" NDSCS does not discriminate on the basis of race, color, age, religion, national origin, sexual orientation, sex, marital status, disability or status as a U.S. Vietnam Era Veteran. The membership selection process, types of membership, and procedures for disciplining and/or removing members should also be outlined here if not already appearing in the bylaws. NOTE: Recognized student organizations at NDSCS are required to be non-discriminatory in membership unless otherwise permitted by applicable federal law (for example, Title IX). As such, you should review your constitution to ensure that it does not contain discriminatory language or provisions.

EXAMPLE FOR MEMBERSHIP REQUIREMENT

As a member, one is required to attend organization meetings regularly, pay dues if required, and actively support organization projects. Membership will be revoked by ½ vote of officers plus ¾ vote from the general membership if actions are deemed inappropriate by the membership.

• **Article IV Officers**

In sections under this article; list the titles of offices to be established, qualifications for each office, the method, time, and process of selection, and the term of office. The duties, powers, and responsibilities of each officer as well as procedures for removal from office and filling vacancies should also be outlined here if not already appearing in the bylaws. At a minimum, each student organization is expected to designate one officer as the chief student leader (usually titled "president") and one officer authorized to deal with the organization's finances (usually titled "treasurer"). The titles of these positions may vary according to the needs of the organization, but the two separate job functions must be provided for in this article.

ELECTION OF OFFICE

Election of officers will require a majority vote from the general membership. If a candidate fails to receive a majority of votes, a run off election will be held within the top two candidates that received the most votes.

Members interested in becoming an officer must meet the following academic requirement:

TERM OF OFFICE

The term of office will be one full year (when to when). All officers shall comprise the Executive Committee of the organization.

The Executive Committee shall meet in addition to regular organization meetings. The Executive Committee shall appoint such committees that are needed to carry out organization goals.

NOTE: All recognized student organizations at NDSCS must include the following statement (or its equivalent) in their constitution: **"The officers of this organization must meet the following requirements:**

(a) Have a minimum grade point ratio (GPA) of 2.0.

(b) Be in good standing with the university and enrolled: at least half time (six or more credit hours

(c) Be ineligible to hold an office should the student fail to maintain the requirements as prescribed in (a) and (b)."

The wording of the above statement may be made specific to the student organization, but no student organization may enact eligibility requirements for officers less stringent than those appearing above. Student organizations may enact requirements more stringent than those provided by the college.

EXAMPLE OFFICER DUTIES

1. President

- Preside over all meetings
- Represent organization on campus
- Ensure that the organization is operating in conformity with the code of conduct and standards set forth by NDSCS
- Maintain communication with organization adviser

2. Vice-president

- Preside over meetings in the absence of the President
- Schedule meetings/events with appropriate college offices
- Coordinate organization promotion and publicity of events

3. Secretary

- Maintain an accurate record of all organization meetings and post for members
- Maintain membership directory, to be submitted to the NDSCS Student Senate every fall semester or whenever the roster changes
- Correspond when necessary with college administration and other recognized organizations

4. Treasurer

- Maintain accurate record of organization transactions
- Collect dues if required
- Develop organization budget and present to membership for $\frac{3}{4}$ vote
- Cosign organization checks along with the Adviser
- Arrange approval through the NDSCS Student Senate for fundraising opportunities for the organization
- Solicits additional funding if needed from the NDSCS Student Senate by applying for discretionary funding by the required date in the fall semester

5. Adviser

- Maintain communication and meet with officer(s) regularly
- Awareness and approval of financial expenditures
- Ensure that the organization is operating in conformity with the standards set forth by NDSCS

EXAMPLE OF OFFICER/ADVISER REMOVAL

Officers may be removed from office by $\frac{1}{2}$ vote of the other officers and $\frac{3}{4}$ of the general membership if actions are deemed inappropriate by the membership. The officer is permitted to speak before the Executive Committee and the general membership about the charges made concerning his/her performance. The officer is not permitted to participate in the deliberation of the Executive Committee regarding the charges.

Article V. Finances

Provide a general statement about the manner in which the finances of the organization should be handled, including what should happen to the organization's funds if the organization is dissolved. Detailed financial procedures including the amount and collection procedures for dues, if any, should also be outlined here if not already appearing in the bylaws.

• Article VI. Amendments & Ratification

This article should explain how constitutional amendments may be made, as well as the procedure for adopting this constitution and any future amendments. At a minimum, your constitution must be voted on and approved by the general membership of your organization. This article should also include a statement requiring prompt submission of an updated constitution and bylaws to the NDSCS Student Senate should the document be amended following recognition.

To be valid, the constitution must be signed by at least the organization's chief student officer and primary Adviser, and recognized by the NDSCS Student Senate. You will want to provide a space for these individuals to sign and date the document.

EXAMPLE FOR AMENDMENTS

Amendments to this constitution must be submitted in writing at a regular meeting of the organization. Said amendment(s) will be voted on at a subsequent meeting. In order to adopt the amendment, a vote of 2/3 of the general membership is necessary.

Amended constitution will be submitted within 10 days to the NDSCS Student Senate for approval.

EXAMPLE FOR RATIFICATION

This constitution shall become effective upon approval by a ¾ vote of the membership. **Ratified constitutions must be submitted to the NDSCS Student Senate within 10 days for final approval.**

What are Bylaws?

Bylaws are secondary principles that govern the internal affairs of an organization. Bylaws are essentially an expansion of the articles or sections of the constitution. They describe in detail the procedures and steps the organization must follow in order to conduct business effectively and efficiently.

Why should I have Bylaws?

Student organizations are not required to have bylaws, but may find them helpful to the organization's operations. The constitution covers the fundamental principles but does not provide specific procedures for operating your organization. Bylaws should set forth in detail the procedures your group must follow to conduct business in an orderly manner. They provide further definition to the provisions contained in the constitution and can be changed more easily as the needs of the organization change.

What should I include in my Bylaws?

Bylaws must not contradict provisions in the constitution. They generally contain, as needed, more specific information on the topics outlined below. If your organization has chosen not to develop bylaws, this information may be included in the appropriate sections of your constitution.

The following are some standard articles that commonly appear in organization bylaws:

• Membership

Sections under this article should discuss and detail the various aspects of membership that may be applicable: membership selection process, types of membership, and procedures for disciplining and/or removing members.

• Officers

Sections under this article should discuss the officer selection process, duties, powers, and responsibilities of each officer, and procedures for removal from office and filling vacant officer positions.

• Committees

Sections under this article should discuss and detail standing and special committees (formation, selection, powers, and duties) and the executive committee (membership, powers, and duties), along with the roles and responsibilities of committee chairs.

• Meetings

Sections under this article should discuss types of meetings, how and when they are to occur, requirements for notice, attendance, and quorum (number of members needed present to transact business), meeting format, and parliamentary rules of order (usually Robert's Rules of Order).

EXAMPLE

The organization shall hold regular (weekly) meetings during the academic term except when holidays, examination periods or other events make meeting impractical. Organization meeting day/time will be determined in the beginning of each semester by a ¾ vote of the general membership. Attendance at organization meetings is

expected. If a member must miss a meeting, correspondence with the secretary is appreciated. A quorum shall consist of a simple majority of the membership plus one officer. Robert's Rules of Order (newly revised) shall govern all meetings.

• ***Financial Procedures***

Sections under this article should discuss and detail (if applicable) dues, initiation fees, and fines, collection procedures, and other financial procedures (budgets, expenditures, etc.).

• ***Amendment Procedures***

Sections under this article should discuss the procedure for amending the bylaws (means of proposals, notice required, voting requirements). Other specific policies and procedures unique to your organization that may be necessary for its operation.

How can I use my Constitution & Bylaws?

• Remember the reasons for having a constitution and bylaws. They articulate the purpose of your organization and spell out the procedures to be followed for its orderly functioning. Constitutions usually require a 2/3 vote of the membership for adoption.

Bylaws only require a simple majority for passage. Once you have developed your constitution and bylaws, review them often. The needs of your group will change over time and it is important that the constitution and bylaws are kept up to date to reflect the current state of affairs.

• Make sure every new member of the organization has a copy of your governing documents. This will help to unify your members by informing them about the opportunities that exist for participation and the procedures they should follow to be an active, contributing member. A thorough study of the constitution and bylaws should be a part of officer training and transition. You should also provide your Adviser(s) with a copy of your constitution and bylaws.