

Constitution Guidelines

The University of North Carolina at Chapel Hill requires that every student organization must have a constitution as part of the requirements to be a Registered Student Organization (RSO). A current copy of the constitution must be maintained on the RSO's Heel Life page. Organizations will be randomly audited for compliance with this policy.

For questions about the Student Organization's constitution or for help developing your group's constitution, please contact the Student Life & Leadership office at (919) 962-1157 or email the Student Organizations Team at studentorgs@unc.edu.

Required Statements in Constitution:

This guiding document offers required and suggested guidelines, structure, and ways for an organization to govern itself. It helps in hard times by providing consistency, clarity, and accountability throughout the year. It should not be created and then never referenced again. Instead, it should be revised minimally once each year. The development of your constitution can help formulate specific guidelines determining the directions and structure of the RSO. The RSO's constitution is a working tool. Simplicity and flexibility are the keys to a good constitution. When writing a constitution, keep in mind immediate needs as well as future RSO goals.

During the registration process, the Primary Contact must affirm that the following 6 requirements are imbedded within the organization's governing documents.

Required Statements - The following 6 statements must be precisely stated in each constitution/bylaws:

1. Only currently enrolled UNC-CH students can be active members with the right to vote and hold office.
2. The organization abides by the University of North Carolina at Chapel Hill's Non-Discrimination Policy for Student Organizations, which states the following:
 - (A) Membership and participation in the organization must be open to all students without regard to age, color, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sexual orientation, or veteran status. Membership and participation in the organization must also be open without regard to sex, unless exempt under Title IX.
 - (B) Student organizations that select their members on the basis of commitment to a set of beliefs (e.g., religious or political beliefs) may limit membership and participation in the organization to students who, upon individual inquiry, affirm that they support the organization's goals and agree with its beliefs, so long as no student is excluded from membership or participation on the basis of age, color, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sexual orientation, veteran status, or, unless exempt under Title IX, sex.*

3. To remove a member or officer, adequate written notice to that person (7 days minimum) is required before officially removing them from the organization. **Due process** must be allowed, including the right to speak on one's behalf and the right to an appeal. (Note to group—clearly state what this looks like, for example: Day 1 notified by email, Day 3 Hearing, Day 5 final notification of removal, Day 7 Removal.) **
 4. The advisor must be a full-time faculty or staff member of UNC-Chapel Hill, UNC Hospitals, or an affiliated department; an emeritus UNC-Chapel Hill faculty or staff member; a UNC-CH retiree with affiliate status; or a campus minister. The advisor does not have the right to vote.
 5. All major officers of the organization must be full-time, registered students of The University of North Carolina at Chapel Hill with a minimum of a 2.5 cumulative GPA. For graduate students, you must be a full-time, student activity fee paying student who is in good academic standing.
 6. The constitution may be amended at any regular business meeting of the organization by a two-thirds vote of active membership, provided the amendment has been submitted to members in writing at least one week prior to the business meeting.
- *Single Gender Organization Statement: Social fraternities and sororities are RSOs whose primary purpose is the personal development of their members, as distinguished from honorary, professional, departmental, and service fraternities. Some social fraternities and sororities are culturally- and/or community-based. Social fraternities and sororities may select members according to subjective criteria consistent with the University's non-discrimination policies. Social fraternities and sororities are entitled to single-gender membership, provided they qualify under the provision of Section 86.14 of the regulations promulgated under Title IX of the U.S. Education Act of 1972, which require the organizations be exempt from taxation under section 501(a) of the Internal Revenue Code of 1954. To be recognized as a fraternal organization through Office of Fraternity & Sorority Life, the organization must meet the definition outlined by Title IX and be affiliated with at least one of the currently recognized councils.
 - ** Contact Carolina Student Legal Services or Student Life & Leadership for assistance regarding how to structure the due process.

Developing a Constitution:

The following pages contain a sample of a constitution that can be used to help formulate a process to govern your RSO. The highlighted wording identifies the 6 required statements to include in the constitution. Statements in red add clarity and give directions. We advise the use non-gendered language, as in "their" instead of "he" or "she" to be inclusive of the gender, gender identity, and/or gender expression of members. *Finally, all other aspects of the constitution are for the RSO to adapt, change, alter, and make their own, specific to their needs.*

Every member of the student organization must have access to a copy of the constitution/bylaws. This allows

them to familiarize themselves with the workings of the organization and can encourage full participation in the group. Upload your RSO's constitution to your RSO's Heel Life page by going to "Manage Organization" in

the upper right corner, then clicking on Documents under Organization Tools on the left. Click on the blue button “Add File” to upload your constitution and have it readily accessible, easy to find, and nearby for all.

The Constitution must contain the following:

1. Include the 6 required statements listed above;
2. Define the primary characteristics of the organization;
3. Prescribe how the organization functions;
4. Include all the rules that the group considers so important and imperative to the functions of the organization that they cannot be changed without previous notice to all members and the vote of a specified majority (such as two-thirds) and cannot be suspended.

Key:

Required statements that must be included exactly as written – **YELLOW**

Additional clarifying instructions and expectations to note – **RED TEXT**

**“Name of Organization” CONSTITUTION
Date of Adoption/Last Revision**

Article I - NAME

Section 1: Title: State the name of the organization. The name should be significantly different from the name of any other organization registered at UNC-CH. Organizations that wish to use the University’s name in the org’s title may do so, as long as University sponsorship or endorsement is not implied or stated. If an organization uses the University’s name, it must adhere to one of the following naming conventions:

- Organization Name at (The) University of North Carolina at Chapel Hill
- Organization Name at UNC-CH
- Organization Name at UNC-Chapel Hill
- Organization Name at Carolina

The organization name *may not use* any of the following naming conventions:

- UNC Organization Name
- Carolina Organization Name
- UNC-Chapel Hill Organization Name
- UNC-CH Organization Name
- Tar Heel(s) Organization Name
- Heel(s) Organization Name

Section 2: Affiliation (delete if not applicable): If the organization is nationally affiliated, state the title of the national or international organization. State any adherence of any rules by a governing body.

Article II - PURPOSE

State the purpose and mission of the organization including objectives.

Article III - MEMBERSHIP

Section 1: Active Members

Only currently enrolled UNC-CH students can be active members with the right to vote and hold office (in your organization)

Section 2: Associate Members (delete if not applicable)

Associate membership is open to faculty and interested community partners outside the University setting, i.e. the Chapel Hill community (they may not hold office or vote). Associate members may not vote or hold office.

Section 3: Alumni Members (delete if not applicable)

Alumni membership is open to former UNC-CH students who were members of the organization (they may not vote or hold office). Alumni members may not vote or hold office.

Section 4: Membership Rules of Order

Clearly state any requirements of members, such as general interest, open mindedness, willingness to learn, code of conduct, etc.

Section 5: Non-Discrimination Statement

The organization abides by the University of North Carolina at Chapel Hill's Non-Discrimination Policy for Student Organizations, which states the following:

(A) Membership and participation in the organization must be open to all students without regard to age, color, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sexual orientation, or veteran status. Membership and participation in the organization must also be open without regard to sex, unless exempt under Title IX.

(B) Student organizations that select their members on the basis of commitment to a set of beliefs (e.g., religious or political beliefs) may limit membership and participation in the organization to students who, upon individual inquiry, affirm that they support the organization's goals and agree with its beliefs, so long as no student is excluded from membership or participation on the basis of age, color, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sexual orientation, veteran status or, unless exempt under Title IX, sex.

Section 6: Duties of Members

State expectations of membership, such as attendance, committee participation, etc.

Section 7: Dues (optional)

State if and when dues are required and how dues are determined. Do not put a specific dollar amount within the section, as it will require an amendment to the constitution if the amount were to change. Specific dollar amounts can be listed in the bylaws, which typically require a simple majority to amend.

Section 8: Removal of Members

To remove a member or officer, adequate written notice to that person (7 days minimum) is required before officially removing them from the organization. Due process must be allowed, including the right to speak on one's behalf and the right to an appeal. Explain the process for removing members from the organization. It should be possible to remove members for disciplinary or non-attendance reasons. All rules members must follow should be clearly written in the constitution, bylaws, or and/or membership manual.

Due process must be allowed, as in the right to speak on one's behalf, and right to an appeal. Clearly state what this looks like, for example: Day 1 notified by email, Day 3 Hearing, Day 5 final notification of removal, Day 7 Removal.) The organization should specify whether the process can take place at a regular meeting or if a special meeting (hearing) is necessary.

Article IV – ELECTED OFFICERS

Section 1: Officers

Name the officer positions, i.e. president, vice-president, financial officer, etc. This executive board will consist of only active UNC-CH student members; a minimum of 2 officers is required – and they must be at the very least a president and a financial officer. If the organization has additional criteria such academic standing, length of membership, prior service to the organization, etc., those requirements should be specifically stated.

Section 2: Duties of Officers

Name each officer position and list their respective responsibilities.

Section 3: Election of Officers

Clearly explain the election process, including when elections are held, length of office, requirements for the nomination of candidates, how the election will take place (e.g. secret ballot, Heel Life Elections tab, showing of hands), and required votes for election (e.g. 2/3, majority). All major officers of the organization must be full-time, registered students of The University of North Carolina at Chapel Hill with a minimum of a 2.5 cumulative GPA both during elections and while holding office. For graduate students, you must be a full-

time, student activity fee paying student who is in good academic standing both during elections and while holding office.

Section 4: Removal of Officers

Explain the process for removing officers from their positions. It should be possible to remove officers for discipline or lack of performance. The job descriptions and functions of each officer should be clearly written into the constitution, bylaws, and/or officer manual. All removal procedures should follow due process, including adequate written notice - 7 days minimum, the right to speak on one's behalf, and right to an appeal. Clearly state what this looks like, for example: Day 1 notified by email, Day 3 Hearing, Day 5 final notification of removal, Day 7 Removal.) The organization should specify whether the process can take place at a regular meeting or if a special meeting (hearing) is necessary.

Article V – MEETINGS (If applicable)

Section 1: Business Meetings: In general terms, state when business meetings will be held (e.g. once every two weeks), who arranges the time, place, etc., and what constitutes a quorum of membership (e.g. majority).

Section 2: Executive Board Meetings: In general terms, state when executive board meetings will be held (e.g. once a week), who arranges the time, place, etc., and any requirements for calling special meetings.

Article VI – COMMITTEES/DIVISION (If applicable)

Sections of committees include the names of any standing committees. State what standing and/or ad-hoc committees or what divisions will exist in the organization and the function and composition of each.

Article VII - ADVISOR

Section 1: Qualifications

State any special qualifications an advisor needs to have. (The following statement must be included): The organization has an advisor who is a full-time faculty or staff member of UNC-Chapel Hill, UNC Hospitals, or an affiliated department; an emeritus UNC-Chapel Hill faculty or staff member; or a campus minister. The advisor does not have the right to vote.

Section 2: Duties

Explain any required responsibilities of the advisor, i.e. attendance at executive board meetings and elections, financial paperwork, etc. Though the advisor may not vote, they may offer advice to the organization. The advisor must accept the email invitation and elect to be seen on Heel Life to be visually shown on the RSO's Heel Life page. The organization should also consider the process for holding the advisor accountable to the organization's expectations and duties as prescribed in the constitution.

Article VIII – COACH/MANAGER (Please note: applies for most Sport Clubs)

Section 1: State procedures for the qualifications and selection of a Coach/Manager and the function(s) and duties of said person(s).

Article X – FINANCIAL STRUCTURE

Include the method of record keeping, signature authorization, compliance with university policy and state law on appropriate use of funds, etc. State procedures for allocation of organization funds (revenue and expense). Outline the process for the distribution of financial assets if the organization officially dissolves.

Article XI - RATIFICATION

State how the bylaws will be approved by membership.

Article XII - AMENDMENTS

State how an amendment will be presented, to whom it will be presented, and how it will be ratified. The

constitution may be amended at any regular business meeting of the organization by a two-thirds vote of active membership, provided the amendment has been submitted to members in writing at least one week prior to the business meeting.

Article XII – BYLAWS (optional)

Sections of bylaws deal with more detailed issues concerning the organization for the given year. Examples include actual dues assessed and details regarding delinquencies, provision for some accepted rules of order, specific meeting and election times, method of amending bylaws, etc. State procedures for the inclusion of any rules or regulations specific to the organization.

Article XIII – PARLIMENTRAY PROCEDURES

State any parliamentary rules of order which are used.

The format above has been developed to be used as a guide to the development of a constitution/bylaws for your organization. It is not necessary to follow this form exactly, but it is important to include all areas that apply and to delete those sections that do not apply.

If you believe your student organization is sustainable long-term and are interested in drafting bylaws that would be sufficient for later filings with the State and/or IRS (should your group later choose to file Articles of Incorporation and/or pursue 501(c)3 status), please visit Carolina Student Legal Services (CSLS).

CSLS can both provide advice to student groups regarding best practices and draft legal organization documents. CSLS is located in FPG Student Union Suite 3512, and can be reached at csls@unc.edu.