

## 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. Furthermore, Student Activities recommends 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. A current copy of the constitution is required to be uploaded in to the Student Organization Management System through Student Activities website to approve your organization. If there are any problems or concerns with your constitution, a member of the Student Activities staff will contact you. Items listed below in bold are required, while other categories exist for your consideration as suggestions for your constitution. *The items listed with italics are suggested language to use in your constitution.*

### 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 1 - Name, Purpose, and Non-Discrimination Policy of the Organization.**

**Section 1: Name:** If your organization 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 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 including what the target membership includes and what type of programs that will be delivered. 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 active, registered student organization status with 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. The University's non-discrimination statement outlined in the Affirmative Action, Equal Employment Opportunity & Non-Discrimination/Harassment 1.10 (<https://hr.osu.edu/public/documents/policy/policy110.pdf>) is as follows:

*"The Ohio State University is committed to building and maintaining a diverse community to reflect human diversity and to improve opportunities for all. The university is committed to equal opportunity, affirmative action, and eliminating discrimination. This commitment is both a moral imperative consistent with an intellectual community that celebrates individual differences and diversity, as well as a matter of law.*

*Ohio State does not discriminate on the basis of age, ancestry, color, disability, gender identity or expression, genetic information, HIV/AIDS status, military status, national origin, race, religion, sex, sexual orientation, protected veteran status, or any other bases under the law, in its activities, programs, admission, and employment."*

An example of an acceptable non-discrimination policy statement for a student organization is as follows:

*This organization does not discriminate on the basis of age, ancestry, color, disability, gender identity or expression, genetic information, HIV/AIDS status, military status, national origin, race, religion, sex, sexual orientation, protected veteran status, or any other bases under the law, in its activities, programs, admission, and employment.*

Additionally, your organization is also encouraged to include the following statement regarding the University's Sexual Misconduct Policy:

*As a student organization at The Ohio State University,     (Organization Name)     expects its members to conduct themselves in a manner that maintains an environment free from sexual misconduct. All members are responsible for adhering to University Policy 1.15, which can be found here: <https://hr.osu.edu/public/documents/policy/policy115.pdf>.*

*If you or someone you know has been sexually harassed or assaulted, you may find the appropriate resources at <http://titleIX.osu.edu> or by contacting the Ohio State Title IX Coordinator at [titleIX@osu.edu](mailto:titleIX@osu.edu).*

### ***Article II - Membership: Qualifications and categories of membership.***

The organization's voting membership should be limited to currently enrolled Ohio State students. Others non-student members, such as faculty, alumni, professionals, etc., may become members, but only as non-voting associate or honorary members.

For educational and leadership development reasons, student organizations are to be student initiated, student lead, and student run. Please refer to the Guidelines for Student Organizations for more information at [https://activities.osu.edu/involvement/student\\_organizations/resources](https://activities.osu.edu/involvement/student_organizations/resources). In addition to defining membership, Article II should explain the benefits for student members of the organization will receive and, if your organization allows non-student members, the difference in benefits for non-members and guests.

*II.a. As required by the Guidelines for Student Organizations, 90% of the membership of a student organization must include current Ohio State University students. Active members and Executive Committee are able to make decisions regarding the membership of community and other non-student members of an organization. Community or other non-student members may be temporarily suspended with a majority vote of the Executive Committee.*

### ***Article III – Methods for Removing Members and Executive Officers***

Article III should clearly define your organization's procedures for removal of officers or members. Be sure to think critically about the process of removing members and include variables such as timeline, voting procedures, and the various reasons a member or executive officer should be removed.

*III.a. If a member engages in behavior that is detrimental to advancing the purpose of this organization, violates the organization's constitution or by-laws, or violates the Code of Student Conduct, university policy, or federal, state or local law, the member may be removed through a majority vote of the officers in consultation with the organization's advisor.*

*III.b. Any elected officer of the chapter may be removed from their position for cause. Cause for removal includes, but is not limited to: violation of the constitution or by-laws, failure to perform duties, or any behavior that is detrimental to advancing the purpose of this organization, including violations of the Student Code of Conduct, university policy, or federal, state, or local laws. The Executive Committee may act for removal upon a two-thirds affirmative vote of the executive board in consultation with the organization's advisor.*

*III.c. In the event that the reason for member removal is protected by the Family Educational Rights and Privacy Act (FERPA) or cannot otherwise be shared with members (e.g., while an investigation is pending),*

*the executive board, in consultation with the organization's advisor, may vote to temporarily suspend a member or executive officer.*

**Article IV - 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.

Required leadership positions:

Primary Leader (President)

Secondary Leader

Treasurer

Advisor

**Article V- Election / Selection of Organization 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 VI - Executive Committee: Size and composition of the Committee.**

The Executive Committee (like a board of trustees or directors) represents the general membership, 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 positions from related student organizations.

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

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

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

Advisors of student organizations must be full-time members of the University faculty or Administrative & Professional staff. If a person is serving as an advisor who is not a member of the above classifications, a co-advisor must be chosen who is a member of these University classifications. Responsibilities and expectations of advisors should be clearly and adequately described.

**Article IX – Meetings and events of the Organization: Required meetings and their frequency.**

Required meetings and events and their number should be specified in the governance documents and should reflect the organization's expectations for all members. For example:

*IX. Two general meetings and attendance at all or 50% of events hosted may be required for membership each academic term except for summer.*

**Article X – Attendees of Events of the Organization: Required events and their frequency.**

Explain the process that will be implemented if any member, student or non-student, behave in ways that is disruptive (i.e., behavior that interferes with students, faculty, or staff and their access to an appropriate educational or work environment) or do not align with your organizations constitution, the Code of Student Conduct, university policy, or federal, state or local law. Additional information and resources on assisting disruptive or distressed individuals can be found at: [oaa.osu.edu/assets/files/documents/911handout.pdf](http://oaa.osu.edu/assets/files/documents/911handout.pdf). For example:

*X. The organization reserves the right to address member or event attendee behavior where the member or event attendee's behavior is disruptive or otherwise not in alignment with the organization's constitution.*

**Article XI – Method of Amending Constitution: Proposals, notice, and voting requirements.**

Include the method for amending the constitution here. Define the process for proposing an amendment, providing notice to the organization or executive board, and the exact voting procedure for approving the amendment.

*XI. Any proposed amendments should be presented to the organization in writing and should not be acted upon when initially introduced. Upon initial introduction, the proposed amendments should be read in the general meeting, then read again at a specified number of subsequent general meetings and the general meeting in which the votes will be taken, and should either require a two-third or three-quarter majority of voting members (a quorum being present) or a majority or two-thirds of the entire voting membership of the organization, present or not. The constitution should not be amended easily or frequently.*

**Article XII – Method of Dissolution of Organization**

Requirements and procedures for dissolution of the student organization should be stated. Should any organization assets and debts exist, appropriate means for disposing of these assets and debts should be specified clearly and unequivocally. Upon the official dissolution of the organization, Student Activities staff must be contacted to remove organization information from website.

## By-Laws

By-laws contain the standing (permanent) rules of procedure of an organization. Items in the by-laws may be covered in appropriate detail in the constitution. However, most groups keep the two separate because by-laws 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 are 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*

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, support, 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*

Method 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).

Some organizations desire a structure that is fundamentally different from the guidelines presented here. The goal would be to incorporate basic principles important to the University while promoting those of the organization.

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