

# Student Involvement San José State University

## Constitution and Bylaws

**\*Click “File,” then “Make a Copy” to save this document for yourself.\***

**[enter the official name of the organization] at San José State University**

*This model is intended to assist you and your organization in writing or revising your governing document. There are many, many ways to structure an organization and you are free to tailor yours to the needs of your group. However, **the paragraph headlines in bold print are required for recognition.** Otherwise, this model serves as a good starting point for your constitution. For further assistance with a constitution, please see a staff member in the Student Involvement Office.*

### **Article I - Name**

The name of this organization is [enter the official name of the organization].

### **Article II - Purpose**

The purpose of this organization is [enter the purpose of your organization. This statement will be used to describe what the organization is about to those looking for student organizations to join]. A purpose statement should define what your organization does to serve its members. The statement should pinpoint the organization’s passion, list the org’s values, and should leave room for growth.

### **Article III - Authority**

- Section 1 This organization is a Recognized Student Organization at San José State University and adheres to all campus policies as set forth in the Student Organization Handbook.
- Section 2 This organization may establish Standing Rules to govern administrative and procedural matters (such as time and location of meetings, etc.). Standing Rules shall not conflict with these bylaws. Standing Rules may be adopted, amended, or temporarily suspended by a majority vote present at an organization meeting where a quorum is present (advance notice is not required).
- Section 3 The rules contained in the most recent version of *Robert’s Rules of Order, Newly Revised* shall be the parliamentary authority for this organization and shall govern in all cases to which they are applicable and in which they are not consistent with these bylaws and any special rules of order the organization may adopt.
- Section 4 This organization is affiliated with [enter name of affiliated organization, *IF* affiliated.] If not affiliated with any external and/or SJSU/CSU, simply state that “the [Enter organization name] is not affiliated with any external/departmental/campus entities.”

## **Article IV - Membership**

### **(Academic and Student Affairs; Executive Order 1068, Minimum Number of Students)**

- Section 1 Membership in the organization shall be open to all those regularly-enrolled San José State University students who are interested in membership. There shall be no other requirements for admission to regular membership. Each regular member has equal rights and privileges. Membership is only open to regularly-enrolled San José State University students.
- Section 2 Membership must be composed of at least five (5) currently enrolled San José State University students, including president and treasurer.
- Section 3 Only current San José State University student members may vote or hold office.
- Section 5 Eligibility for membership in the org, or the ability to be appointed or elected to student officer positions in the org shall not be limited on the basis of race, religion, national origin, ethnicity, color, age, gender, gender identity, marital status, citizenship, sexual orientation, or disability. Only fraternities and sororities with federal documents on file with Student Involvement are permitted to discriminate on the basis of sex, as outlined by Federal Law in Title IX. The organization shall have no rules or policies that discriminate on the basis of race, religion, national origin, ethnicity, color, age, gender, gender identity, marital status, citizenship, sexual orientation, or disability.
- Section 6 This organization shall prohibit all members and officers from engaging in hazing or committing any act that injures, degrades or disgraces any fellow student.
- Section 7 This organization shall comply with Title 5, Section 41301, Standards for Student Conduct.
- Section 8 Members may be required to pay dues.
- Section 9 Members shall be required to attend at least [Enter Percentage] of the organization's regularly scheduled meetings.
- Section 10 Other requirements: [enter other membership requirements or none].

## **Article V - Membership Accountability and Removal**

- Section 1 All complaints alleging violations of the Student Conduct Code, Title 5, section 41301, et seq., shall be investigated pursuant to Executive Order 1097 and/or 1098 (in cases involving allegations of unlawful discrimination, harassment or retaliation based on protected status). Investigations and other proceedings under Executive Orders 1097 and 1098 shall be conducted by campus administration, not student organizations, and this organization shall refer any complaints alleging subject matters covered by Executive Orders 1097 and 1098 to the campus Vice President for Student Affairs or other designee for investigation and resolution.
- Section 2 Complaints may also be brought to the attention of the Executive Committee or the Student Involvement Office. A written charge may

be filed with the Executive Committee. That Committee shall review the charges and may conduct a preliminary investigation if deemed appropriate. If the preliminary investigation concludes that misconduct appears to have occurred, the Executive committee may conduct a hearing on the matter. In this instance, the member alleged to have engaged in the misconduct shall be given at least 72 hours' notice of the hearing and be given an opportunity to present a defense. By a majority vote, the Executive Committee shall determine whether misconduct occurred. If it determines that misconduct did occur, the Executive Committee shall prepare a report to the membership of its findings and recommended sanctions, which may include expulsion, suspension, or lesser sanction(s) including, but not limited to, a reprimand, removal from office, a fine or corrective remedies.

Section 3 The membership shall review the hearing report in executive session, and the member accused of misconduct shall have an opportunity to rebut the information in the report. After providing a statement to the membership, the member accused of misconduct shall leave the room for the remainder of the deliberations.

Section 4 The membership shall vote first on whether the member has engaged in misconduct. If by a two-thirds vote, the membership determines that misconduct has occurred, the membership shall then by a two-thirds vote, determine appropriate sanction(s). The accused member shall be immediately notified of the outcome.

Section 5 By a two-thirds vote, the membership may reinstate a member who has been suspended or expelled.

### **Article VI – Officers, Committees and Duties**

[\(Academic and Student Affairs; Executive Order 1068, Minimum Qualifications for Student Office Holders, Minor Representative Officers\)](#)

Section 1 The elected officers will be [list officer titles ONLY. For example President, Treasurer, Secretary, and Vice President].

Section 2 Powers and Duties of Officers:

a. The President shall serve as the chief executive officer of the organization, shall preside at all meetings of the organization, and shall prepare the agenda for meetings. The President shall be the official spokesperson of the organization, representing the policies, views, and opinions of the organization in its relations with the campus and community at large. The President shall appoint all committees and committee chairs. The President shall have such further powers and duties as may be prescribed by the organization. [List additional officer duties here]

b. The Treasurer shall handle all financial affairs and budgeting of the organization, maintain all necessary accounting records, and prepare monthly financial reports for the membership.

These records shall be maintained in accordance with generally accepted accounting principles. The Treasurer shall collect and deposit all dues and fees. The Treasurer shall maintain an Associated Students bank account in the organization's name, requiring signatures of both the Treasurer and President for authorized disbursements. [List additional officer duties here]

c. The Vice President shall preside at organization meetings in the absence of the President. The Vice President shall perform all legal duties assigned by the President. The Vice President shall assume the office of President if the office becomes vacant.

d. The Secretary shall take minutes at all meetings of the organization, keep these on file, and submit required copies to all organization members. The Secretary shall be responsible for all organization correspondence and shall keep copies thereof on file.

e. [List additional elected or appointed officers and duties]

### Section 3

Qualifications necessary to hold office in this organization are as follows:

a. To be eligible for and to hold office, candidates for President and Treasurer must meet the requirements of CSU's policy on "Minimum Qualifications for Student Office Holders," which include:

- Must be a matriculated student at a CSU campus maintaining a minimum campus term GPA of 2.0.
- Must be in good standing, and must not be on academic, disciplinary, or administrative probation.
- Must earn 6 semester units per term while holding office. Graduate students must earn 3 semester units per term while holding office.
- Must not hold over 150 semester units or 125 percent of the units required for a specific baccalaureate degree objective, whichever is greater. Graduate students are allowed to earn a maximum of 50 semester units or 167 percent of the units required for the graduate or credential objective, whichever is greater.

b. Eligibility for any other positions is [specify here]

c. Term of office will be [enter how long term of office will be].

d. [list other additional qualifications, such as academic requirements, length of time one has been a member, etc].

## **Article VII - Selection of Officers**

### Section 1

Elections are held [at the end of the fall or/and spring semester, or other period of time] and shall take place at a regularly scheduled meeting of the organization at which a quorum is present. At least one

- week's notice shall be provided for any meeting at which an election is to be held.
- Section 2 Nominations for officers shall be made at the regular meeting immediately preceding the election. Nominations may also be made from the floor immediately prior to the election for each office. Members may nominate themselves for an office.
- Section 3 The officers shall be elected in this order: [List order, usually starting with the President].
- Section 4 Officers shall be elected by majority vote. If no candidate receives a majority vote, a runoff election shall be held between the two candidates receiving the highest number of votes. In the event of a tie, there shall be a revote. In the event of a second tie, student leadership can choose to involve the Advisor to provide guidance and support for making the decision that is best for the organization.
- Section 5 Votes shall be cast by secret ballot; however, when there is only one candidate for an office, a motion may be made to elect the candidate by acclamation.
- Section 6 The following officers shall be appointed by the [President or Executive Committee]. [Indicate if ratification by a majority vote of the membership is required.]
- Section 7 Officers shall assume office on [the first day of the semester/quarter following the election, or other period of time] and shall serve for [length of term of office].
- Section 8 Officers may be recalled from office for cause. To initiate a recall election, a petition signed by [specify number, such as one-third of the total number of voting members] must be submitted at a regular meeting and a recall vote shall be taken at the next regular meeting. The officer subject to recall shall be given written notice of the recall at least 72 hours prior to the meeting at which the recall vote will be held and shall be given an opportunity to provide a defense. A two-thirds vote is required to remove an officer.
- Section 9 If the position of President becomes vacant as the result of resignation, ineligibility or recall, the Vice President shall assume the office of President. Vacancies in any other elected office shall be filled by an election held at the next regular meeting where the vacancy was announced. Nominations may be made at the meeting where the vacancy is announced, and nominations may also be made from the floor at the time of the election. The President may appoint an interim officer to fill the vacancy until the election is held.

## **Article VIII - Officer Accountability and Removal**

- Section 1 Any member or officer can submit an officer in violation of the organization's purpose, their position responsibilities, or constitution to the President.
- Section 2 If the officer in violation is the President, then the violation should be submitted to the organization advisor.
- Section 3 Once the president or advisor receives the violation, it will be reviewed, and a special meeting will be scheduled with the Executive Committee to review the violation.
- Section 4 If the Executive Committee finds the violation credible then they will schedule a time for the officer in question to come speak to the executive board about the violation.
- Section 5 After the meeting with the officer in question, the Executive Committee will vote on whether to move forward with the removal process or not. A two-thirds vote of the remaining officers is required to move the process forward.
- Section 6 If the vote passes to move the process forward, a vote will be brought to the entire membership for a vote to remove the officer or not. A two-thirds vote is required to remove an officer from their position with an additional vote to determine removal from the organization.
- Section 7 If the officer is not present at the meeting where the vote takes place, the officer should be notified of the vote within 24 hours

### **Article VIII - Meetings**

- Section 1 Regular meetings shall be scheduled during the academic year.
- Section 2 Special meetings may be called by the President or a majority of the Executive Committee. All members must be given a minimum of 24 hours' notice prior to the meeting time.
- Section 3 Business cannot be conducted unless a quorum of the membership is present. A quorum for this organization is defined as [a majority of the voting membership] (Note: Organizations may choose to have a lower quorum, such as one-third)].
- Section 4 Members must be present to vote. Absentee or proxy voting is not permitted.
- Section 5 In order to vote a member must be in good standing. [State what constitutes "good standing." This may include payment of dues or a meeting attendance requirement. If there is an attendance requirement, specify the number of excused and/or unexcused absences that results in loss of voting privileges, and define what constitutes an excused absence, if applicable.]

### **Article IX - Advisor**

[Academic and Student Affairs; Executive Order 1068, Student Organization Advisors](#)

The organization shall **[elect/appoint]** an individual employed as a faculty or staff member by San José State University to serve as the university advisor to this organization. Regardless of if the advisor is an appointed or elected position, it is suggested that a bylaw be added to this document that outlines the process for electing and/or appointing an advisor. Additionally, like org members and student leaders of the org, it suggested that processes be outlined in this document for the accountability and removal of the org advisor. The advisor shall fulfill the responsibilities specified in the Recognized Student Organization Handbook. Advisors shall serve on an academic year basis or until their successor has been selected. There are times that advising student organizations might be included in the position description of an SJSU employee; in these times, the organization should maintain the assigned advisor as specified by the position description. Organizations are also able to have more than one advisor, and in this case, the responsibilities and expectations of this additional advisor should be outlined in the same fashion as outlined for the org's primary advisor.

*Each officially recognized student organization must have a university advisor who is either a faculty member or professional member. Advisors must be:*

- *Full-time SJSU faculty or staff member.*
- *Campuses may permit part-time faculty and professional staff to serve as advisors.*
- *All advisors are verified by Student Involvement.*
- *Be able to serve as a Campus Security Authority (CSA) and complete the required online module through the SJSU Clery Office.*
- *Provide continuity from year to year.*
- *Commits to providing direction and support for your organization.*
- *Serve as a mentor, team builder, motivator, role model, educator, policy interpreter, source of information and ideas, and a liaison between the organization and the university.*
- *Maintain regular contact with the student officers.*
- *Be knowledgeable about the mission, purpose, and goals of the organization.*
- *Help the organization understand the university's policies and guidelines.*
- *Being familiar with and involved with activities and events that the org hosts.*
- *Being available to provide resources and support for events and usage of spaces.*
- *To consult about the financial affairs of the organization.*

NOTE: Include the information below if your organization has health and safety responsibilities related to your organization. You can alter the text as appropriate:

- Section 1      Due to the nature of the organization's mission and activities, advisors for this organization shall be responsible for providing for the health and safety of its members and officers in conjunction with any affiliated academic department.
- Section 2      Advisors are responsible for maintaining the overall safety of any club spaces in conjunction with Executive members of the organization and any affiliated academic departments at SJSU.

### **Article X – Executive Committee**

- Section 1      The Executive Committee shall consist of the elected and appointed officers, with the advisor serving as non-voting member.

- Section 2 The Executive Committee shall meet weekly during the academic year. Special meetings may be called by the President or a majority of the Executive Committee. All members must be given 24 hours' notice of the meeting. A quorum shall consist of a majority of the Executive Committee members.
- Section 3 When necessary, Executive Committee business can be conducted via official organization email, official organization online chat/messaging platform, or via online meetings.
- Section 4 The Executive Committee shall have general supervision of the affairs of the organization between meetings and is authorized to take action when action must be taken prior to the next meeting.
- Section 5 The Executive Committee shall report to the membership all actions taken between meetings. Except when it is too late to do so (such as when a contract has been executed), any actions taken by the Executive Committee may be rescinded or modified by the membership by a majority vote.

#### **Article XI - Standing and Ad Hoc Committees**

- Section 1 The organization shall have the following standing committees: [List all standing committees, such as Membership, Fund Raising, Program, Social, Bylaws, Nominations, Finance, Public Relations, etc.].
- Section 2 The duties of each Standing Committee is as follows: [List the duties for each of the committees listed above.].
- Section 3 The President shall have the authority to establish ad hoc committees as may be necessary from time to time to carry out the work of the organization.
- Section 4 The President shall appoint the chairpersons and members of all committees [Optional: subject to ratification of the membership].

#### **Article XII - Finances**

- Section 1 Membership dues shall be [\$XX per semester/quarter/academic year].
- Section 2 Dues shall be paid by [specify due date, such as "second week of each semester/quarter/academic year."] [Optional: There shall be a late fee of [\$XX/\$XX per week].
- Section 3 This organization has the ability to assess the membership for special purposes. Assessments shall be determined by a quorum of the membership at a regularly scheduled meeting.
- Section 4 Members who have not paid their dues or special assessments by the due date shall be considered as not being in good standing and shall lose all membership privileges, including voting, until the dues are paid.
- Section 5 The Executive Committee shall propose an annual budget to be voted upon no later than the second regular meeting of the academic year. Any unbudgeted expenditures shall be approved in advance by the



- membership. When financial decisions must be made between meetings, the Executive Committee is authorized to approve expenditures not exceeding [\$\$\$] .
- Section 6 Organization funds shall not be used to purchase or reimburse members for alcoholic beverages.
- Section 7 All funds of this organization will be banked with Associated Students.

### **Article XIII Amendments**

- Section 1 Proposed amendments to these bylaws shall be presented to the membership, in writing, one meeting prior to the meeting where the amendment will be voted upon. [Optional: The Executive Committee and/or Bylaws Committee shall review and make recommendations on all bylaw revisions prior to consideration by the membership.]
- Section 2 Bylaw amendments require approval by two-thirds of the voting members present at a regular meeting. The amendment shall be effective immediately unless otherwise stipulated in the amendment.
- Section 3 A copy of any amendments to these bylaws must be submitted to Student Involvement at San Jose Staté University within two weeks after adoption.

### **Article XIV Safety & Risk Management**

Sometimes student organizations are faced with situations that require emergency attention to address the health and safety of members and org activities. When an emergency takes place, it's important to have a plan in place to help navigate the situation.

Risk management refers to the practice of identifying potential risks in advance, analyzing them and taking precautionary steps to reduce/curb the risk. This includes having a plan for and following emergency protocols in the case of incidents with alcohol/drugs, fire safety, event security, crowd control, loss prevention, mental health, transportation/travel, volunteer management, communication with news media, and more.

Student organization leadership is expected to review and present its own risk management policies and procedures with all members of their organization so that every member is aware of the appropriate protocols. As a student organization, there are five general steps you can take to manage the risks that student organizations could take in their activities. For any event or function:

Use the following steps to outline a general risk management plan for your organization. The following steps can also be used to develop a risk management plan for any type of event your organization might plan to host.

1. *Identify* the potential areas of concern or possible risks that are inherent.
  - The task in this step is to develop a complete list of all activities taking place at an event and determine the risks involved with each activity.
2. *Assess* the possible impact of these concerns.
  - In this step, the goal is to determine the relationship between the *likelihood* and the *consequences* of the risks you identified in Step 1.
3. *Plan* possible “plans of action” to address these areas of concern.
  - This step asks you to determine what your options are for managing all pieces of the risks.
  - The main question to ask is what measures can be put in place to reduce the likelihood that an incident will occur, which should reduce the chance of risk.
4. *Implement* and *monitor* the plan of action.
  - After determining that you can safely proceed with your activity, the next step is to put your risk management measures in place.
5. *Evaluate* the results of the action plan.
  - After the activity/event is completed, it is time to sit down and consider the strengths and weaknesses of the plan.
  - Analyze details of any incidents that might have occurred during the event and analyze whether the plan was a success or not, and where improvements can be made.

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**Bylaws of [Enter Official Name of Student Organization]**

\*\*\*Optional: Use this space for additional articles or bylaws if needed. An example of an optional Article may relate to safety within the organization below:\*\*\*

**Amendment Tracking Log**

This constitution and bylaws were adopted on:

[enter date here] and most recently revised on [enter date here].