

Constitutional Guidelines

Any organization must have some procedures by which to conduct its business. A constitution and by-laws are effective ways of establishing those procedures. The constitution and by-laws traditionally are two separate documents. The constitution sets forth the general principles creating the organization, membership and officer responsibility. The by-laws contain in more detail the procedures to be followed for meetings, decision-making, officer selection and financial transactions.

Generally, registered student organizations are of a size that only calls for a constitution. The following is a suggested outline for information to be included in a constitution:

Article I NAME: The name of the organization.

Article II PURPOSE: The purpose of the organization.

Article III MEMBERSHIP:

Section 1. Requirements for Membership: Membership in this organization is open to all South Dakota School of Mines and Technology undergraduate students. (Some organizations may be open to graduate students)

A. Anyone may become a member who:

- a. Is a current SDSMT student
- b. Has a passion for your group's purpose, mission, and objectives
- c. Additional requirements

B. Voting Members

Section 2: Example: Removal of Members All organizations must have this section. This section should outline the guidelines and protocols for removal of any member including leadership positions.

A. Grounds for removal of members may include:

- a. Violation of University/BOR policy and/or Code of Conduct
- b. Violation of organizations standards and/or expectations
 - i. Non-payment of dues
 - ii. Did not abide by outlined attendance policy
 - iii. Additional rules

B. A member may be removed by the following process:

- a. A petition to remove the member should be submitted to the leadership board or a leadership member. A petition must contain the signatures of at least a certain percentage of voting members (determined by the organization). When a petition is received with all appropriate signatures and additional paperwork if needed is fulfilled, the President shall call a meeting if the organization is to decide upon member removal.
- b. The case/evidence/cause for removal is to be presented by the President (or complainant(s) at a regular or special meeting of the organization.
- c. The member in question shall be provided an opportunity to defend themselves either in person or in writing.
- d. Voting is to occur after both cases of accusation/grounds and defense have been made. For a vote for removal to take place, a designated percentage of the voting membership

must be in attendance at the meeting, and a (designated percentage) vote of the members present at the meeting is required for removal.

Section 3: Example. Appeal of Removal of Members. All organizations must have this section. (Members should be given the opportunity to appeal the original result through a certain and specific process, an example is shown below.)

A. A member may appeal their removal. The appeal must be made within a given timeline of the original vote for removal by requesting the President to call a special meeting of the organization. The President shall notify all members of this meeting, which is to occur at least (a designated timeline) and not more than (a designated timeline/date) after the appeal request is received by the President.

B. The decision to repeal the vote for removal shall require at least a designated percentage of the voting membership to attend the meeting, and a designated percentage vote of the voting members present at the special meeting.

Removal of Members and the Appeal of Removal of Members sections adapted from the University of Dayton's Sample Student Organization Constitution.

The membership of the organization including (1) categories of membership such as "active" or "associate", with any rights and privileges of each; (2) qualifications and eligibility including 9 Revised 9/1/2020 provisions for application, acceptance and termination; and (3) membership dues and collection procedures.

In general, voting privileges should be reserved only for South Dakota Mines students, but may be granted to other members (faculty, staff, alumni or honorary members) at the discretion of the organization.

Your membership section must include this statement, verbatim:

This organization does not discriminate in membership selection, officer election or other appointments, or practices of organizational activities on the basis of race, color, national origin, military status, gender, religion, age, sexual orientation, political preference or disability.

Exceptions to this non-discrimination clause may only be granted by the President of South Dakota Mines, upon the recommendation of the Director of Student Life and Engagement, and only in cases where such an exception is deemed appropriate to the nature of the organization. For example, a Greek letter sorority may be allowed to limit their membership to women only.

Article IV OFFICERS: The officers of the organization specifying each office, their responsibilities and authority, term of office and procedures for election, removal, and filling of vacancies. Remember, officers must be full-time SDSM&T students in good academic and disciplinary standing.

Article V ADVISORS: The official advisor of the organization must be a full-time, permanent employee of SDSM&T. Additional advisors are allowed to serve in conjunction with the official advisor, provided that they have an official role with the local, regional, or national organization of the student chapter.

Article VI MEETINGS: The meetings of the organization including (1) the time for regularly scheduled meetings, (2) procedures for calling special meetings, (3) required notice of meetings and (4) quorum, order of business and disposition of minutes.

Article VII EXECUTIVE COUNCIL: The administrative board, cabinet or executive council of the organization that may be entrusted with any administrative authority and responsibilities, if applicable.

Article VIII COMMITTEES: The committees of the organization including the process of appointment, responsibilities and reporting, if applicable.

Article IX UNIVERSITY POLICIES: The following University Policies must be included, verbatim, within your constitution. They are as follows:

This organization, including all members, officers and advisors, agrees to abide by all SDSM&T regulations, policies and procedures of an academic, non-academic, legal or financial nature. This organization does not participate in or encourage any unlawful activity.

This organization, including all members, does not allow hazing in any form. Hazing is defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with or as a condition for continued membership in a group or organization.

Article X LIABILITY CLAUSES: The following statement must be included verbatim in your constitution. It sets the baseline requirement for liability waivers for high risk activities sponsored by your organization.

This organization requires the use of liability waivers for any high risk activity. "High risk activities" are defined by the South Dakota Office of Risk Management as water recreational activities or athletic events, but in general are those which present the possibility of physical injury. In all cases in which there is doubt about risk, the Campus Environmental Health and Safety Manager (EHS Manager) shall be the final judge. All event participants are required to complete a waiver, especially those which do not receive credit hours. The templates for these waivers are available permanently at <http://sdmines.sdsmt.edu/studentrisk>. In the case of proposed alterations to these waivers, this organization shall first contact the EHS Manager for approval.

Article XI PARLIAMENTARY PROCEDURE: The parliamentary practice to which questions will be referred, most commonly Roberts Rules of Order.

Article XII AMENDMENTS: The procedure for amendments including advance notifications, number of readings and required vote for adoption.

***Note all organization constitutions must have an outlined process for removing officers and members from an organization.**