

# **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 governance, 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. The name of this organization shall be the Student Government of the University of North Dakota.
- B. 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 University's Discrimination and Harassment Policy.
- 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. The Student Body President and the Student Body Vice President shall be elected by the student body to serve as the Executive Officers of the Student Government.
  - 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 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 the president's absence.
  - b. The Student Body Vice President shall serve as the chair of the Student Senate, with voting privileges only in the case of a tie.
- B. 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 representative voice for the students in the University decision-making process.
3. To coordinate and regulate the activities of recognized 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 University staff, faculty, and administrators.
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) 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 approve appointments within its authority.
  - a. Any Student Senate appointee may be required to appear before the Student Senate for questioning prior to confirmation of appointment.
  - b. Student Senate may remove any Student Senate 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.
  - c. Any Student Senate appointee 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 serves; 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 Student 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 consolidate, create or disband any standing committee it deems necessary.
4. 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, of this constitution shall be applicable in matters of impeachment or removal.
5. The Student Senate shall approve the Student Government budget by a two-thirds (2/3) majority vote of those present and voting.
6. 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.
7. 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
8. The Student Senate shall have such additional powers and responsibilities as prescribed by this constitution and The Student Government Bylaws.

E. Representation

- 1. The apportionment plan for Student Senators shall be specified in the Student Government Bylaws.
- 2. Thirteen (13) Student Senators shall be elected to represent students according to three (3) residential districts. These three districts shall include:
  - a. Students living in UND owned/operated Residence Halls.
  - b. Students living in UND owned/operated Apartments
  - c. Students living off campus (including all students living in Greek housing).

3. A minimum number of Student Senators shall be elected to represent students according to academic divisions (colleges) at the University of North Dakota.
  - a. Each academic division (college) shall be entitled to one (1) Student Senator.
4. For election purposes, the student's residence and enrollment in an academic division for the term in which they will serve shall occur at the time of election packet submission.
  - a. Student Senator must live in the residential district or be enrolled in the academic division they represent for the duration of their term of office.

#### **ARTICLE IV STUDENT SENATE COMMITTEES AND AGENCIES**

- A. Student Senate shall have the power to create committees and agencies to assist the Student Senate in discharging its duties to the Student Body.
- B. The Student Senate shall have authority over all Student Senate committees and agencies. The Student Senate shall provide direction for all Student Senate committees and agencies through its resolutions and the Student Government Bylaws. All changes to a committee's or agency'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.

#### **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, 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.
    - b. Election of Student Senators shall be done according to residential district and academic division.
    - c. The Student Government Bylaws shall outline provisions for the administration of elections.
  2. Each student may vote for as many candidates as there are positions to be filled in the respective residential district and in each of the respective academic division(s).
- B. 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 Student Government Constitution 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 Government 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 five (5) 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 a 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 has the discretion to 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.
5. Three (3) 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. 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. If the Student Body President determines the petition to be in good order and within the limitations of this constitution, the president shall direct the Student Senate to conduct an election on the bill in not less than six (6) or no more than ten (10) academic days after the Student Body President received the 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. 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 Senator's respective district.
  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 college from which the Senator is being recalled.
  3. The President, if he/she/they determine 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 Student Government Bylaws shall in no way conflict with the principles set forth by this Constitution.
- B. Members of the Student Body may propose changes to the Student Government 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	04/02/01	03/07/07	03/06/13	04/17/19
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