

How to Create a Constitution and Bylaws

The function of the Constitution and the Bylaws of an organization is to define the privileges secured and the duties assumed by the members to set up the framework of an organization. An organization has the right to adopt such constitution and bylaws as members may agree upon so long as they are not contrary to University policy or to the law.

A Constitution is a compilation of the fundamental rules defining the government of an organization. Any rule in the bylaws, standing rules or in the general parliamentary procedure that conflicts with the Constitution is invalid, insofar as the particular organization is concerned.

The bylaws may include the provisions sometimes found in the Constitution and also more specific regulations for the conduct of the organization. Please turn in your Constitution and Bylaws with your recognition forms.

You must note the time your Constitution was created and when the document has been updated by your organization.

All Constitutions must contain the following: All EMU members and officers must be in good academic and judicial standing with the institution. Membership is open to all EMU students regarding race, religion, color, national origin, gender, age, sexual orientation, or disability, unless the student organizations' membership restriction is shown to be specifically allowed by law.

All Constitutions must contain the following: No EMU members nor officers will engage in hazing defined as activities which inflicts or intends to cause physical or mental harm or anxieties; which may demean, degrade, or disgrace any person, regardless of location, intent or consent of participants.

***All Constitutions must contain the following: Engaging in conduct of concern that does or may violate the Title IX policy is cause for suspension or removal based upon a voting majority or if found in violation of the T9 policy if a formal complaint is lodged against a member. Please refer to EMU's Title IX Policy for additional information.**

All Constitutions must contain the following: Student Organizations may not discriminate in the selection process for leadership roles based on race, religion, color, national origin, gender, age, sexual orientation, or disability, unless the student organizations' restriction is shown to be specifically allowed by law.

Articles of a Constitution

SAMPLE

A Constitution consists of a few fundamental provisions, which should be set forth with brevity and clarity. There are at least seven provisions, which are usually stated in separate articles. Each may be divided into sections.

- I. States the name of the organization.
- II. States the qualifications for membership. It may limit the numbers of members or contain other

provisions relating to members, but must follow the regulations regarding discrimination.

- a. This can also contain a list of officers of the organization and states their duties and length of their term of office.
- III. States the time for regular meetings and provides a method by which special meetings can/may be called.
- IV. Provides for a board of directors, governing board or an executive committee and for the method of selecting it. If no board is desired, this article is omitted.
- V. States the organization's adherence to EMU's non-hazing policies
- VI. Contains the statement of the method of amending the constitution, and of the vote required for amendments.
- VII. Provides guidelines the organization will follow in order to demonstrate financial transparency

*A preamble may preface the constitution and usually contains the reason for the formulation of the organization. The constitution of the Student Council or Student Government of Eastern Michigan University has such a preamble.

Drafting Bylaws

SAMPLE

The bylaws contain all of the details necessary to amplify and carry out the provisions of the constitution. All bylaws dealing with the same general subject are grouped together under one article, which in turn is divided into sections. For instance there are usually several bylaws or provisions relating to committees, each of which constitutes a section. These sections should be arranged in consecutive order, and together they form an article or bylaws entitled "Committees." Bylaws ordinarily include the following:

1. Kinds of membership.
2. Detailed requirements for membership.
3. Methods of admitting members.
4. Dues.
5. Powers and duties of officers.
6. Powers and duties of committees.
7. Elections of officers and committees including the vote required for election.
8. Provisions for calling and conducting meetings.
9. Parliamentary authority.
10. Number constituting a quorum.
11. Vote required for important decisions.
12. Procedure for amending bylaws.

Any questions?

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