Whereas, there is a need to increase communication and transparency between the University Programming Council (UPC), Student Organization Funding Agency (SOFA), Executives and Student Senators, and

Whereas, the SOFA Chair is already a member of the Executive branch, and

Whereas, the UPC Chair is invited to all Executive meetings and has Student Senate representation at all UPC meetings, and

Whereas, an Executive member currently resides over the procedures of the Student Senate.

Therefore, be it moved that the UPC Chair be added to the Executive Branch of Student Government, and

Therefore, be it further moved that the UPC Constitution be amended as shown in the attached documents.
UNIVERSITY PROGRAM COUNCIL CONSTITUTION

ARTICLE I.

PROGRAMMING AUTHORIZATION

A. The University Program Council (UPC) has been designated by Student Government as the authorized programming body for the purposes of supplementing the formal educational experience of all students at the University of North Dakota.

B. While given the authorization to program for the entire campus, UPC may obtain and use available facilities that are most appropriate for a given program.

ARTICLE II.

PROGRAMMING OBJECTIVES; CHARGE OF THE COUNCIL

A. Programming Objectives - The programming objectives for the University Program Council shall be:

1. To provide exposure and promote the appreciation of a variety of art forms. When at all possible, programs will be designed to relate to and assist in the understanding of pertinent issues that face society.

2. To use funding, provided by student fees, responsibly, and appropriately in performance arrangements, performer negotiations, and promotion.

3. To provide students with an opportunity to develop valuable leadership skills through University Program Council programming participation.

4. To provide a wide variety of entertainment options to the University community.

5. To provide students with additional learning experiences that may or may not be obtained in a classroom setting.

6. To provide programs which educate across cultural lines, both internally and externally; that is, to educate the people involved with the committee process, as well as to educate the community at large.

B. Charge - The University Program Council shall be charged with the following responsibilities:
1. To develop and coordinate a variety of programs through the different UPC Coordinators to meet UPC programming objectives, within the fiscal parameters as provided by Student Government.

2. To create and change the nature, mission, and structure of the UPC in order to meet the interests and needs of a diverse Student Body.

3. To make decisions regarding programs proposed and sponsored by UPC Coordinators.

4. To review and approve each Coordinator's budget request before the total UPC budget is submitted to Student Government.

5. To ensure that all Coordinators operate within budgeted allocations by refusing to approve program proposals or expenditures for which funds are not available.

6. To provide students with the opportunity to develop leadership skills.

7. To act in compliance with the nondiscrimination statement in the UND Code of Student Life.

C. Delineation of Powers

The University Program Council shall only co-promote major arena concerts and events at no financial risk. The UPC Chairperson must notify the Student Senate of a large scale (over $20,000) programming proposal before contracts are signed or obligations made in the form of a memo to the Student Body President or an oral report to the Student Senate.

1. Any program proposal over $20,000 must have a 6 month planning window from date of offer to agent/artist to date of scheduled event

ARTICLE III.

MEMBERSHIP

A. Membership

1. The membership of the University Program Council shall consist of the sixteen (16) voting members and the UPC Chairperson (Student). The UPC Advisor from the Memorial Union Staff will serve as an ex-officio, non-voting member of the Council. The UPC Chairperson shall vote only in case of a tie. The sixteen (16) voting members of the UPC shall be:
a. Vice Chairperson (1) (Student)
b. Music Events Coordinator (1) (Student)
c. Performing Arts Coordinator (1) (Student)
d. Union and Special Events Coordinator (1) (Student)
e. Cinema Coordinator (1) (Student)
f. Diversity Events Coordinator (1) (Student)
g. Marketing Associates (3) (Student)
h. Graphic Designers (2) (Student)
i. Technologist (1) (Student)
j. Student Senate Liaison (1) (Student)
k. Faculty Representative (1) (Faculty)
l. Vice President of Student Affairs Representative (1) (Staff)
m. Membership Coordinator (1) (Student)

2. Duties of the Chairperson, Vice Chairperson, UPC Coordinators, and Marketing Team Members shall be described in job descriptions, which are approved by Student Senate and attached as appendices at the end of the UPC Bylaws.

3. The programming mission and objectives of each coordinator's committee shall be established in the UPC Bylaws.

B. Selection and Terms of Office for UPC Members

1. The Chairperson will be selected by the sixteen (16) student voting members of UPC and the Student Body President through procedures established by Student Government. During the first scheduled meeting in October with interviews taking place in November and final approval of the Senate taking place no later than the last meeting of the Fall semester.

   a. The current Chairperson will submit to the Student Body President a recommendation on behalf of the individual(s) nominated by UPC for the position of Chairperson.
b. The Student Body President will review the Chairperson from the list of individuals nominated by UPC through the formal hiring process as prescribed in the Student Government Bylaws.

c. The Student Senate may vote to approve or reject the recommended nominee(s). If rejected, Student Senate will ask the appropriate executive or chair to submit another nominee. In such a case, reasons for rejection of the recommended nominee(s) shall be recorded in the Student Senate minutes.

2. The Vice Chairperson, UPC Coordinators, and Marketing Team Members will be selected by the UPC through procedures established by Student Government.

3. The Student Senate Liaison will be selected through procedures established by Student Senate. The faculty representative will serve at least one (1) year term and will be selected through procedures established by the UPC. The representative from the Vice President of Student Affairs will be selected through procedures established by the Vice President of Student Affairs and will serve at least one (1) year term.

4. Positions for Vice Chairperson, and (10) Coordinators and Members shall be opened in October. Interviews shall take place in November with final approval from Senate coming no later than the last Senate meeting of the year. The rest of the semester will serve as a training and transition period for new UPC members. The new UPC board shall serve a term of office beginning January 1 and ending December 31 of that year.

5. Between December 1 and the beginning of their term of office no later than January 1, Vice Chair-elect and Coordinators/Members-elect will serve in a training capacity, attending UPC meetings and assisting in programming.

6. All student members of the UPC shall be students in good standing at the University of North Dakota as outlined in the Student Government Constitution and Bylaws.

7. The UPC Vice Chairperson shall assume the duties of the Chairperson in the event of the absence of the Chairperson or a vacancy in the position of the Chairperson until a new Chairperson can be appointed.

8. In the event of a vacancy in the position of Vice Chairperson or a UPC Coordinator/Member, the UPC Chairperson may make a temporary appointment to fill the duties of the vacant position until a permanent appointment can be made.
9. Pending available funds, the following University Program Council delegates in good standing with the University will be allowed to attend the National and Regional National Association for Campus Activities (NACA) Conferences:

a. Chairperson
b. Vice Chairperson
c. Diversity Events Coordinator
d. Performing Arts Coordinator
e. Music Events Coordinator
f. Union and Special Events Coordinator
g. Cinema Coordinator
h. Marketing Associates
i. Graphic Designers
j. Technologist
k. Membership Coordinator

10. The University Program Council reserves the right to employ additional assistants as needed to fulfill miscellaneous duties. These persons employed will be paid from the Chair account and will be non-voting members of the board. The job description will be defined by the Chairperson and approved by the board.

C. Selection and Terms of Office for UPC Committee Members

1. Each UPC Coordinator may develop and maintain a committee for his/her programming area to advise him/her on program selection and/or to assist in program productions and promotion.

2. Members of each UPC Committee shall be selected by the UPC Coordinator(s) through procedures established in the UPC Bylaws.

3. The membership of each committee shall be specified in the UPC Bylaws. All members of UPC Committees shall be students in good standing at the University of North Dakota as defined in the Student Government Constitution and Bylaws, except that each committee may designate one or more faculty representatives as provided in the Bylaws.

4. The UPC Coordinator shall serve as chairperson of the committee for their programming area.

5. No committee member shall have a vote on more than one committee.
6. A roster of committee members shall be provided to the UPC Chairperson and the UPC Advisor by the Coordinator of each committee. This roster shall be revised at the beginning of each semester or when any changes occur in committee membership.

ARTICLE IV.

REMOVAL OF UPC MEMBERS AND COMMITTEE MEMBERS

A. Removal of UPC Members

1. Grounds for removal of UPC Members shall be:

   a. Failure to fulfill the expectations of the position as established in the approved job description.

   b. Misappropriation or misuse of student funds.

   c. Unexcused absences for three (3) UPC meetings or committee meetings, with retreat absences counting as two (2) regular meeting absences, not to exceed six (6) total absences for the school year.

1. After two (2) unexcused absences or five (5) general absences, a meeting will be set with the Chairperson, UPC Advisor, and UPC Member.

2. Unexcused absences are classified as those absences not told to the Chairperson at least three (3) hours prior to the regularly scheduled meeting.

3. Special circumstances and emergencies will be considered with discretion.

4. This will be maintained and tracked by the Chairperson.

5. Appeals may be made in accordance with procedures established in Article V.

   d. Violation of the UPC Constitution or Bylaws, the Student Government Constitution or Bylaws, or the UND Code of Student Life.

   e. Failure to meet the qualifications for membership established in Article III, Section B, above.
2. Procedures for removal of UPC members shall follow procedures established by Student Government. A review of the actions of any UPC Member shall be taken at the request of a majority of committee members of the respective Coordinator's committee, of the UPC itself, or at the request of Student Senate.

3. Appeals of personnel decisions may be made in accordance with procedures established in Article V.

4. These procedures shall apply only to student positions on the UPC.

B. Removal of UPC Committee Members

1. Grounds for removal of committee members shall be:
   a. Failure to fulfill the expectations of the position as established by the committees' chairperson.
   b. Misappropriation or misuse of student funds.
   c. Violation of the UPC Constitution or Bylaws, the Student Government Constitution or Bylaws, or the UND Code of Student Life.
   d. Failure to meet the qualifications for membership established in Article III, Section C, above.

2. Committee members may be removed from committee positions through procedures established in the UPC Bylaws.

3. Appeals of removal of a UPC committee member may be made in accordance with procedures established in Article V.

ARTICLE V.

APPEALS

A. An individual may appeal a UPC decision in the following manner:

1. An individual dissatisfied with a UPC decision must first, upon submitting a written appeal, return to the next regular meeting of the UPC for reconsideration of the matter in question. If again dissatisfied with the UPC's decision, they may make, within ten (10) school days, a written appeal to the Student Body President.
The President shall assemble and chair an Appeals Board comprised of
him/herself, the UPC Chair, and five (5) Student Senators. Within twenty
(20) school days of the UPC's second decision, the Appeals Board shall hear
the matter in question and make a recommendation to Student Senate.

The Student Senate shall then consider the appeal at their next regularly
scheduled meeting. The decision of the Senate shall be final, subject to
Constitutional guidelines in relation to the Judicial Branch of Student
Government.

ARTICLE VI.

MEETINGS

A. Regular Meetings of the UPC

1. Regular meetings of the UPC shall be called by the UPC Chairperson and
   shall normally be held weekly during the academic year.

2. An interval of no more than two (2) full weeks may exist between regular
   meetings except during times when classes are not in session.

3. The UPC must hold at least twelve (12) meetings per semester during each
   fall and spring semester.

B. Special Meetings of the UPC

1. Special meetings of the UPC may be called upon the request of the UPC
   Chairperson or the UPC Advisor, or upon the request of four (4) UPC
   Members of the UPC.

2. Special meetings of the UPC may only be held upon reasonable notice to
   the UPC Member.

C. Quorum and Parliamentary Authority for UPC Meetings

1. The parliamentary authority of the UPC shall be Sturgis Standard Code of
   Parliamentary Procedure, Newly Revised.

2. Quorum of the UPC for normal business shall be a simple majority of the
   present total membership. In no case shall this number be lower than four (4)
   voting members, except when approving funding at a NACA Conference,
   where approval will be made by a majority of members present.

D. Minutes of Meetings
1. Minutes of all the UPC meetings shall be recorded by a Student Government Administrative Assistant and shall be signed by the UPC Chairperson.

2. Minutes shall regularly be distributed to those offices designated below:
   
a. Vice President of Student Affairs.
   
b. UND Internal Auditor.
   
c. Student Government Office, including copies to the Student Body President, Vice President, Treasurer, and Assistant Treasurer.
   
d. Appropriate officials of the Memorial Union.

E. Open Meetings

1. All meetings of the University Program Council, whether of the UPC or the UPC committees, shall be held in accordance with Student Government meeting policies and with North Dakota open meetings laws.

2. All meeting times and places of the UPC and the UPC committees shall be publicly posted.

ARTICLE VII.

ROLE OF THE ADVISOR

A. Responsibilities of the Advisor

1. The UPC Advisor or his/her designate shall sign all contracts and co-sign all financial transactions of the University Program Council.

2. The UPC Advisor shall assist the members of the University Program Council and the UPC committees in accomplishing their mission and duties.

B. Veto Power

1. The UPC Advisor, or his/her designate, shall have the authority to veto any decision of the University Program Council, its members, or its committees.

2. The UPC Advisor may veto a decision only for the following reasons:
   
a. Violation of the UPC Constitution or Bylaws.
b. Violation of the Student Government Constitution or Bylaws.

c. Violation of the UND Code of Student Life or of UND policies or procedures.

d. Violation of applicable local, state, or federal laws.

e. Violation of the National Association for Campus Activities Code of Ethics.

f. Inadequate financial planning, insufficient funds, or poor financial judgment.

3. All vetoes by the UPC Advisor shall be delivered in writing to the UPC Chairperson. The reasons for the veto shall be included.

4. The veto of the UPC Advisor is subject to appeal and review by a special appeals board called by the Student Body Vice President at the request of the UPC Chairperson. The UPC Advisor, or his/her designate, shall have speaking privileges at the special appeals board meeting.

ARTICLE VIII.

AMENDMENTS AND BYLAWS

A. UPC Constitution

1. Amendments to the UPC Constitution may be made with a two-thirds vote of the present total membership of the UPC, contingent upon final Student Senate approval.

B. Constitution and Bylaw Review

1. Every two years a review of the UPC constitution and bylaws will occur. At least three member of UPC will serve on this committee.

C. UPC Bylaws

1. Additions, changes, and amendments to the UPC Bylaws can be made with a simple majority vote of the present total membership of the UPC, contingent upon final Student Senate approval.

D. Committee Bylaws
1. UPC Committees may approve Bylaws for the more specific operation of the committee by a simple majority vote of the committee membership, contingent upon final approval by the UPC.

Revised 11-27-12; 1-27-13; 9-14-14
AEK; JLG; MF