

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 members. 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 Student Activities Office 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 the suggested topics but may do so in the manner that best serves your organizations' needs.
- Helpful definitions:
 - **Quorum:** the minimum number of members that must be present 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).

Three Elements All Bowdoin Constitutions MUST Contain:

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

1) A Non-Discrimination clause: [Insert your student organization name] recognizes and will abide by Bowdoin's Non-Discrimination Policy: Respect for the rights of all and for the differences among us is essential for the Bowdoin community. Discrimination or harassment of others on the basis of race, color, ethnicity, national origin, religion, sex, sexual orientation, gender identity and/or expression, age, marital status, place of birth, veteran status or against qualified individuals with disabilities on the basis of disability has no place in our intellectual community. If members of the Bowdoin community experience or witness any apparent incident of harassment or discrimination by students, faculty, or staff, they may discuss their concerns or request advice from deans, academic advisors, proctors, or resident advisors. Such incidents violate both the ideals of the College and its Code of Community Standards and may be subject to appropriate disciplinary sanctions. When such incidents violate the statutes of the State of Maine or Federal Law, criminal prosecution may be pursued. *(Insert in Article III: Section 3)*

2) A statement that the organization will abide by Bowdoin College policies. [Insert your student organizationname] will abide by all Bowdoin College policies. *(Insert in Article II: Section 2)*

3) Membership statement: Only currently registered Bowdoin College 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, influence or vote on officer positions, or handle money on behalf of the organization. *(Insert in Article III: Section 1)*

If a constitution is submitted without the above listed elements, the Student Activities Office 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. Please work with the Student Activities Office or your club advisor if you have questions about drafting membership criteria for your organization.

Any **membership removal** process must be consistent with College policy, including the Student Group Disciplinary Process which states:

"All students are individually responsible for adhering to the Community Code of Standards (CCS) and other College policies during their time at Bowdoin. Student groups may be held collectively accountable for violating any College policies as a result of the conduct or actions of individual members who act in concert with or as representing the group, even if not all members participated. Potential violations include, but are not limited to: disregarding a directive from a College official or group advisor; hosting, assisting, facilitating, or participating in the planning or concealing of acts that violate Bowdoin policies; and failure to be forthcoming and truthful to any College official on matters related to the activities of the organization or its members.

Individual members can be held accountable for their specific behavior as part of a group if it is in violation of College Policy.

Students participating in groups that have been banned or previously removed from campus (*e.g.*, fraternities, organizations that have lost a charter, etc.) will be referred to the Student Disciplinary Process.”

Writing Each Section of a Constitution

The outline below provides questions you should consider as you are 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 Bowdoin College, establish this Constitution to govern the matters within our organization.

Article I: Name

- *Section 1* - This should list the official name of the organization and should include any acronyms associated with the organization.
- *Section 2* – If the organization is affiliated with any other organizations, such as a national organization or umbrella organization, indicate it in this section. Include any links to the national organization’s website. If not, this section may be omitted.

Article II: Purpose

- *Section 1* - What is the purpose of the organization? Describe the group’s mission and long-term goals. This section sets forth the aims, intentions and goals for the organization.
- *Section 2* - This section should include a statement that the organization will abide by Bowdoin College policies. [Insert your student organization name] will abide by all Bowdoin College 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 Bowdoin students, but your organization may have further requirements.) What are the restrictions, if any? How does one become a member and/or maintain membership? 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, social, etc.
- *Section 2* – Describe why and how membership privileges may be revoked or voluntarily withdrawn.
- *Section 3* - Non-discrimination clause must be included as outlined above.

Example:

- Section 1. The membership of the Student Life Club will be composed of currently registered Bowdoin students.*
- a. Active members will be currently registered students who participate in trainings monthly and attend 75% of meetings. Active members may participate in trainings and vote on organization business.*
- 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 commitment to organization mission. Members may be nominated for privilege revocation by any member of the organization through an email to the Secretary.*
- Section 3. The Student Life Club recognizes and will abide by Bowdoin's Non-Discrimination Policy: Respect for the rights of all and for the differences among us is essential for the Bowdoin community. Discrimination or harassment of others on the basis of race, color, ethnicity, national origin, religion, sex, sexual orientation, gender identity and/or expression, age, marital status, place of birth, veteran status or against qualified individuals with disabilities on the basis of disability has no place in our intellectual community. If members of the Bowdoin community experience or witness any apparent incident of harassment or discrimination by students, faculty, or staff, they may discuss their concerns or request advice from deans, academic advisors, proctors, or resident advisors. Such incidents violate both the ideals of the College and its Code of Community Standards and may be subject to appropriate disciplinary sanctions. When such incidents violate the statutes of the State of Maine or Federal Law, criminal prosecution may be pursued.*

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 experience in the organization, etc.? You may use traditional officer roles (president, vice president, treasurer, etc.) OR you may structure differently to serve the needs of your organization.
- *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 number 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. The Student Activities Office 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 March/April registration period also allows the incoming officers to be involved in any budget planning and submission (if applicable).
- *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).
- *Section 5* - Describe any standing committees, if applicable. (These may instead be included in the bylaws.)

Example:

- Section 1. The Executive Board of the Student Life 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 of the organization.*
- Section 2. Officers will serve for a full academic year.*
- Section 3. Officer Selection:*
- a. Elections will be held during a regularly scheduled meeting in March. The 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 (optional).

Example:

Section 1. The Student Life 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/Allocation of Funds

This article describes the financial procedures for the organization.

- *Section 1* – Who will attend Student Activities Funding Committee (SAFC) Meetings, who is the alternate?
- *Section 2* - How will financial records be kept? What is the process for approving projects or events to submit an SAFC request?

Article VII: Dissolution

This article provides a contingency plan in case the organization can no longer function. How is the organization dissolved? Under what circumstances and by whom? In this section include that all College funds and property will be returned to the Student Activities Funding Committee and the Student Activities Office.

Example:

The Student Life Club may be dissolved by a 2/3 majority vote of active members.

Article VIII: Amendments

All organizations must have provisions for amending their governing documents.

- 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

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.