Senate Bill

To: The Student Senate of the University of North Dakota
Authors: Nicholas Jones – Off-Campus Senator
Sponsors: Matt Kopp - Student Body President, Taylor Nelson – Student Body Vice President, Cassie Gerhardt - Student Government Advisor, Andrew Freligh – Student Organization Funding Agency Advisor, Dr. Lori Reesor – Vice President for Student Affairs, Cara Halgren – Associate Vice President for Student Services & Dean of Students
CC: Matt Kopp - Student Body President, Taylor Nelson – Student Body Vice President, Cassie Gerhardt - Student Government Advisor, Andrew Freligh – Student Organization Funding Agency Advisor, Dr. Lori Reesor – Vice President for Student Affairs, Cara Halgren – Associate Vice President for Student Services & Dean of Students
Date: 1/27/16
Re: UND Student Government Constitution Revisions

Whereas, an aspect of good governance is to periodically review Student Government's functions, contained within the bylaws, and

Whereas, it is imperative that Student Government maintains how it currently operates through its Constitution, and

Whereas, revising the Bylaws ultimately will make Student Government into a smoother functioning organization, and

Therefore, be it resolved that the University of North Dakota Student Senate approves the Bylaw changes proposed for the Student Government Constitution.

Matthew Kopp, Student Body President
UND STUDENT GOVERNMENT CONSTITUTION

We, the students of the University of North Dakota, in order to establish a representative system of self-government, to ensure students of an effective role in University Government, to encourage the development of leaders and participants for the community and State of North Dakota, to stimulate an awareness of the rights and responsibilities of students in relation to the community and the world, to improve student cultural, social and physical welfare, and to promote the general welfare of this institution, do hereby ordain and establish this constitution for the University of North Dakota Student Government.

ARTICLE I ORGANIZATION

A. Name. The name of this organization shall be the Student Government of the University of North Dakota.

B. Membership. All students at the University of North Dakota shall be members of the Student Government.

C. Equal Opportunity Policy. The UND Student Government adheres to a policy of nondiscrimination and follows the Equal Opportunity/Affirmative Action Policies of the University.

D. Only those students who are in Academic Good Standing at the University defined by the Academic Catalog, not on Conduct Probation as defined by the Code of Student Life and enrolled in one course per semester shall be eligible for a position in Student Government.

ARTICLE II ELECTED EXECUTIVE OFFICERS

A. Membership. The Student Body President and the Student Body Vice President shall be elected by the student body as Executive Officers of the Student Government.

B. Powers and Duties

1. Student Body President:

   a. The Student Body President shall be the official representative of the student body and the Student Government.

   b. The Student Body President shall serve as administrative head of the Student Government.

   i. The Student Body President shall have the power of executive veto over all bills, resolutions, and actions of the Student Senate. All
Senate actions not vetoed or given the President’s written approval within three (3) academic days after the date of adoption by the Student Senate shall stand as approved. A two-thirds (2/3) majority vote of the Student Senate present and voting shall be necessary to override a presidential veto.

ii. The Student Body President shall be responsible for the financial oversight of the Student Government.

iii. The Student Body President shall hire a Treasurer of the Student Body and Student Government Executives to aid in executive policy decision-making functions.

iv. The Student Body President shall make appointments to committees as needed.

v. The Student Body President shall have such other powers and responsibilities as prescribed in the constitution and bylaws.

2. The Student Body Vice President:

   a. The Student Body Vice President shall perform the duties of the Student Body President in his or her absence.

   b. The Student Body Vice President shall serve as the chairperson of the Student Senate, with voting privileges only in the case of a tie.

3. Succession. In the event that the position of the Student Body President is vacated, the Student Body Vice President shall assume the duties of the Student Body President. In the case that the position of the Student Body Vice President is vacated, the President Pro-Tempore of the Student Senate shall assume the duties of the Student Body Vice President until the next scheduled Student Government election. If the President Pro-Tempore of the Student Senate is not able to assume the duties of the Student Body Vice President, then the order of succession shall be the same as that proscribed below in Article III, Section D, subsection 8b.

**ARTICLE III**

**STUDENT SENATE**

A. Student Senators

1. The Student Senators shall be recognized as the legislators in the University of North Dakota Student Government and shall assume those prescribed or implied
powers that enable them to carry out an effective role in representing the diverse student attitude on campus.

2. Only those students who are in good standing at the University shall be eligible for a Student Senate position.

3. In the event of a Student Senate vacancy, the Student Senate shall fill the vacancy by appointment. If the Senate does not approve the recommended appointee, a special election may be authorized by a majority vote of the Student Senate present and voting.

B. Purpose

1. To provide the means whereby the members of the Student Body may express concerns effectively in matters of interest to them.

2. To provide a growing representative voice for the students in the University decision-making process.

3. To coordinate and regulate the activities of the student organizations for the benefit of the entire student body and the University community.

4. To serve as a liaison between the student body and the faculty and administration.

5. To represent and investigate all matters or concerns relevant to student interest.

C. Meetings

1. The Student Senate shall meet during the academic year and each meeting time and place shall be publicly posted. Meetings of the Student Senate shall abide by the open meetings laws of North Dakota.

2. A special meeting may be called by the Student Body President, the Student Body Vice President, or by a written petition to the Student Body Vice President signed by at least one-third (1/3) of the current total membership of the Student Senate.

3. Quorum for Student Senate meetings shall consist of a simple majority of the current total membership.

4. Attendance Policy

   a. Members are required to attend all Student Senate and assigned committee meetings, as well as Senate training sessions and retreats.

   b. Members are required to attend the full duration of each meeting, training session, and retreat unless excused by:
i. The Student Body Vice President for Student Senate meetings, 
training sessions, and retreats; or

ii. The Committee Chair for committee meetings.

c. The Vice President shall notify any member who has failed to comply with 
these provisions, and shall bring that member before Student Senate for 
impeachment proceedings. Members can be brought for impeachment for 
missing more than four (4) of the Student Senate or committee meetings, 
training sessions, or retreats during their term.

d. The Student Body Vice President may suspend the provisions of this section 
upon consideration of the member’s significant and extenuating 
circumstances.

D. Powers and Duties

1. Student Senate shall have the power to make recommendations and to approve 
appointments within its authority.

2. The Student Senate shall have the power to approve appointments of all student 
representatives to standing committees. Such approval shall be by a simple majority 
vote of the current total membership of the Student Senate.

a. Any Student prospective appointee may be required to appear before the 
Student Senate for questioning prior to confirmation of appointment.

b. Any prospective Student Senate liaison appointee(s) shall be required to 
appear before the Student Senate for approval.

c. Student Senate may remove any Student Senate liaison appointee by a two-
thirds (2/3) majority vote of the current total membership. Lack of 
attendance and violation of the constitution shall be considered due cause 
for removal.

d. Any standing committee member who has been appointed by Student 
Senate being considered for removal shall be guaranteed due process, 
requiring:

i. A resolution introduced by either (1) the Student Body President; 
(2) the chairperson of the committee under whom the appointee 
served; or (3) any three Student Senators whose reasons for removal 
must be recorded in the minutes of the previous meeting.

ii. The appointee shall be notified in writing at least three (3) academic 
days prior to the meeting at which the resolution is to be voted on.
The appointee has the right to appear before and address the Senate prior to the vote.

3. Student Senate, by a two-thirds (2/3) majority roll call vote of the current total membership, shall have the power to remove any standing committee chairperson it deems necessary.

4. Student Senate, by a two-thirds (2/3) majority roll call vote of the current total membership, shall have the power to consolidate, create or disband any standing committee it deems necessary.

5. The Student Senate shall have the power to impeach and remove any of its members by a two-thirds (2/3) majority roll call vote of the current total membership for reasons deemed necessary by the Student Senate. Article III, Section D, 2, shall be applicable.

6. The Student Senate shall approve the Student Government budget by a two-thirds (2/3) majority vote of those present and voting.

7. The Student Senate, from its membership, shall elect its own officers, who shall include, but not be limited to:

   a. A President Pro Tempore of the Student Senate elected by a two-thirds (2/3) majority vote of those present and voting, who shall perform the duties of the Student Body Vice President in the latter’s absence and who shall be considered the choice of the Student Senate for succession as per Article II, Section C, Subsection 3, of this constitution;

   b. A Parliamentarian of the Student Senate elected by a simple majority vote of those present and voting; and

   c. A Sergeant-at-Arms of the Student Senate elected by a simple majority vote of those present and voting.

8. The Student Senate shall have the following procedures in effect when the Student Body Vice President cannot perform the duties prescribed in Article II, Section C, Subsection 2, letter b as the chair of the Student Senate.

   a. If the Student Body Vice President cannot perform the duties of the chair of the Student Senate the President Pro Tempore will serve as the chair pursuant to this constitution.

   b. If the President Pro Tempore cannot serve as the chair of the Student Senate the duties will pass on in the following order of succession:

      i. Parliamentarian of the Student Senate
ii. Student Senate Judicial Committee Chair
iii. Student Senate Appropriations Committee Chair
iv. Student Senate State & Local Committee Chair
v. Sergeant-at-Arms of the Student Senate
vi. Any other senator not aforementioned elected by simple majority of present and voting members of the Student Senate

9. The Student Senate shall have such additional powers and responsibilities as prescribed by this constitution and The Student Government Bylaws.

**ARTICLE IV STUDENT SENATE COMMITTEES**

A. Student Senate committees shall assist the Student Senate in discharging its duties to the Student Body.

B. The Student Senate shall have authority over all Student Senate committees. The Student Senate shall provide direction for all Student Senate committees through its resolutions and the Student Government Bylaws. All changes to a committee’s constitution and bylaws are subject to approval by Student Senate.

C. Any provision in the bylaws of any Student Senate committee that is inconsistent with this constitution is void.

D. The Student Senate shall have the power to create additional Student Senate committees. Such committees will be subject to these regulations.

**ARTICLE V ELECTIONS AND TERMS OF OFFICE**

A. Elections

1. A campus-wide election will be held each spring semester at the time to be specified in the bylaws to elect the Student Body President, Student Body Vice President, University Senators and all Student Senators.

   a. Election of the Student Body President and Student Body Vice President shall be campus-wide and on the same ballot. Signatures of two hundred fifty (250) students shall be required to place the candidates’ names on the ballot.

   b. Election of University Senators shall be campus wide. Signatures of fifty (50) students shall be required to place a candidate’s name on the ballot.
C. Election of Student Senators shall be done according to residential district and academic division. Signatures of twenty-five (25) students from the residential district or academic division the candidate wishes to represent shall be required to place a candidate’s name on the ballot.

d. The Student Senate Elections Committee shall conduct the election and shall be responsible for validating all nominating petitions and verifying the eligibility of all candidates.

2. Each student may vote for as many candidates as there are positions to be filled in his/her residential district and in each of his/her academic division(s).

B. Representation

1. Residential District

a. Eleven (11) Student Senators shall be elected to represent students according to three (3) residential districts. These three districts shall include:

   i. Students living in the Residence Halls.

   ii. Students living in University Apartments (apartments owned/operated by UND).

   iii. Students living off campus (including all students living in Greek housing).

b. The apportionment plan for residential districts shall be as follows:

   i. The apportionment plan shall be specified in the Student Government Bylaws.

   ii. For election purposes, the student’s declaration of residency in a residential district for the term in which he/she will serve shall occur at the time of election packet submission.

   iii. The residency of Student Senators in districts they represent must be taken up by the fall and maintained for the duration of their terms of office.

2. Academic and Other Senators

a. The apportionment plan shall be specified in the Student Government Bylaws.
b. A minimum number of Student Senators shall be elected as there are academic divisions at the University of North Dakota.

c. These senators shall be elected to represent students on Student Senate. Each senator shall be enrolled in the academic division that he/she represents.

d. Each academic division shall be entitled to one (1) Student Senator.

e. For election purposes, enrollment in an academic division shall occur at the time of election packet submission.

f. A Student Senator must remain enrolled in the academic division represented for the duration of his/her term of office.

3. In case of questionable enrollment or residence, such candidates must demonstrate evidence of said enrollment of residence to the Election Committee.

C. Terms of Office

1. The term of office for the President, Vice President, and all Student Senators shall be for one (1) year beginning with the last Senate meeting of the current academic year.

2. The term of office for University Senators shall begin the first day of classes in the fall semester and end the day before classes start the following fall semester.

ARTICLE VI JUDICIAL BRANCH

A. Purpose

1. The power of the Judicial Branch shall extend to all matters arising from the Constitution of the Student Government of the University of North Dakota and the University of North Dakota Student Senate Bylaws and all decisions reached by the legislative and executive branches of the University of North Dakota Student Government.

2. The Judicial Branch shall interpret the provisions of this constitution and Student Senate bylaws and establish precedents in the interpretation of the same.

3. The Judicial Branch shall be recognized as the judicial authority in the University of North Dakota Student Government.

B. Justices
1. The Judicial Branch shall consist of seven (7) voting Justices, one of whom shall be appointed Chief Justice by the Student Body President. A Vice Justice shall be selected by the Justices from among their membership and shall perform the duties of the Chief Justice in the latter’s absence.

2. Justices shall be appointed by the Student Body President and confirmed by simple majority of those present and voting of the Student Senate.

3. Their term of office shall be for no more than six (6) semesters. If such term begins more than halfway into a semester, that semester shall not be counted as one of the six (6) semesters of the term. If such term begins less than halfway into a semester, that semester shall be counted as one of the six (6) semesters of the term.

C. Meetings

1. Upon written request submitted by a student of the University of North Dakota to the Chief Justice, the Judicial Branch shall convene a meeting within five (5) academic days to adjudicate the matter presented.

2. Notice shall be given of all such matters to the Student Government Executives, Student Senators, and all interested parties as determined by the Chief Justice forty-eight (48) hours prior to such a meeting.

3. The Chief Justice may, at his/her discretion, postpone final decision on matters presented to the Judicial Branch, if at the initial meeting, it is determined that more information is needed to render said decision.

4. The Chief Justice shall have the authority to convene a meeting of the Judicial Branch at his/her discretion.

5. Five (5) Justices including an acting Chief Justice must be present to conduct any business.

D. Powers and Duties

1. Decisions of the Judicial Branch are binding upon the Legislative and Executive branches of Student Government.

2. The Judicial Branch shall report to the Student Government Executives and to the Student Senate upon request or within one (1) week of rendering a final decision on any matter submitted for inspection.

3. The Judicial Branch shall keep permanent records of all decisions rendered. Said records shall be open to the public for inspection.
4. The Judicial Branch shall only hear appeals after all administrative remedies have been exhausted.

**ARTICLE VII LIMITATION OF POWERS**

A. Initiative and Referendum. The Student Body shall have the power to initiate any act within the power of Student Senate or refer any act of the Student Senate, providing that ten percent (10%) of the Student Body sign petitions calling for an election on a bill, which shall be submitted in writing with the petitions to the Student Body President. The President, if he/she determines the petition to be in good order and within the limitations of this constitution, shall direct the Senate to conduct an election on the bill in not less than six (6) or no more than ten (10) academic days after the President received that petition and bill. Public notice of such election shall be given no less than four (4) days before the election. A majority of votes cast at the election shall be sufficient to pass the bill.

B. Recall. The Student Body shall have the power to recall the Student Body President or Vice President. The power to recall any Senator shall be vested in the district, which he/she represents.

1. The petition to recall the Student Body President or Vice President shall not be valid unless it contains the signatures of fifteen percent (15%) of the Student Body.

2. The petition to recall a Senator shall not be valid unless it contains the signatures of at least fifteen percent (15%) of the students in the residential district or academic division from which the Senator is being recalled.

3. The President, if he/she determines the petition to have the proper number of signatures and to be within the limitations of this constitution, shall direct the Senate to conduct an election. If the petition is filed to recall the President, the Student Senate shall form a Validating Committee to validate the petitions. This committee shall be composed of three (3) Senators and two (2) students.

4. The said election shall be conducted in no less than six (6) or no more than ten (10) academic days. The incumbent has the right to be a candidate and may continue in office until the election returns have been officially announced.

5. The candidate receiving the most votes in said election shall receive or retain the office.

**ARTICLE VIII AMENDMENTS TO THE CONSTITUTION**

A. An amendment to the Constitution may be presented to any meeting of the Student Senate. Should two-thirds of the total current membership agree to the proposed amendment, it shall be presented to the Student Body for consideration. A majority of the votes cast by the Student Body shall be necessary for adoption of the amendment.
B. Members of the Student Body may propose an amendment to the Constitution by submitting a petition bearing the signatures of at least 10% of the Student Body to the President. A majority of the votes cast by the Student Body shall be necessary for adoption of the amendment. Such a vote must be held within two weeks after petitions are received by the President.

C. Proposed amendments must be published no less than one (1) week prior to the vote by the Student Body.

ARTICLE IX BYLAWS

A. The Bylaws shall in no way conflict with the principles set forth by the Constitution.

B. Members of the Student Body may propose changes to the Student Senate Bylaws by submitting a petition bearing the signatures of at least 10% of the Student Body to the President. A majority of the votes cast by the Student Body shall be necessary for adoption of the changes. Such a vote must be held within two weeks after petitions are received by the President. Proposed changes must be published no less than one (1) week prior to the vote by the Student Body.

ARTICLE X APPROVAL OF THE CONSTITUTION

This Constitution shall become effective upon a two-thirds (2/3) majority vote of the total membership of the Student Senate and ratification by a majority of ballots cast on the constitutional issue in a campus-wide election.

Updated:
01/31/95
07/28/98
04/05/00
04/02/01
03/05/03
03/10/05
03/07/07
04/27/09
03/09/11
03/06/13
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