

## **PREAMBLE**

We, the students of Southwest Minnesota State University, do hereby take the initiative to establish this Constitution. The articles set forth in this Constitution shall be intended to facilitate student participation in those programs in which the students have a vested interest; to aid in the formulation of legislative measures necessary to alleviate those problems relative to student concern, under the jurisdiction of student responsibility, and soluble by legislation; and to institute measures whereby students may review cases in which their peers have failed to comply with the norms established for this institution.

## **ARTICLE I Name**

The name of this organization shall be the Student Association of Southwest Minnesota State University in Marshall, and the State of Minnesota. The Student Association shall be the principal agency for student participation in university governance.

## **ARTICLE II Membership**

All students enrolling for credit or audit shall be voting members of the Student Association.

## **ARTICLE III Definitions**

Hereafter, in construing any part of this Constitution and its Operating Procedures, the Southwest Minnesota State University Student Association President, Vice-President, Judicial Coordinator, Student Activities Coordinator, Public Relations Coordinator, and the Treasurer will be referred to respectively as President, Vice-President, Judicial Coordinator, Student Activities Coordinator, Public Relations Coordinator, and Treasurer. The President of Southwest Minnesota State University will be referred to as the President of the University. Southwest Minnesota State University shall be referred to as SMSU. The Southwest Minnesota State University Student Association Senate will be referred to as the Senate. The Southwest Minnesota State University Student Association and the Minnesota State University Student Association will be referred to respectively as SMSUSA and MSUSA. The Student Activities Committee shall be referred to as SAC. An ex-officio member is hereby construed as a non-voting person who will serve as an additional resource to a committee and may not speak unless the floor has been yielded to them by a committee member. Executive personnel is hereby construed as office personnel who report to the Executive Board.

## **ARTICLE IV Officers**

### **Section 1.** Executive Board.

The Executive Board of the SMSUSA shall consist of the President, Vice-President, Judicial Coordinator, Student Activities Committee Coordinator and the Public Relations Coordinator, all of whom are elected by the Student Association. The Treasurer shall be appointed by the President following the procedures set up in the Operating Procedures under Presidential Appointments. All candidates for elected/appointed positions for the SMSUSA Executive Board must have a cumulative 2.5 GPA. All elected or appointed members of the SMSUSA Executive Board must have, at the time they undertake the duties of their office, a minimum 2.5 cumulative GPA which cannot fall below the minimum GPA of 2.25 during their term of office. Candidates and members must also be in good disciplinary standing as defined by the University. Executive Board members must be registered for at least 8 credits, with the exception of the Treasurer who must be registered for a minimum of 4 credits. No Executive Board member shall hold any other Student Association Constitutional position at one time.

**Section 2. Duties and Responsibilities.**

The Executive Board shall recommend and coordinate the direction of the SMSUSA.

**Sub. 1. SMSUSA President.**

The President:

- A. Shall be the official representative of the Executive Board and the Student Association.
- B. Shall preside over meetings of the Executive Board.
- C. Shall, at (his/her) discretion, call special meetings of the Executive Board.
- D. Shall, at (his/her) discretion, call special elections of the entire Student Association.
- E. Shall make appointments as authorized by this Constitution, Operating Procedures and/or Student Senate.
- F. Shall direct the work of the Executive Board and Executive personnel excluding the Judicial Coordinator.
- G. Shall serve as ex-officio member of all Boards, Councils, and Committees of the SMSUSA.
- H. Shall, at (his/her) discretion, call special Senate meetings.
- I. Shall, in the absence of the Vice-President, preside at Senate meetings.
- J. Shall direct the Executive Board in selecting a search committee for faculty and administrative advisors.
- K. Shall make recommendations for Senate agenda.
- L. Shall submit a written term-end report of office to the Senate which is also available for review by any member of the Student Association.
- M. Shall coordinate budget development; submit and defend the SMSUSA budget to the appropriate committee.
- N. Must attend Senate meetings.
- O. The President shall have a discretionary veto over Senate votes. An override of the veto will take a two-thirds (2/3) vote of the full Senate.
- P. Must represent SMSUSA at MSUSA. If circumstances warrant the president may appoint a temporary representative. The representative must be an SMSUSA Officer, Senator, or MSUSA Campus Representative.
- Q. Must spend a minimum of twelve (12) hours per week in the Student Association office.

R. The President shall deliver a State of the School address to the campus community at least once per semester.

S. Shall submit a column regarding current student topics for each issue of the student newspaper.

T. Shall attend or send a designee to all RHA meetings.

**Sub. 2.** SMSUSA Vice-President.

The Vice President:

A. Shall perform the duties of the President in (his/her) absence or at (his/her) request, or fill the term of a vacant presidency.

B. Shall preside at meetings of the Senate following *Robert Rules of Order, Newly Revised*.

C. Shall attend Executive Board meetings.

D. Shall prepare an agenda for Senate meetings.

E. Shall, at (his/her) discretion, call special Senate meetings.

F. Shall submit a term-end report of office to the Senate which is also available for review by any member of the Student Association.

G. Shall coordinate the Senate Standing Committees which will include monitoring their progress.

H. Shall collate and distribute a list of parliamentary motions.

I. Shall coordinate semesterly Executive Board Evaluations.

J. Shall coordinate the training of the Senate.

K. Must spend a minimum of twelve (12) hours per week in the Student Association office.

**Sub. 3.** SMSUSA Judicial Coordinator.

The Judicial Coordinator:

A. Shall preside at Judicial Council meetings.

B. Shall coordinate all SMSUSA elections and referendums.

C. Shall attend Executive Board meetings.

D. Shall submit a written term-end report of office which is available for review by any member of the Student Association.

E. Must attend Senate meetings.

F. Shall be responsible for checking the 2.5 cumulative GPA required for the eligibility of candidates for

elected/appointed positions of SMSUSA Executive Board; also in checking the required cumulative GPAs of the members of the SMSUSA Senate and Judicial Council to maintain their positions in SMSUSA.

G. Shall be responsible for publishing a report in the student newspaper, twice a semester, (one prior to midterms and the other prior to finals) that summarizes the activities of the Council.

H. Must spend a minimum of twelve (12) hours per week in the Student Association office.

**Sub. 4. Student Activities Committee Coordinator.**

The Student Activities Committee Coordinator:

A. Shall preside at all meetings of SAC, providing minutes and an agenda.

B. Shall appoint committees and select various subcommittee executives as determined by an application and interview process conducted by the SAC Coordinator, SAC Advisor, and the presiding executives of SAC. In the event that there are no qualified applicants for an executive position, or a vacancy occurs, the SAC Coordinator will appoint an executive with the consent of the SAC advisor and presiding SAC Executives.

C. Shall make final decisions on any matters that concern SAC and its areas of responsibility when a decision cannot be reached by the committee due to any circumstances. However, the Coordinator shall be held responsible to SAC for said decisions.

D. Shall, at (his/her) discretion call special meetings of SAC.

E. Shall attend Executive Board meetings.

F. Shall serve as overall coordinator of all activities and events undertaken by SAC.

G. Shall meet regularly with all executives and the SAC advisor.

H. Shall serve as a member of the Student Center Governing Board and appoint two students to serve as SAC representatives.

I. Shall be responsible for budget development for SAC.

J. Shall maintain a record of all SAC events and evaluations of those events.

K. Must attend Senate meetings.

L. Must spend a minimum of twelve (12) hours per week in the Student Association office.

M. Shall coordinate SAC vote in the initial approval of proposed club and organization constitutions.

N. Shall submit a written term-end report of office which is available for review by any member of the Student Association.

O. Shall appoint a member of SAC to act as liaison to all campus media organizations. This person must submit a summary article for every issue of the student newspaper.

**Sub. 5. Public Relations Coordinator.**

The Public Relations Coordinator:

- A. Shall coordinate publicity pertaining to the Senate and Executive Board. This includes advertising the date, time, and location of Senate meetings.
- B. Shall publish a monthly Calendar of Events to inform members of the SMSU community on upcoming University events.
- C. Shall coordinate a spring and fall bloodmobile.
- D. Shall advertise information about Student Association dates and events, in an effort to increase the awareness of the student body.
- E. Shall attend Executive Board meetings.
- F. Shall plan and coordinate publicity for all Student Association Elections.
- G. Shall submit a written term-end report of office which is available for review by any member of the Student Association.
- H. Must attend Senate meetings.
- I. Shall coordinate some form of Student Association collateral material, especially for incoming students during campus visits, and orientation programs.
- J. Shall submit a report for each issue of the student newspaper that summarizes the activities of the Senate.
- K. Must spend a minimum of twelve (12) hours per week in the Student Association office.
- L. Shall maintain the SMSUSA Scrapbook.

**Sub. 6. Treasurer.**

The Treasurer:

- A. Shall maintain financial records of all deposits and expenditures, and advise the Executive Board members of the status of their accounts.
- B. Shall attend Executive Board meetings.
- C. Must attend Senate meetings in order to give a financial report of SAC and Student Association. A written report must be submitted to the President prior to each regularly scheduled Senate meeting.
- D. Shall be responsible for the proper disposal of all Student Association funds and financial transactions.

- E. Shall submit a detailed written semesterly financial statement to the Senate at the last regularly scheduled meeting of the semester. Also, submit a detailed financial statement to the Senate at the last regularly scheduled meeting of the term of office.
- F. Must spend a minimum of twelve (12) hours per week in the Student Association office.
- G. Shall be appointed by the Student Association President. Appointment procedures are stated in the Operating Procedures.
- H. Term of office will be from the first regularly scheduled meeting of an academic year until the first regularly scheduled meeting of the following academic year.

## **ARTICLE V**

### **Student Association: Student Senate**

**Section 1.** Purpose all legislative power of the Student Association shall be vested in the Student Senate. The Student Senate shall be the principal agency for student participation in the development of University Regulations. The Student Senate shall deal exclusively with matters that pertain to the Student Association of Southwest Minnesota State University.

**Section 2.** Membership of the Student Senate.

- A. The Senate shall consist of fifteen (15) at large members. Two thirds of seated Senators or designated proxies shall constitute quorum.
- B. The Vice-President shall be a non-voting member of the Student Senate except in the event of a tie. All other Executive Board members will be non-voting members.
- C. The Vice-President shall preside over meetings of the Student Senate.
- D. Members of the Senate interning, student teaching, and serving in the military service may request a leave of absence from the Senate for one semester; the vacancy will be filled by temporary appointment by the vacating Senator.

**Section 3.** Removal from Office.

- A. Roll will be taken at all formal and informal Senate meetings, as well as committee meetings. Two unexcused committee absences in a term will result in one unexcused Senate absence, and after two unexcused Senate absences; in that term (his/her) seat will be declared vacant. The Vice-President will determine what is an unexcused absence. The President will appoint a new Senator to fill the vacancy.

B. A class conflict is a valid excused absence only in the event that a class is scheduled to a time when the Senate is in session. It will be the individual Senator responsibility to give documentation to the Vice-President and the Senate regarding the class, time, and whether the Senator is registered for the class.

**Section 4. Duties.**

**I. The Student Senate shall:**

A. Appoint all members to the Student Activity Fee Allocation Committee (SAFAC) using the formula set up in the Operating Procedures.

B. Recommend appropriations of Student Activity Fees.

C. Consider and act upon recommendations of students.

D. Consider the recommendations of faculty, staff, and administrators.

E. Hold meetings at least three (3) times a calendar month throughout the academic year. Special meetings, including meetings during the summer, may be called by the President or Vice-President.

F. Conspicuously post all agendas and actions of the Student Association by appropriate Senate committee(s).

G. Have all Senate meetings open for the benefit of the Campus Community.

H. Make recommendations on proposed University Regulations.

I. Follow the form in *Robert's Rules of Order, Newly Revised* in holding meetings.

J. Recommend proposed clubs and organizations to the President of the University.

K. Appoint three (3) students to serve on the Student Center Governing Board.

L. Approve, disapprove, or dismiss an advisor as recommended by the Executive Board.

M. Shall examine and make recommendations for Executive Board pay on a yearly basis.

**II. Duties of a Student Senator.**

A. Report to constituents regularly on the status of resolutions and decisions that were considered, or acted upon during the Senate meetings.

B. A Senator must maintain a 2.25 cumulative GPA to be on the Senate.

C. Attend Senate and Committee meetings.

D. Attend a minimum of one MSUSA Conference or event a semester while in office. All Senators attending MSUSA Presidential Board of Director meetings, Delegate Assembly, Summer Conference,

Fall Conference, Lobby Day, Rally Day, or the Federal Lobby Trip will be required to attend the prescribed meetings as specified on the agenda. Neither MSUSA nor the Student Association will fund individuals who do not attend the meetings.

E. Be in good disciplinary standing as defined by the University.

F. Candidates for Student Association Offices should have at least two (2) semesters to complete before graduation.

G. Shall spend a minimum of one hour per week in the Student Association office.

**Section 5. Committees.**

A. Student Senate standing committees shall be:

1. Academic Affairs.
2. Student Services.
3. Finance and Special Issues.
4. Communications.
5. Legislative Affairs.
6. Internal Affairs.
7. Cultural Diversity.

B. Duties and responsibilities of committees are stated in the Operating Procedures.

C. The Vice-President shall have the power to appoint other committees as deemed necessary.

D. Standing committees may meet in closed session when circumstances warrant this procedure.

E. Membership.

1. The membership of each Senate committee shall consist of a minimum of three (3) Senators.
2. The Chairperson shall be appointed by the Vice-President.
3. The committee shall meet once a week during each semester of the year.
4. Open to all students as non-voting members of the committee.

F. The chairperson of the Student Senate committees must be a student Senator and is responsible for reporting to the Student Senate.



## **ARTICLE VI Judicial Council**

### **Section 1.** Purpose.

The judicial power of the Southwest Minnesota State University Student Association shall be vested in the body named the Judicial Council. The Council shall supervise all other judicial committees that the Southwest Minnesota State University Student Association may establish.

### **Section 2.** Membership.

- A. The membership of the Judicial Council shall consist of the Judicial Affairs Coordinator and ten (10) Justices.
- B. The Council shall choose one Justice to serve as the secretary of the Council. The secretary shall assist the Coordinator with the writing and typing of letters, completing precedent procedures and filing.
- C. At the beginning of each term, the Council shall elect from its membership, a Vice-Chair to preside over meetings of the Council in the absence of the Coordinator of Judicial Affairs. The Vice-Chair shall also chair the election committee if the Coordinator is involved in the election.

### **Section 3.** Appointment Qualifications.

- A. Applications for the Judicial Council shall be in good academic standing with a minimum cumulative GPA of 2.50.
- B. Freshmen and transfer students in their first semester shall be considered and may be selected on the probationary basis until they have established their GPAs. At the end of the semester, if their GPA does not meet the requirement, they shall be removed from the Council.
- D. The applicants should have at least two (2) semesters or more to complete before they graduate.
- E. The applicants should be in good disciplinary standing as defined by the University Community Expectations Program (UCEP). This means that they should not have violated expectations provided by:
  - 1. The Campus Code of Conduct.
  - 2. Federal, State of Minnesota, and local ordinances, statutes and laws.
  - 3. SMSU and MnSCU regulations and policies.
  - 4. Campus procedures established by the Student Association, Residence Hall Association (RHA), and living communities.

### **Section 4.** Appointment Procedure.

All members of the Judicial Council shall be appointed in the following manner:

- A. All candidates for positions on the Judicial council shall file applications with the Student Association.
- B. The President of the Student Association and the Judicial affairs Coordinator shall process the applications and conduct interviews for the available positions along with the advisor to the Judicial Council.
- C. The President of the Student Association shall appoint the new members upon the recommendation of the interviewers.
- D. Applicants for reappointment shall follow the same procedures as stated above along with all other applicants.

**Section 5.** Duration of Term.

- A. The appointed members shall assume office directly following their appointment.
- B. The members will serve from Fall Semester to the end of Spring Semester.–
- C. All members of the Judicial Council may apply for reappointment at the end of their term.
- D. A member shall have the right to resign from (his/her) position at any time. Resignations are to be filed in writing with the President of the Student Association who will forward them to the Judicial Affairs Coordinator.

**Section 6.** Disqualifications.

- A. Members of the Judicial Council shall be disqualified from their positions if:
  - 1. (His / Her) cumulative GPA falls under 2.5.
  - 2. They are referred and found accountable for violating any expectations set forth by the University Community Expectation Program.
  - 3. They are continually neglecting their duties as Judicial Council members. This includes, but is not limited to, three (3) unexcused absences.
- B. The decision to remove a member from the Council will be made with the consent of the majority of the Judicial Council.
- C. The member being removed shall have the right to present (his/her) case to the Council, but shall not be allowed to be present when the decision is made. All decisions made by the Council shall be final.
- D. The member shall then be informed of the Council decision in writing by the Judicial Affairs

Coordinator.

**Section 7. Powers and Duties.**

- A. The Judicial Coordinator shall interpret the provisions of the Constitution of the SMSUSA. In the event of a disagreement over the Judicial Coordinator interpretation on an issue, the issue shall be discussed and voted on by the entire Judicial Council to resolve the disagreement.
- B. The Judicial Council shall have the power to review all Student Senate legislation and shall have the sole power in deciding cases involving the Constitutions. Its decisions in these cases shall be final, subject only to referendum by the Student Association or an appeal to the President of the University.
- C. The Judicial council shall hold hearings on any disputes referred to it by any recognized student, organization, faculty, or staff member of Southwest Minnesota State University.
- D. The Judicial Council shall interpret the rules, regulations, constitutions, administrative procedures, and by-laws or operating procedures of the Residence Hall Association, Student Association, and the Southwest Minnesota State University administration. It shall investigate and determine whether the referee is accountable or not accountable and then recommend (to the proper authority) corrective sanctions that relate to the behavior(s) that resulted in the referral.
- E. The Judicial council shall be responsible for the organization and coordination of all Student Association elections. It shall decide on all disputes concerning qualifications for positions and election procedures for all Student Association elections.
- F. The Judicial Council shall validate all recall petitions.
- G. The Judicial Council shall have the responsibility of reviewing and recommending changes in the University Expectations Program and implementing those procedures.

**Section 8. Requirements for Session Procedure.**

- A. The presence of four (4) members of the Judicial Council shall constitute a quorum.
- B. The presence of either the Judicial Coordinator or the elected chairperson of the Council shall be required before a session can be called to order.
- C. The Judicial Council shall not hear any matter concerning student conduct without the presence of the advisor.

## **ARTICLE VII**

### **Student Activities Committee**

#### **Section 1.** Purpose.

The Student Activities Committee shall:

- A. Plan and provide social, cultural, and educational activities which relate to the needs of the entire University community.
- B. Review proposed clubs and organizations to determine whether they are authorized for University recognition.
- C. Provide opportunities for leadership through involvement in the Student Activities Committee (SAC).

#### **Section 2.** Membership.

- A. Membership of SAC shall be open to all Southwest Minnesota State University students.
- B. Voting membership of SAC shall consist of, but not be limited to, the executives of the SAC standing committees.
- C. The SAC Coordinator shall have voting power only in the event of a tie.
- D. A SAC Executive will serve until resignation or removal of office by a majority vote of the SAC Executive Board. An executive may be removed from office for failure to carry out positional responsibilities.

#### **Section 3.** Executive Responsibilities.

- A. An Executive must be a student and maintain a 2.25 GPA.
- B. An Executive shall have a minimum of one semester experience on a SAC committee at the time of taking office.
- C. An Executive may hold only one executive position on SAC at one time.
- D. An Executive appointment will be determined from an open application and interview process conducted by the SAC Coordinator, SAC advisor, and the presiding Executives. In the event that there are no qualified applicants for an Executive position, or a vacancy occurs the SAC Coordinator will appoint an Executive with the consent of the SAC advisor and presiding SAC Executives.
- E. An Executive must maintain budget records of expenditures and revenues, along with evaluations for each program and/or activity for (his/her) area.

**Section 4.** Standing Committees.

A. The SAC standing Committees shall be:

1. Films and Videos.
2. Special Events.
3. Outer Limits/Performing Arts.
4. Contemporary Music.
5. Public Relations.
6. Recreation and Travel.
7. Big Event MINNESTOCK.

B. Additional committees may be formed by the SAC Coordinator subject to approval by a majority vote of SAC membership.

**Section 5.** Duties and Responsibilities.

A. SAC will submit and defend a budget request to SAFAC.

B. Coordinate with other student clubs and organizations in order to co-sponsor and provide assistance on programming.

C. SAC shall be responsible for providing programming activities/events for the University community.

D. SAC Executive Board, Coordinator and advisor will review constitutions or proposed clubs and organizations.

**Section 6.** Advisor.

A. The SAC advisor shall be appointed by the University President or designee.

B. The SAC advisor shall have no voting rights, but can provide recommendations.

C. The SAC advisor serves as a resource person for the Student Activities Committee.

**ARTICLE VIII**  
**Elections**

**Section 1.** General Rule. The positions of Executive Board and Senator require a considerable amount of time in the performance of the duties and responsibilities of office. Thus a member of the Student Association Executive Board shall only hold one aforementioned office at a time.

**Section 2. Executive Board Elections.**

- A. The elections of the Student Association Executive Board shall take place four (4) weeks prior to the end of spring semester and the term of office will begin June 1 ending May 31. A two (2) week training session will be mandatory for all newly elected Executive Board members before the end of the semester.
- B. Nominations for all elected Executive Board positions shall be by self-nomination through petition. A petition shall be a declaration attested to by signatures of eligible voters. A valid petition will include signatures of at least 150 of such voters.
- C. Candidates for the Executive Board must have completed a minimum of 15 credits at SMSU.

**Section 3. Senatorial Elections.**

- A. Seven (7) Senators shall be elected so as to take office on June 1. The elections will be held four weeks prior to the end of spring semester. A Senator term, one year in duration, will run from June 1 to May 31, coinciding with terms of the Executive Board members.
- B. An election for eight (8) Senatorial seats shall be held four weeks prior to the end of fall semester. Newly elected Senators shall assume office, one year in duration, from the beginning of spring semester to the end of fall semester.
- C. Senatorial elections shall be administered by the Judicial Council.
- D. Nominations for Senate positions shall be by self-nomination through petition. A valid petition will include fifty (50) signatures of qualified voters. Applications shall be made available by the Judicial Coordinator.

**Section 4. Procedures.**

Election proceedings shall be presided over and administered by the Judicial Council which shall:

- A. Post listings of open positions.
- B. Post the names of all candidates successfully completing the nomination process.
- C. Operate the polls.
- D. Be responsible for tabulation and announcement of election results.

**Section 5. Qualifications.**

To qualify for nomination for any office of the Student Association, the office must be filled by election or appointment and each nominee shall:

- A. Be a member of the Student Association.
- B. Conform to Judicial Council qualifications for candidacy.
- C. Have a minimum 2.25 cumulative GPA for Senatorial positions or a 2.5 cumulative GPA for Executive Board positions.
- D D Have completed a minimum of fifteen (15) credits at Southwest Minnesota State University.
- E. Be in good disciplinary standing as defined by the University.
- F. Candidates for Student Association offices should have at least two (2) semesters to complete before graduation.

## **ARTICLE IX Vacancies**

### **Section 1.** Executive Board Vacancies.

- A. In the event of a vacancy in the Office of the President, the Vice-President shall immediately assume the presidency for the remainder of the unexpired term.
- B. All other vacancies shall be filled by temporary appointment by the President using the proper procedures listed in the Operating Procedures. This appointment shall not exceed thirty (30) academic days. At the end of this time, if there have not been any applications, the appointee will fulfill the remainder of the unexpired term. If other applications have been filed and the candidates meet all qualifications, an election must be held to fill the position.
- C. The Student Association shall be notified of vacancies within ten (10) academic days of the position becoming vacant. If an election must be held, it shall be at least ten (10) academic days before the end of the temporary appointment.

### **Section 2.** Senate vacancies.

- A. The President shall fill vacant Senate positions by appointment. Each individual appointment shall be ratified as stated in the Operating Procedures. The President should fill vacant Senate seats within twenty (20) academic days.
- B. The Student Association must be notified ten (10) academic days before the position becomes vacant.

## **ARTICLE X Recall**

### **Section 1.** Time period for recall.

Any member in an elected position of the Student Association shall be subject to recall no sooner than three (3) months after assuming the duties of (his/her) office.

**Section 2.** Process for recall.

Elected members of the Student Association shall be subject to recall by a petition signed by twenty-five (25) percent of the total Student Association. All recall petitions shall be validated by the Judicial Council. Once the recall petition is validated, the Judicial Council will hold a referendum requesting a vote of confidence or no confidence in the elected member. If a vote of no confidence is given, that seat will be declared vacant and filled by the process set forth in this Constitution and its Operating Procedures.



## **ARTICLE XI**

### **Nonfeasance of Office**

#### **Section 1.** Purpose.

Nonfeasance of office includes the non-performance of some act which should be performed, or the refusal to perform a required duty, or total neglect of any of all required duties. The Executive Board shall be responsible for reporting instances of alleged nonfeasance.

#### **Section 2.** Procedure.

- A. The Student Association Executive Board (hereafter Complainant) shall execute the complaint of nonfeasance against an Executive Board member (hereafter Respondent) in writing, setting forth the nature of the complaint and the facts based upon which the complaint is based, and must submit it to the President. If the President is the Respondent, then it will be submitted to the Judicial coordinator. The written complaint shall be presented to the Senate, within five (5) academic days from the date the complaint is submitted to the President or Judicial Coordinator.
- B. The Senate shall elect one of its members to serve as a nonfeasance Chairperson to coordinate and adjudicate the nonfeasance process. Notification that a complaint has been filed shall be sent to the Respondent by the Chairperson within five (5) academic days. The Respondent has five (5) academic days to respond in writing to the written complaint after the date of notification. The response must be given to the Chairperson, who shall provide a copy to the Complainant.
- C. The Chairperson shall arrange a hearing by the Senate within ten (10) academic days of the initial presentation of said complaint to the Senate. The Complainant and Respondent shall receive written notification as to the date, time, and place of the hearing. The Chairperson shall conduct the hearing using the same format as the Judicial Council. The Complainant and Respondent shall have the right to present and to bring witnesses and introduce written and oral evidence concerning alleged nonfeasance. The hearing shall be tape-recorded and all written evidence shall be included in the records of the proceedings.
- D. Within two (2) academic days of the conclusion of the hearing, the Chairperson shall prepare a Written report of proceedings, including the findings of the Senate, and shall send the complaint to the Judicial council. Copies of the report shall be sent to the Complainant and Respondent.
- E. The Judicial Council, within five (5) academic days of the receipt of the report shall consider the report of the Chairperson and the records of the proceedings and will render a decision on whether the Respondent may continue in office. The decision of the Judicial Council is final.

F. Records of the proceedings are to be documented and maintained by the Advisor of the Student Association. The records are to be kept confidential.

## **ARTICLE XII Referendums**

### **Section 1. Process**

A. The Senate shall by majority vote of membership submit to the Student Association any measure for its consideration.

B. Upon a petition signed by one hundred (100) members of the Student Association, any measure passed by the Senate shall be submitted to the Student Association for its consideration.

C. The Student Association shall, by a petition signed by one hundred (100) or more members, cause the Senate to call a special meeting for consideration of any recommendation presented to the Senate.

Using the same process, the Student Association shall cause any measure to be submitted to the Student Association for its consideration.

D. All measures submitted to the Student Association shall be submitted at a special or general election with the issue and time specified, at least one week prior to the election. Any issue submitted must be discussed by the Senate within ten (10) academic days.

## **ARTICLE XIII Amendments**

### **Section 1. Proposed Amendments.**

Amendments to this Constitution shall be proposed by a petition signed by fifteen (15) percent of the Student Association or by a two-thirds (2/3) vote of the Senate.

### **Section 2. Process.**

The Student Association shall consider the proposed amendment for at least one week until a special or regularly scheduled election is held.

### **Section 3. Ratification.**

Proposed amendments to this Constitution shall be ratified at a special election or regularly scheduled elections by an affirmative majority of two-thirds (2/3) of the total votes cast with at least (10) percent of the Student Association voting.

## **ARTICLE XIV Internal Operations Policy**

**Section 1.** Purpose.

Any unit within the Student Association may establish internal operating procedures, policies, and regulations it deems necessary provided that such procedures, policies, or regulations do not, in any way, alter or contradict this Constitution.

**Section 2.** Process.

Changes in titles and the academic calendar may be corrected in this Constitution by a two-thirds vote of the Senate.

**ARTICLE XV**  
**Finances**

All funds of the Student Association shall be deposited into the Student Association administrative or activity accounts. There shall be no expenditure of funds without the permission of the Student Association through the authorized signatures of the Student Association Treasurer and President. Funds controlled by RHA and/or the Student Center Governing Board shall be deposited and regulated through their respective accounts.

**ARTICLE XVI**  
**Constitution Committee**

**Section 1.** Definition.

The Constitution Committee is autonomous from the Senate. The Senate can make recommendations to the committee but cannot force its will on the committee.

**Section 2.** Purpose.

The Constitution Committee shall, when necessary, consider and draft amendments or revisions to this Constitution and its Operating Procedures. The Chairperson may brief the Senate on proposed changes, but will not make changes to the Constitution unless the amendment procedure for the Constitution or the Operating Procedures is initiated.

**Section 3.** Membership.

A. The Constitution Committee shall consist of six (6) students appointed by the President with the approval of the Judicial Coordinator and the Senate. Two (2) additional representatives shall be appointed by the President of the University, prior to the selection of the other six (6) committee members.

B. The Constitution Committee shall consist of four (4) elected or appointed government officials of the Student Association currently holding office. It is mandatory that the committee have four (4) students not currently holding elected or appointed student government positions.

C. The Chairperson shall be elected by a simple majority of the committee membership.

**ARTICLE XVII**  
**Student Center Governing Board**

**Section 1.** Purpose.

The Student Center Governing Board (SCGB) has the responsibility and authority to review, make recommendations, and develop new procedures for the operation of the Student Center. The review recommendations, and development of these procedures shall be made according to the needs and interests of the University community as expressed in the Student Center Purpose in concert with the dictates of the operational budget.

**Section 2.** Membership.

- A. The membership of the Student Center governing Board shall consist of:
  - 1. Coordinators of Residential Life and Student Activities.
  - 2. Director of the Student Center.
  - 3. University Scheduling Officer.
  - 4. SAC Coordinator.
  - 5. Three (3) students selected by the Senate.
  - 6. Two (2) students selected by SAC.
- B. The term of office for student representatives of the SCGB will be annually from April 1 to March 31.
- C. The Director of the Student Center shall be the ex-officio chairperson of the SCGB.
- D. A recording secretary shall be elected from the membership of the SCGB.

**Section 3.** Duties and Responsibilities.

- A. The SCGB shall review, recommend, and develop new procedures for the Student Center.
- B. The SCGB shall have the authority to change general use areas into specific use areas for scheduling events.
- C. The SCGB shall establish and/or change existing hours of operation for the Student Center as needed.
- D. The SCGB shall meet at least once a month during the academic year.

**ARTICLE XVIII**  
**Residence Hall Association**

**Section 1.** Purpose.

The Residence Hall Association (RHA) shall have the responsibility and authority of planning and coordinating Residence Hall and Food Service events. RHA shall have responsibility and authority for developing Residence

Hall procedures.

**Section 2. Duties and Responsibilities.**

- A. RHA shall establish committees as it deems necessary.
- B. RHA shall make recommendations to the appropriate administrator on Administrative procedures that relate directly to residence-hall living and/or food service.
- C. RHA may establish constitutions, operating procedures and/or bylaws to facilitate the effectiveness of the organization. RHA constitution shall be submitted to the office of the President of the University for approval in accordance with State University Board Internal Rule 20.

**ARTICLE XIX  
Student Media Board**

**Section 1. Purpose.**

The Student Media board (SMB) shall have the authority and responsibility for the development and implementation of procedures for the University-approved student media clubs/organizations. The

procedures shall be made according to the needs and interests of the University community and in full recognition of the rights and responsibilities of student media facilities.

**Section 2. Rights and Duties of Student Media.**

- A. The SMB recognizes that the student media has the right to be free of censorship and of advance approval of copy, and that the editors and managers of the publications are free to develop their own editorial policies, hire staff, and have the final decision as to the content of their publications and broadcasts.
- B. The SMB further recognizes that the editors and managers of student media are to be protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of the editorial policies or content of the publications or broadcasts.
- C. The SMB notes that the editorial freedom of the student editors and managers assumes the adherence to acceptable journalistic practices.

**Section 3. Membership of the Student Media Board.**

- A. The membership of the Student Media Board shall consist of:
  - 1. Five student members selected by the Senate Communications Committee with approval of the Senate.
  - 2. The editor(s) or manager(s) of each University approved student media club/organization shall serve as non-voting members.
  - 3. The President of the University shall appoint a staff person as a non-voting resource member.
- B. Members shall be selected each year during fall semester. At least two student members shall be selected for two year terms. The remaining students shall have one year terms.
- C. A chairperson and recording secretary shall be selected from the membership of the SMB.

**Section 4. Rights and Duties of the Student Media Board.**

The Student Media Board shall:

- A. Develop and implement procedures for the selection and evaluation of student editors and managers.
- B. Develop and implement procedures for the selection of names for student media publications and stations.
- C. Assume the responsibility of publishing and broadcasting University-approved student publications and broadcasts to ensure that each medium has an appropriate advisor.
- D. Provide due process and protection of student(s) and/or organization rights for all conflicts and complaints that cannot be resolved internally by university approved media organizations. The SMB

will schedule hearings to deal with the conflicts and complaints. If a conflict remains unresolved, or resolved in an unsatisfactory manner, the student(s)/organization may send it to the Judicial Council for proper routing. Once the Judicial Council has made its decision and the student(s)/organization still finds the decision unsatisfactory, the student(s)/organizations should take it through the proper channels, utilizing their own financial capital.

- E. Explore the possibilities of obtaining grants, submitting publications for review for awards, and improving student media publications and broadcasts.
- F. Develop and implement procedures for the recognition of new student media services.
- G. Assist in financial management and budget proposals to ensure adequate and efficient use of funds.
- H. Establish a policy for cooperation between the various student media organizations in sharing and utilizing media equipment and facilities.

**Section 5. Meetings.**

- A. The SMB shall meet at least once a month or whenever deemed necessary by the chairperson of the board.
- B. Meetings shall be carried on in the parliamentary manner with *Robert's Rules of Order: Newly Revised* serving as the official guide.
- C. All decisions of the Board shall require a majority vote to be enacted.
- D. The presence of all five voting members shall constitute quorum.
- E. All proposed procedures must be distributed in writing to the Board members at least three (3) days in advance of the pending vote upon said proposal.

**ARTICLE XX**  
**Student Activity Fee Allocation Committee**

**Section 1. Purpose.**

The Student Activity Fee Allocation Committee (SAFAC) shall fund student clubs/organizations which promote co-curricular life for university students. SAFAC shall meet weekly to determine the proper procedures and regulations for all clubs and organizations who apply for funding from SAFAC. SAFAC shall be autonomous and therefore Senate action cannot be imposed outside of the appointment process.

**Section 2. Duties and Responsibilities.**

- A. SAFAC shall determine the distribution of student activity fees through periodic spontaneous funding and yearly budget requests made by clubs and organizations to SAFAC.

B. SAFAC shall review the activity fee structure and policies and procedures and recommend any changes to the Student Senate and the President of the University.

C. SAFAC shall send its guidelines on policies and procedures for requesting student activity fees to all student clubs and organizations at the beginning of spring semester.

D. SAFAC shall conduct annual budget hearings in order to review budget histories and to gain knowledge on the current activities that each organization is pursuing. These hearings will take place during spring semester.

E. SAFAC shall hold appeal hearings after the original budget hearings are over and sufficient time has passed to allow the decisions of SAFAC to reach clubs/organizations.

F. The SAFAC Chairperson shall keep the Senate informed of the major changes within SAFAC and on the recommendations of SAFAC in order to make the funding process a more efficient and fair process.

In addition to this, SAFAC will send copies of budget requests to the Finance and Special Issues Committee prior to budget hearings.

G. Any determination by SAFAC for spontaneous funding over \$500.00 to clubs/organizations needs to be approved by the Senate with a majority vote, furthermore all spontaneous funding by SAFAC must be reported to the Senate in a weekly written report.

H. The Chairperson shall submit SAFAC recommendations for budget allocations for clubs and organizations to the Student Senate for approval each spring by May 1. Both SAFAC and Senate recommendations will be forwarded to the President of the University for final approval and allocations.

I. The Chairperson of SAFAC will be required to attend all Senate meetings.

### **Section 3. Membership.**

A. Members of SAFAC shall be appointed by the Senate using the following formula, provided that enough students from each of the following categories are eligible and willing to serve:

1. Two (2) on-campus students.
2. Two (2) off-campus students.
3. One (1) part-time student.
4. Four (4) students at large.

Total membership shall be nine (9) students (regular members). It is also recommended that three (3) associate members also be appointed by the Finance and Special Issues Committee as alternates to the regular members.



- B. Four of the members must be two (2) year members and in the following years, four out of five candidates must run as two-year members. Each spring, each returning member will be evaluated by the Finance and Special Issues Committee and the Chairperson of SAFAC. If the review is positive, the member will remain for another year. If the review is not positive, the member will be removed. Any removal or appointment must be made with a two-thirds ( $2/3$ ) vote of the Student Senate.
- C. If any member resigns, or (his/her) seat is declared vacant (for three (3) unexcused committee meetings), the Senate shall appoint a member to fill out the term within twenty (20) academic days.
- D. Two (2) Senators, if possible from the Finance and Special Issues Committee, shall serve as ex-officio members of SAFAC.
- E. Students appointed to the SAFAC Committee must have a 2.5 GPA or higher in order to serve on the board.