



Creating an Organizational Constitution

All organizations must have an updated Student Organization Registration Form. All student organizations must have a constitution on file in the Office of Student Life.

A constitution should contain:

1. Preamble (Introduction Statement)
 - I Name of Organization
 - II. Statement of Purpose (which must include language confirming that the organization is a non-for profit)
 - III. Requirements for membership / membership practice (including fees, if applicable)
 - IV. Qualifications for holding office and methods of selecting and replacing officers.
 - V. Elections
 - VI. Committees
 - VII. Meetings / Record and Minutes
 - VIII. Financial records
 - IX. Advisors
 - X. Amendments

By-Laws:

Should follow the same order and may help clarify the constitution.
Please refer to the sample By-laws.



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

This template is intended to serve as an example for new organizations when creating the constitution for a new or existing organization. An official organization may structure or govern itself in any way deemed appropriate, so long as it does not violate any criteria stated in the current Student Organizational Handbook and the Policies Applying to campus Activities, Organizations and Students.

Definitions

A constitution is comprised of the fundamental laws and principles that shape and create the nature, function and limitations of a club or organization. The constitution establishes the basic structure for operation. As the basic backbone of the organization the constitution and amendments to the constitution should be difficult to make, but not impossible. Any changes should require a high level of participation and approval from its members. Membership and participation should be documented on a regular basis to determine levels of participation.

By-laws are secondary laws, these secondary laws govern the internal affairs of an organization. By-laws are an expansion of the articles of the constitution. By-laws are created to aid in the daily activities and functions of the organization. They make up the steps and procedures needed to conduct business. By-law should be designed to be easier to amend or revise as needed to effectively achieve business and organizational goals.

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."



Template for Creating A New Constitution

Name of Club or Organization:

Preamble:

The preamble is an introduction statement stating the intent or mission of the Organization or club. Normally the preamble is no longer than two or three sentences.

For example: "We the members of (name of organization) at UC Merced, 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 Club or Organization:

This will be the official name of the club or organization and will be used in a University and the Office of Student Life publications. It is recommended you use the name as you would like to be recognized. **If an Club or Organization chooses to use the University name it must be written as "_____ at UC Merced" or "_____ at the University of California, Merced."**

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 the Organization:

State the purpose of your organization. This statement will be used to describe what the organization is looking to do and will be the primary information perspective members or supporters will make decisions about participation. 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 University 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% UC Merced Students (undergraduate or graduate).

A. Eligibility for membership

State criteria and qualifications for membership

For example: “all students at UC Merced shall be eligible for membership.”

Things to consider:

Who is eligible for membership (e.g. UC Merced students, faculty and staff members, community members, etc.)?

B. Criteria or qualification for membership

Things to consider:

- Specific criteria required for membership such as minimal GPA, dues or any on going requirements to join the organization.

C. Categories of membership

Things to consider:

- Are there categories of membership such as active, associate, inactive, alumni, honorary, auxiliary, etc.? You may desire to define the categories and how a member moves from one to the other such as from active to alumni.
- What are the privileges, duties and responsibilities for each type of membership?
- Voting abilities and who is eligible to vote. Every member should get a least one vote.
- The only exception would be the president voting to break a tie vote.

D. Withdraw or removal of members

Things to consider:

- What is the process for withdrawal of the organization?
- What are the grounds for removal of a member (i.e. under what considerations or circumstances could cause this and would it require a vote)?
- What is the process for removal of a member from the organization?

For example, for the removal of a member:

1. Charges or complaint are brought against a member.
2. Evidence to support charges are presented.
3. Member (s) given an opportunity to argue a defense and offer counter evidence.

4. Vote is taken (vote count must be specified in the Constitution).
5. Appeal process of the decision is made by vote. Only one level of appeal is required. The same process is used to remove an organizations officer.
6. Indicate who have the right to request removal of a member and what the process is and who is eligible.

Article IV

Officers:

Things to consider:

Decision making and activities of the club or organization needs to remain under the control of currently enrolled students.

A. List of officers

For example, "The officers shall be: 1. President 2. Vice President 3. Secretary 4. Treasure 5. Historian 6. Other

B. General duties and responsibilities of the organization officer. You may be more specific in the by-laws.

C. Qualification for becoming an officer

Things to consider:

- Who is eligible for office (e.g. only UC Merced students, GPA requirements, specific skills or majors, etc.)
- Outline a backup plan for replacement in case an officer needs to withdraw or step down from the office.
- Officer qualifications can be established to create or restrict leadership to more experienced members such as juniors or seniors may only hold office. However all members senior or new hold the same voting rights and membership privileges.

D. Terms of office

Things to consider:

- Specify time frame (e.g., semester, academic year, etc.)
- When do new officers assume their positions?
- Officer transitions. Remember to be general and more specific in your by-laws.
- Best time to hold election are in the middle of the fall term which allow a longer time of transition with the new officer taking over position the first day of classes in the spring and committee overlap.

E. Procedure for filling vacated offices

Things to consider:

- Are special elections held?
- Is ascending order used? What is the order of succession and is it used for the each position down the ladder, or can it be stopped along the way?

- Are appointments made or interviews conducted and by whom (remaining officers)?
- Remember to be broad in your constitution and more specific in your by-laws.

F. Procedure for removal of officers

Things to consider:

- Who can initiate the removal of an officer?
- What are the specific steps and procedures for removal (due process)?
- What type of vote / ballot is required for removal? (secret ballot, majority vote, by eligible members or individuals present)

G. Appeal Process

Things to consider:

- Review Article III for due process.
- Is there a time period for review and appeal.
- What are the steps?

Article V Elections

A. Time and period when elections occur

Things to consider:

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

B. Nominations

Things to consider:

- How are nominations made?
- Are there self-nominations?
- Is there an application process, is the process monitored by a committee.
- How are notification and posting of election made?

C. Notification and posting of elections

Things to consider:

- What is the process of notification members or posting results regarding elections?
- How long are results posted?

D. Election procedures

Things to consider:

- What is the specific method followed for elections?
- Type of ballot used.
- What number or percentage of members or quorum is necessary for elections to be complete (2/3, etc)
- Do members need to be present to vote?

- Who is eligible to vote?

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?

Article 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?

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.

For 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 Associated Student at UC Merced (ASUCM) 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?

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

A. What an advisor is and does

A student organization advisor is a person, selected by the organization, 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.

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.

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 and 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

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 office

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 and signed by a Student Life official.

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 Student Life office within one week after adoption. All amendments shall be in agreement with University regulations and policies and are not approved until reviewed and signed by a Student Life official. A signed copy of the amendments shall be filed at the Student Life office 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?

Signed by constitution committee:

1. _____
2. _____
3. _____
4. _____

Date voted on by organization / club _____

Dated Filed at Student Life _____

OSL approving staff member _____

Signature: _____

Date: _____