

Writing a Constitution

Purpose of a Constitution:

A constitution is a governing document of an organization. Essentially, it is an agreement among members of how the organization should be structured and how it should operate. The best constitutions provide direction and guidance to their memberships. Constitutions should answer members' questions or resolve disputes about the organization's structure or operations.

Constitutions are meant to be enduring documents. Items or aspects that are subject to frequent revision are more appropriately included in an organization's bylaws. (Bylaws are another type of governing document, secondary to the constitution, which formally outline an organization's operations. Bylaws are typically easier to amend than a constitution and usually focused on procedures and operations of the organization, as opposed to the mission and structure. For most student organizations, a constitution alone sufficiently serves this purpose.)

Helpful Tips:

- Proper format for a constitution is outline or bulleted, not narrative. Concise descriptions associated with bullet/outline headings may be appropriate to provide introduction or context.
- The intention of the constitution is to provide long-term sustainability for the organization. Write for the future of the organization: the constitution should provide you with a guide to answer and resolve issues that face the organization.
- The constitution you submit should be as close to final as possible. Prior to submission, ask someone NOT associated with your group, such as your advisor or a CSE staff member, to review and proofread the constitution and provide feedback about your proposed organization. Often, those writing the constitution may be so involved with it that they miss something apparent to an outsider.
- This guide is meant to help you develop a constitution that is appropriate for your organization. Your constitution should address all of the suggested topics but may do so in the manner that best serves your organizations' needs.
- Helpful definitions:
 - **Quorum:** the minimum amount of members that must be present in order to conduct organization business. That means if this number/percentage is not met, things like votes, discussions, and group decisions cannot take place.
 - **Majority:** more than half of the vote. If you are voting among three options, at least one option must have more than 50% of the votes to constitute a majority.
 - **Plurality:** the number of votes cast for an option that receives more than any other option but does not receive a majority. For example, if you are voting among three options and Option A receives 45% of votes, Option B receives 30%, and Option C receives 25%, then no option received a majority, but Option A received a plurality.
 - **Amendment:** specific changes to the constitution adopted by an organization (not an entirely new document).

Four Elements All GW Constitutions MUST Contain:

These statements must be included in the constitution of every registered student organization at GW. The statements should be included as-is and not edited.

1) A non-discrimination clause: [Insert student organization name] does not unlawfully discriminate against any person on any basis prohibited by federal law, the District of Columbia Human Rights Act, or other applicable law, including without limitation, race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, or gender identity or expression.

2) A statement that the organization will abide by University policies. [Insert student organization name] will abide by all University policies.

3) Membership statement: Only currently registered GW students are considered members of the organization; all others (alumni, friends, family, faculty, staff) are considered guests. Guests are welcome to attend events, but they cannot hold officer positions or handle money on behalf of the organization.

4) Conduct and University values statement: The George Washington University values respect, communication, community, and diversity, and our organization and its members are expected to uphold and espouse these values. Members whose actions do not reflect these values may be subject to removal from the organization, according to the processes outlined in the organization's constitution and consistent with university policy and the Student Code of Conduct.

If a constitution is submitted without the above listed elements, the staff advisor for that organization **will not be able to register the organization** until their constitution is amended to include this information.

Membership criteria must be consistent with the non-discrimination clause, with limited Title IX exceptions for social fraternities and sororities and contact sports as outlined by the Office of Civil Rights (U.S. Department of Education). Please work with your assigned staff advisor or the Staff Advisor Team if you have questions about drafting membership criteria for your organization.

Any **membership removal** process must be consistent with university policy, including the Student Code of Conduct which states: *"When a student or student organization has reportedly violated university policy, the adjudication, resolution, and assignment of sanctions regarding that conduct shall occur as described in the relevant university policy. Student organizations may only take adjudicatory or sanctioning action for violation of university policies with the written approval of the Director of Student Rights and Responsibilities or designee. Groups affiliated with national organizations that have established guidance and procedures over disciplinary matters, may follow the directive of those national organizations with regard to member conduct but must do so in consultation with the university."*

Writing Each Section of a Constitution

The outline below provides questions you should consider as you're writing your organization's constitution. It also provides sample language that you may choose to adopt if it is appropriate for your organization.

Preamble:

State the name of the organization and the purpose of its establishment.

Example: We the members of [name of organization], subscribing to the regulations and policies of the George Washington University, establish this Constitution to govern the matters within our organization.

Article I: Name

Official student organization names do not need to include George Washington University, GW, or GWU. The organization's affiliation with the institution is implied through registration and GW can be added to the name as needed. *Example: GW Club Chess or Chess Club at GW should just be Chess Club or Club Chess.*

- *Section 1* - What is the exact title to be used in addressing the organization? By what acronyms or nicknames will the organization be known, if any?
- *Section 2* – If the organization is affiliated with any other organizations, such as a national organization or umbrella organization, indicate it in this section. If not, this section may be omitted.

Example: The name of this organization will be the Center for Student Engagement Club or the CSE Club.

Article II: Purpose

- *Section 1* - What is the purpose of the organization? Describe the group's mission and long-term goals. Is it fostering a broad educational goal? Is there a social, cultural, or political aim? Why was the group founded?
- *Section 2* - This section should be a statement of the group's willingness to abide by and support established University policies.

Article III: Membership

This article defines the composition of your membership as well as the privileges and responsibilities of membership in the organization.

- *Section 1* - Who is eligible for membership? (Remember, membership must be limited to currently registered GW students, but your organization may have further requirements.) What are the restrictions, if any? How does one become a member and/or maintain membership? How is a member differentiated from a non-member or supporter of your organization? What privileges are associated with membership? If different membership categories are appropriate for your organization, then outline the types of membership that exist, such as active, associate, honorary, etc.
- *Section 2* – Describe why and how membership privileges may be revoked or voluntarily withdrawn. Can a member remain in the organization without paying dues?
- *Section 3* - Non-discrimination clause must be included as outlined above.

Example:

Section 1. The membership of the CSE Club will be composed of currently registered GW students.
a. Active members will be currently registered students who pay dues, participate in trainings monthly and attend 75% of meetings. Active members may participate in trainings and vote on organization business.

b. Associate members will be currently registered students who attend 50% of meetings. Associate members may participate in trainings but are not eligible to vote on organization business or handle organization money.

Section 2. Removal of Membership:

a. Members may pursue resignation by contacting the Secretary via email.

b. Member privileges may be revoked by a unanimous decision of the Executive Board, based on but not limited to the perception of the member's participation, dedication, teamwork, and attitude. Members may be nominated for privilege revocation by any member of the organization through an email to the Secretary.

Section 3. The CSE Club does not unlawfully discriminate against any person on any basis prohibited by federal law, the District of Columbia Human Rights Act, or other applicable law, including without limitation, race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, or gender identity or expression.

Article IV: Officers/Executive Committee

This article describes the titles and duties of the officers. Officer selection has high potential to be contentious and create conflict. Identifying specifics now can help settle future disputes in a fair way.

- *Section 1* - How many officers are there? What are their titles and duties? Which officers constitute an executive committee? What are the minimum qualifications of officer candidates, such as class standing, experience in the organization, minimum GPA, etc.? You may use traditional officer roles (president, vice president, treasurer, etc.) OR you may structure differently to serve the needs of your organization. Co-Presidents (particularly based on co-founders) are not recommended. Co-Presidencies reduce accountability, typically result in uneven workloads among officers, and often incite conflict.
- *Section 2* – Define the length of the officers' terms and term limits, if any.
- *Section 3* – Describe in detail the process by which officers are identified. What is the process: election, interview/selection, appointment, or something else? When will the process take place? When will new officers take office after their identification? What are the details of the nomination/selection process?
 - *If electing*: What is the method that will be used for voting? Who will be responsible for counting votes? What amount of votes is needed to elect an officer (e.g., simple majority, 2/3 majority, plurality)? What is the procedure for a run-off election in the event of a tie or if a majority is not reached?
 - *If interviewing and selecting*: Who will be on the selection committee? What level of agreement among the selection committee is needed to select an officer (e.g., simple majority, 2/3 majority, unanimous consent)? How are interviews granted and in what time frame?
 - *On timing*: When deciding your selection process, remember that the timing of selection will impact your officer transition. CSE recommends transitioning officers in December or March so incoming officers may learn from outgoing officers before the end of the academic year. A transition prior to the February/March registration period also allows the incoming officers to be involved in the budget planning and Student Association budget application process for the following academic year.
- *Section 4* – Describe why and how an officer may be removed from their duties and the procedure for filling vacancies during current officer terms (usually appointment or by original selection process). Because removing an officer is likely to be an emotionally charged process

for your organization, this process should be developed during a time of stability, not when it is needed.

- *Section 5* - Describe any standing committees, if applicable. (These may instead be included in the bylaws.)

Example:

Section 1. The Executive Board of the CSE Club will be composed of a president, vice president, secretary, and treasurer.

- a. The President will be responsible for presiding over general body and Executive Board meetings. The President will be the primary contact for the organization and serve as a representative for the organization. The President will have served as an active member for at least one academic year prior to taking office.*
- b. The Vice President will be responsible for coordinating trainings and serving in the absence of the President. The Vice President will have served as an active member for at least one academic year prior to taking office.*
- c. The Secretary will be responsible for taking attendance, maintaining membership eligibility records, recording and distributing meeting minutes, and handling membership resignation.*
- d. The Treasurer will be responsible for collecting dues, managing accounts, and providing monthly reports on the financial status.*

Section 2. Officers will serve for a full academic year. There are no term limits.

Section 3. Officer Selection:

- a. Elections will be held during a regularly scheduled meeting in February. The particular meeting will be determined by the President.*
- b. Nominations for candidates will be open two weeks prior to the elections meeting. Any active member will be eligible to be nominated. Nominations may be made by active and associate members.*
- c. Voting will take place at the election meeting. A simple majority vote is necessary to elect an officer. If a majority is not reached, a run-off election will be held with the two nominees receiving the most votes. In the event of a tie, the President will cast the deciding vote. Voting will be conducted via secret ballot, with an officer not seeking reelection and an active member counting the votes.*

Section 4. Officer Removal:

- a. Officers may be removed from their duties by a 2/3 majority of the active membership. Officers may be nominated for removal by a petition to the President or an officer not in question signed by 1/3 of active members.*
- b. Officers may voluntarily resign from their duties by notifying the President or, in case of resignation of the President, notifying the Vice President.*
- c. Should an officer resign or be removed from office, a vacancy will be filled by appointment from the Executive Board with approval from the membership of the appointment for the remainder of the term.*

Article V: Operations

This article describes how your organization will meet and conduct the business of your organization.

- *Section 1* – What is the intended format and frequency of meetings? What is the minimum expectation for the number of times your organization will meet over the course of the year (e.g., weekly, monthly, once a semester, regularly)? Who presides at the meeting? What is the attendance policy (if not defined elsewhere in the constitution)? How is quorum defined? If the group intends to follow Robert’s Rules of Order or any other formal procedure, specify it here.

- *Section 2* – Describe any other relevant operations that are important enough to be constitutionally compelled. Are there any other operations that need to be defined, such as executive committee meetings? If this section is very long or complex, consider creating bylaws instead.
- *Section 3* – You may wish to clarify the role of your advisor.

Example:

Section 1. The CSE Club will meet regularly while classes are in session. The President will preside at the meeting. Quorum will be defined as a simple majority of the active membership, including one officer.

Section 2. The Executive Board will meet regularly separate from the general body to discuss forwarding long-term goals and any issues that require privacy.

Article VI: Finances/Allocations of Funds

This article describes the financial procedures for the organization.

- *Section 1* - How will the organization finance its operations and activities? Will the organization submit an annual Student Association budget request? If the organization will collect dues, what is the procedure for determining the amount and when will they be collected? (Note: many new groups are reluctant to mandate dues but the constitution can be written to provide flexibility to institute dues should they become necessary.)
- *Section 2* - How will financial records be kept? What is the process for approving expenditures?
- *Section 3* - What is the method of collection for any other fees, such as tickets for events or membership to a national organization?

Example:

Section 1. The amount of dues and the method of collection will be decided by a majority vote of the Executive Board at the beginning of each academic year. In addition, the Treasurer of the CSE Club will submit an annual Student Association Budget Request to request funds.

Section 2. The CSE Club funds will be tracked using OrgSync. Expenditures must be approved by a majority of the Executive Board.

Section 3. Fees for trainings will be set by majority vote of the Executive Board on a case-by-case basis and at maximum will cover the cost of the training.

Article VII: Dissolution

This article provides a contingency plan in case the organization no longer can function.

- *Section 1* – How is the organization dissolved? Under what circumstances and by whom?
- *Section 2* – What happens when the organization is dissolved? How are any organization assets or debts disposed of?

Example:

Section 1. The CSE Club may be dissolved by a 2/3 majority vote of active members.

Section 2. In the event this organization dissolves, all monies left in the treasury, after outstanding debts and claims have been paid, shall be donated to [Name of charitable organization].

Article VIII: Amendments

All organizations must have provisions for amending their governing documents.

- *Section 1* - How are amendments to be proposed and by whom? When will amendments be voted on following proposal? Will there be a delay? How are amendments to be voted upon? How many votes in favor of the proposal must be reached to approve amendments?

Example: Amendments may be proposed in writing by any active member by emailing the Secretary. The Secretary will distribute a copy of the proposed amendments to all active members for discussion at the

next regularly scheduled meeting at least one week after the amendment was proposed. After initial discussion, the amendment may be voted on by a simple up-or-down vote. Amendments must be passed with a 2/3 majority vote.

Effective Date

You must include an effective date and a contact person's name on your organization's constitution. This does not need to be a separate article but should appear on the last page of the constitution.

References

College of William & Mary Office of Student Leadership Development. (2015, January). *Constitution Guide*. Retrieved from <http://www.wm.edu/offices/studentleadershipdevelopment/documents/sampleconstitutionjan2015.pdf>

Dunkel, N., Schuh, J., & Chrystal-Green, N. (2014). *Advising Student Groups and Organizations*. San Francisco, CA: Jossey-Bass.

Student Code of Conduct

OCR – Membership exemption criteria website

OCR – Athletes and contact sports -- - <https://www2.ed.gov/about/offices/list/ocr/docs/interath.html>