

Constitution Writing Guide

This Constitution Writing Guide assists student organizations at Syracuse University in writing and revising their constitutions. Student organizations may govern and structure themselves in any way they deem appropriate, so long as they do not violate university policy. In other words, articles may vary from this form, but should follow the same basic pattern. Organizations will have varying restrictions and requirements for membership, different officers, and a myriad of committees, so these guidelines are intentionally general and may need to be adjusted for specific student organizations. Pertinent notes, university and/or SA/GSO policies will follow the section in italics. ***All articles and sections found here must be included in your constitution (other articles and sections can be included). All asterisked statements must be included in the constitution as found.***

Article I. Introduction

This article is meant to provide an introduction and overview of the organization. It sets the context for which the rest of the constitution is interpreted and read. This section of the Constitution is vital, because it provides an understanding of what and who the organization is. The sections generally included in this article are name, mission statement, and objectives.

Section I: Name

This section states the name of the organization, along with any acronyms and nicknames the organization uses to identify itself. For example, “The name of this organization shall be [insert name of organization].” If an organization wants to refer to itself using an acronym or nickname throughout the constitution for short, it must be stated here. For example: “The name of this organization shall be [insert name of organization], hereinafter referred to as [insert shortened name of the organization, such as an acronym, as it will appear throughout the constitution].”

Note: A recognized student organization may only use Syracuse University to describe the location of the organization. For example, an organization cannot use the name “Syracuse University Jumping Jack Club.” Rather, the group can use “Jumping Jack Club at Syracuse University.” In other words, an organization may not have the words “Syracuse University” at the beginning of its name.

Points of Consideration:

- 1) Does the name of the organization effectively indicate what the organization will do?
- 2) Do any potential acronyms or nicknames have unintended meaning?

Section II: Mission Statement

The mission statement should encompass the organization’s overarching purpose. It will impact the decision related to what are appropriate (and inappropriate) spheres of activity for the organizations to be engaged in. This statement should be broad enough to allow for flexibility within the organization while fulfilling its mission, but specific enough to convey understanding of the uniqueness and purpose of the organization.

For example, “The purpose(s) of this organization shall be ...”

Points of Consideration:

- 1) What is the overarching purpose or mission of the organization?
- 2) What is the intended impact of the organization on the SU/ESF community?
- 3) What services will be provided and for whom?

Section III: Objectives

Objectives should be written as action statements (“to...”) which act as specific items the organization wishes to achieve in order to fulfill its mission. These statements are specific concepts, ideas, or issues that provide tangible examples of what the organization does.

For example, “To provide excellent resources and support for constitutional writing and revision.”

Points of Consideration:

- 1) Are these objectives realistic and achievable?
- 2) Is each objective reasonably related to the organization’s purpose?
- 3) Are these objectives written as action statements (“to...”)?

Article II: Organizational Structure

This article is a detailed description of the structure of the organization. This description provides an opportunity to define responsibilities of the executive board and its officers. This allows for current and future members to understand the role of executive board positions and provides an ability to create a culture of accountability within the organization.

Section I: Executive Board

This section details the executive board positions and their position duties/responsibilities. It can either be in a bulleted list of complete sentences or in paragraph form. The different responsibilities should be general, yet specific enough to allow for understanding of the positions.

A. List of Executive Board Positions and General Responsibilities

Points of Consideration:

- 1) Do the enumerated responsibilities allowed for flexibility for the person assuming the role to make the position their own?
- 2) Are there specific eligibility requirements for each position?
- 3) Are there specific skills and/or relevant experience preferred or required to be eligible to hold an officer position?

B. Qualifications for Becoming an Officer

In this section, you must specify that only undergraduate SU/ESF students can hold executive board positions, and that the GPA requirement is 2.0 for executive board members and 2.2 for presidents.

Points of Consideration:

- 1) Who is eligible for office?

- 2) What are the specific skills and/or relevant experience desired or required to hold an officer position?

C. Terms of Office

Our office suggests that you elect officers in March, then use the rest of the semester to train and transition new executive board members. Have the new board take office on May 1, so that the old board can help shadow/train before the end of the academic year. This makes the organization stronger through overlap in duties and a designated training period.

Points of Consideration:

- 1) Have you specified the time frame (e.g., one quarter, one semester, one academic year) for which an officer holds their executive board position?
- 2) When do officers assume their positions?
- 3) When are elections held?
- 4) When does officer transition training occur?
- 5) Are terms of office consistent with election and selection processes?

D. Procedure for Filling Vacated Offices

Points of Consideration:

- 1) Are special elections held?
- 2) Is ascending order used (moving up the rank order of officers to fill a position)? If so, specify the rank order.
- 3) Is the order of succession used for each position down the ladder, or does it stop along the way?
- 4) Are appointments made or is there an interview process?

Section II: Committees

This section should be used to describe committees within the organization. The description should provide an overview of what the role/purpose of the committee is within the organization. *Note: Committees will vary according to the purpose and activities of the organization. Not all organizations have committees and those listed below are merely meant to serve as a guideline.*

A. Types of Committees

In this subsection, be sure to state the names, purposes, and responsibilities of the various standing committees (i.e. executive board, publicity committee, fundraising committee, etc.).

Points of Consideration:

- 1) How are members selected for each committee?
- 2) How is the head of each committee chosen?

B. Temporary/Special Committees

Points of Consideration:

- 1) How and when are temporary or special committees formed?
- 2) What are the purposes and responsibilities of temporary or special committees?

- 3) What is the duration of a temporary or special committee?

Section III: Advisor

The advisor is a person who is selected by the organization to provide guidance and advice in the operations of the organization, and acts as a resource to the organization. Advisors are educators outside of the classroom and serve a variety of roles within the organization (i.e. mentor, teacher, leader, and follower). The advice of the advisor to the organization should be welcomed and viewed as valuable, but the decision making and goal setting for the organization should remain in the hands of the student membership.

A. Selection of Advisors

Points of Consideration:

- 1) How is an advisor selected?
- 2) How is a pool of advisor candidates developed?

B. Qualifications

Points of Consideration:

- 1) Are there any specific criteria for selecting an advisor?
- 2) Have you ensured that the advisor is a full-time faculty or staff member at SU or SUNY ESF?

C. Terms of Office

Some organizations keep their advisors for long periods of time, whereas others choose to change their advisors more frequently. Please consider when, if ever, the organization wants to review the advisor's status/role within the organization, and the process to find another.

Points of Consideration:

- 1) How long of a term does/can the advisor serve?

D. Roles and Duties of an Advisor

Points of Consideration:

- 1) What are the responsibilities of the advisor?
- 2) What are the group's expectations for the involvement of the advisor?

Section IV: Organization Consultant***

Every student organization is assigned an organization consultant who is a professional staff member in the Student Engagement office. Student Engagement reserves the right to assign and change the organization's consultant at any time. This person will act as a resource and guide to the organization in the planning and programming process.

Article III: Membership

This article outlines the requirements and expectations for membership in the organization. It typically includes three levels of eligibility: general membership, committee membership, and executive board/officer membership. These sections detail the initial requirements to be eligible for participation.

Section I: Membership Eligibility

This section outlines who is eligible for membership within the organization and the requirements/expectations for eligibility. Additionally, organizations may, at their discretion, include other members of the SU/ESF community in their membership, such as faculty, staff, and community members. These individuals will be known as *associate members*. Associate members may attend meetings, speak at meetings as members of the audience, and assist with program events under the supervision of an active member. Associate members may not hold office, vote, or otherwise conduct official organizational business, nor solicit funds on behalf of the organization.

Points of Consideration:

- 1) Who is eligible for membership? (e.g. ESF/SU undergraduate/graduate students, faculty, staff, community members, etc.)
- 2) Are there any specific qualifications/requirements for membership (ex. GPA requirement, major requirement, etc.)
- 3) Are there any ongoing requirements for continued membership in the organization?

Section II: Executive Board Eligibility

This section outlines who can hold an executive board position, as well as the requirements/expectations to be eligible. The eligibility requirements stated here should mirror those laid out in Article II.

Section III: Committee Eligibility

This section outlines who is eligible for involvement in committees, as well as the requirements/expectations to be eligible. The eligibility requirements stated here should mirror those laid out in Article II.

Section IV: Resignation Procedures

This section outlines the timeline and process for an executive board member to resign their position.

Points of Consideration:

- 1) What is the process for withdrawal from the executive board?
- 2) What is the timeline for resignation?

Article IV: Executive Board Election/Selection Process

This article outlines and details the process and procedures for electing/selecting executive board positions. There are various methods of selecting officers or executive board positions, which can include selection committee and interview, nomination and vote, or appointment. The elements contained within this section depend upon the method the organization decides to use. This article should include who is responsible for overseeing the process, requirements to enter the selection process, how the process operates, how a new officer or executive board member is affirmed or selected, and when their term begins and ends.

Note: Our office recommends that the terms for executive board members be May 1 – May 1. We recommend that elections occur in March, as all student organizations must update their roster with Student Engagement in April to maintain their status as a recognized student organization. Additionally, this allows for new officers or executive board members to shadow departing members

for at least a month before the incumbent leaves their position. This shadowing provides a vital period of learning and training for the coming year, ensuring a smoother transition.

Section I: Time Period for Selection

Points of Consideration:

- 1) How often and what time of year is selection held?
- 2) Are there any special elections?

Section II: Nominations

Points of Consideration:

- 1) How are nominations made?
- 2) Are there self-nominations?
- 3) Is an application process required for nomination?
- 4) Does a nomination committee exist that monitors the nomination process? If so, it should also be outlined in Article II.

Section III: Election Procedures

Points of Consideration:

- 1) What is the specific procedure followed for elections?
- 2) Is there a secret ballot taken? Is it a verbal vote? Are votes taken by a show of hands?
- 3) What number or percentage of members or quorum is necessary for elections to be complete?
- 4) How many members need to be present in order to hold election, and how many of those members must vote for someone for that person to be elected?
- 5) What if the vote cannot take place if not enough members are present?
- 6) Can votes be placed by email or proxy?
- 7) What is the procedure in the event of a tie?

Section IV: Notification and Posting of Elections

Points of Consideration:

- 1) What is the process for notifying others or posting information regarding elections (e.g. letters, flyers, poster, announcements, etc.)?
- 2) How long is the notification and posting period?

Article V: Meetings

This article should detail any meeting the organization holds, which can vary from executive board meetings, committee meetings, general body meetings, and special meetings. The process of how and who can call a meeting, who runs the meeting, and the purpose of the meeting should be outlined here as well. Each different type of meeting needs to have its own section.

Section I: Types of Meetings

Points of Consideration:

- 1) Are there different types of meetings (e.g. business, regular, special, executive, etc.)?
- 2) Who is required to attend each type of meeting?
- 3) What happens if a required member misses a meeting?

Section II: Time and Occurrence of Meetings

Points of Consideration:

- 1) How often are meetings held?
- 2) Is there a set date or time for meetings?

Section III: Special Meetings

Points of Consideration:

- 1) What are the circumstances under which special meetings may be called?
- 2) Who may call special meetings?

Section IV: Quorum

Quorum usually is the next whole number above one half of the total active membership. For example, if there are 20 active members, quorum would generally be 11. However, the number should be determined according to the needs of the organization. Note that the purpose of the quorum is to ensure that enough members are present and able to express their opinions about the decisions being made, so that the decisions are considered valid and meaningful to the organization. You may wish to state this in this section of the constitution.

Points of Consideration:

- 1) What is the percentage or number of members needed for quorum? Please state this specifically.
- 2) What happens if quorum does not exist at a meeting? What if quorum is not reached for more than one meeting?

Section V: Parliamentary Procedures

Points of Consideration:

- 1) What rules shall govern the conduct of business for the organization (e.g. Robert's Rules of Order Newly Revised, General Consensus, etc.)?

Section VI: Voting

This section should outline voting procedures and processes. This should describe who votes, methods in which voting occurs, any exceptions to voting procedures, and any other pertinent information related to voting.

Points of Consideration:

- 1) Have you made sure to specify that only SU/ESF students may vote in any of the organization's elections?

Section VII: 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 an amendment approval are just a few of the important items that meeting minutes are used to validate and verify.

Points of Consideration:

- 1) Who is responsible for taking notes and/or meeting minutes?
- 2) How are these records stored and who is responsible for storing them?
- 3) How does the organization share the meeting minutes with the membership?

Article VI: Impeachment/Member Removal

This article outlines the impeachment and member removal process, which empowers members to recommend the removal of an executive board member or general member. This allows members to hold each other accountable for their responsibilities and actions within the organization.

Section I: Grounds for Removal

This section outlines possible reasons one may call for the impeachment of an executive board member or removal of a general member.

Points of Consideration:

- 1) What are the grounds of the removal of an executive board member or general member?
- 2) Under what circumstances would or could an impeachment or removal occur?
- 3) Are there a certain number of votes required to set the impeachment or removal process into motion?

Section II: Procedure for Impeachment/Removal

Points of Consideration:

- 1) What is the process for a member of the organization?
 - a. Charge or complaint brought against the individual
 - b. Evidence to support complaint presented
 - c. Individual given opportunity to argue a defense and offer counter evidence
 - d. Vote is taken
- 2) What type of vote is required for removal (e.g. secret ballot, voice vote, show of hands, etc.)?
- 3) How many or what percentage of votes is required for removal?
- 4) Does this process differ at all for executive board member impeachments? If so, please specify what that process looks like.
- 5) Does this process differ at all for general member removal? If so, please specify what that process looks like.
- 6) Who oversees the impeachment or removal process? What if that person is the one being impeached/removed?

Section III: Procedure for Appeal of Impeachment/Removal

All members subject to impeachment or removal are entitled to appeal.

Points of Consideration:

- 1) Is there a set time period to carry out the appeal?
- 2) What steps are involved with the appeal?
- 3) Who oversees the appeal process?

Article VII: Constitutional Amendments

Should the organization ever need to amend its constitution, the process by which this occurs should be laid out in this article.

Section I: Amendment

This section should outline who can propose a constitutional amendment, how the amendment is affirmed or denied, and any other steps in the process needed to confirm the proposed amendment.

Points of Consideration:

- 1) Who can propose an amendment and what is the procedure (e.g. verbal, written, time frame, etc.)?
- 2) When can an amendment be proposed?
- 3) Is there any notice required in advance for amending the constitution?
- 4) How many members must be present for the adoption of the amendment?
- 5) Who can vote on the amendment?
- 6) How many votes are required for affirmation?

Section II: Ratification

A constitution and any amendments need to be affirmed by the members in order to be used as the governing document of the organization. *Note: If an organization's constitution is changed in any way, one new copy of the constitution must be submitted to Student Engagement.*

Points of Consideration:

- 1) How many votes or what percentage of votes is required for ratification?
- 2) When does a newly ratified constitution go into effect (e.g. upon ratification, the following semester, the following academic year, etc.)?

Article VIII: Not-for-Profit Statement***

This is a not-for-profit organization.

Article IX: Statement of Non-Discrimination***

The University does not discriminate and prohibits harassment or discrimination related to any protected category, including creed, ethnicity, citizenship, sexual orientation, national origin, sex, gender, pregnancy, reproductive health decisions, disability, marital status, political or social affiliation, age, race, color, veteran status, military status, religion, sexual orientation, domestic violence status, genetic information, gender identity, gender expression, or perceived gender.

Article X: Statement of Non-Hazing***

This organization will not conspire to engage in hazing, as defined by New York Penal Law 120.16 and New York Penal Law 120.17 or commit any act that causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any fellow student or person attending the institution.

Article XI: Statement of Compliance with Campus Regulations***

This organization shall comply with the *Syracuse University Code of Student Conduct*.

Article XII: Membership Standards, Removal, and Due Process***

Section 1. Purpose

This article establishes the grounds and procedures for denying, suspending, or revoking a student's membership based on conduct the organization can establish through its own knowledge—not through the University's separate and confidential Student Conduct process.

Section 2. Grounds for Denial or Revocation of Membership

This article applies specifically to conduct connected to the organization's own activities. Allegations concerning a member's conduct in settings unrelated to the organization—personal, social, or otherwise outside its meetings, events, or programs—are not a basis for action under this article, regardless of whether a Student Conduct case exists, is pending, or has concluded.

- Organizations and members are encouraged to use existing university resources to address violations of University guidelines and expectations, including the Student Conduct Code. Examples include issues that may threaten the health and safety of another member of the organization such as assault, violence, and/or harassment. Reports can be submitted to Community Standards using the Incident Report Form. Concerns may also be reported to Residential Living staff (RA/RD), or to the Department of Public Safety by calling 315.443.2224.
- Membership may be denied, suspended, or revoked if the executive board (or designated review committee) determines, through the process in Section 3 of this article, that it is more likely than not that a member has violated the RSO Handbook, Student Engagement policies, or the organization's own constitution, bylaws, or code of conduct.

Members with concerns about conduct outside the organization's context should be referred to the appropriate University resource (e.g., Community Standards, Student Title IX Case Management, or the Department of Public Safety).

Section 3. Evidentiary Standard

Any determination under Section 2 shall be made using the preponderance of the evidence ("more likely than not") standard. In reaching its decision, the executive board (or designated review committee) may consider all relevant information presented and will evaluate the credibility, reliability, and weight of that information. No determination shall be based solely on rumor or unsupported speculation.

Section 4. Due Process Procedure

Before a member is removed, suspended, or otherwise restricted in membership under this article, the following steps must be completed in order.

1. *Consultation with Student Engagement.* Before taking any other action, the executive board must meet with its assigned Student Engagement consultant to review the concerns, the information available, the proposed organizational response, and the appropriate process.
2. *Written Notice to Member.* The member will receive written notice describing the specific conduct at issue, the policy, constitutional provision, or bylaw allegedly violated, the possible outcomes if the allegation is substantiated, and the procedures that will be followed. The notice shall also inform the member of their opportunity to respond, present relevant information, and participate in the review process before a final decision is made.
3. *Time to Respond.* The member will have no fewer than five (5) business days from receipt of written notice to review the allegations, prepare a response, and provide any relevant information before the Membership Review Meeting.
4. *Opportunity to Be Heard.* The member may appear before the board/committee, present their account and any information or witnesses, and bring one advisor or support person (non-speaking role, unless the board permits otherwise).

5. *Decision Standard.* A decision requires a [majority/two-thirds] vote, based on whether it is more likely than not that the conduct occurred, using only the information described in Section 3.
6. *Written Decision.* The board shall provide the member with a written decision within five (5) business days of the Membership Review Meeting, stating the outcome and the reasoning for it.
7. *Appeal.* The member may submit a written appeal within five (5) business days of receiving the decision to the Executive Director of Student Engagement or designee. An appeal must state one or more of the following grounds:
 - a. New information that was not reasonably available during the original review that could affect the outcome of the matter;
 - b. A procedural error that materially affected the outcome; or
 - c. The sanction imposed was inappropriate or disproportionate to the circumstances.

The appeal reviewer will determine whether the original decision should be upheld, modified, or remanded for further review. The appeal decision will be provided in writing to the member and the executive board (or designated review committee) within seven (7) business days.

Section 5. Interim Membership Action

If the executive board reasonably believes that a member's continued participation in organization activities may disrupt the organization's operations, undermine member safety, or interfere with the Section 4 review process, the board may temporarily restrict the member's participation in organization activities while the review process is pending. Under these circumstances, the executive board will hold an expedited membership review meeting. The organization must consult with its Student Engagement consultant before imposing any interim membership restriction. If there is an immediate safety concern, the organization should contact the appropriate University resources, including the Department of Public Safety.

Once that consultation has occurred, the board—in conjunction with its consultant—will:

1. Notify the member within two (2) business days, including the basis for the restriction and the date of the expedited membership review meeting.
2. Hold an expedited membership review meeting within five (5) business days.

Any interim restriction of membership is limited to fourteen (14) calendar days unless extended through the full Section 4 process. The member may provide a response during the expedited membership review meeting. Any interim restriction shall remain in effect until the conclusion of the Section 4 process or until modified by the executive board.

Section 6. Reinstatement

A member removed under this article may petition for the reinstatement no earlier than one (1) academic semester after the date of removal. A reinstatement request must include:

- A written statement explaining why reinstatement is appropriate;
- Information demonstrating that the circumstances or behaviors that led to removal have been addressed; and
- A commitment to comply with the organization's constitution, bylaws, code of conduct, and membership expectations moving forward.

The executive board will review the reinstatement request in consultation with the organization's advisor and Student Engagement consultant. In reviewing a request, the executive board may consider the nature and severity of the original conduct, the behavior, and the potential impact of reinstatement on the organization and its members. The executive board will provide the member with a written decision within seven (7) business days of receiving the request.

A request for reinstatement may be denied if the executive board determines that the member has not demonstrated sufficient change, continues to present concerns regarding compliance with organizational expectations, or that reinstatement would negatively impact the organization's ability to operate effectively or maintain a respectful environment. Decisions regarding reinstatement are final and are not subject to further appeal.