

# Student Association Constitution Bylaws

*As of February 2013*

## **Article I- Name and Purpose**

## **Article II- Membership**

## **Article III- Executive Branch**

### Section 1- Officers

- A. Elected Officers
- B. Eligibility
- C. Multiple Office or Terms
- D. Training of Successor

### Section 2- Duties and Powers of Officers

- A. Student Association President
  - 1. Chief Executive
    - a. The President shall have the power to demote, with a 2/3 vote of the Student Senate, any Committee Chair, as long as a suitable replacement is concurrently appointed (with a 2/3 vote of the Student Senate).
  - 2. Chairperson
  - 3. Voting Powers
  - 4. Appointments
  - 5. Budget
  - 6. Expenditures
  - 7. Special Senate Sessions
  - 8. Veto
    - a. In the event that a resolution is vetoed after the last scheduled Student Senate meeting of the semester, a special session of the Senate must be called chaired by the Vice-President so that the President can participate in the meeting directly.
    - b. In the event that a resolution is vetoed the Senate may make a motion to overturn the veto only during the following Senate meeting.
- B. Student Association Vice-president
  - 1. President's Office
  - 2. Assignments
  - 3. Voting Powers
  - 4. Committees

## **Article IV- Legislative Branch**

## Section 1- Student Senate Membership

- A. Senator Positions
- B. Eligibility
- C. Multiple Office or Terms

## Section 2- Duties and Powers of Student Senate

### A. Duties

- 1. Class Presidents
- 2. Authority
- 3. Student Activities

#### a. Definitions and Structure

- i. 'Activity report' shall be defined as a written or oral presentation given regarding the activity of a student organization. 'Activity' shall be judged by the reader of the activity report but shall be defined in general as any gathering of students that illustrates the purpose of said student organization. In the case of groups which use funding, activity may also be tracked by a record of expenses. The judgment of the reader shall be employed in cases which fall outside of the scope of this bylaw.
- ii. Activity reports shall be read by each member of the Student Senate in a way which is delegated by the Student Senate President. The outcome of an activity report as judged by the reader shall be either 'Reasonably Active' or 'Questionably Active.' In cases in which an activity report shows an organization as 'Reasonably Active,' no further action needs be taken. The procedure for those activity reports showing an organization as 'Questionably Active' is shown in 4.2.1.3.1.1.3.
- iii. The Activity Review Committee (ARC) is an ad hoc committee made up of the Student Association Advisors, a member of the Constitution Committee, the Vice President of the Student Association Senate, and the Senior Class President. It exists to judge the status (active or inactive) of student organizations which have been deemed 'Questionably Active' by the activity report readers.

#### b. Procedure

- i. Refusal of submission of a half-semester activity report implies inactivity and shall be noted.
- ii. Activity shall be a measure of the consistency by which activity reports are submitted.
- iii. After note of three consecutive failures to submit a half-semester activity report by a student organization, a hearing of the executive council (if any) of said organization shall ensue to confirm activity in said organization. Hearings will be judged by the Activity Review Committee (ARC).

- iv. Following hearing of said organization, the ARC shall vote to sustain the presence of said organizations by majority vote of present members. If majority fails to be reached, the executive council of said organization may give a ten minute defense of their existence, after which the ARC shall take another vote. If majority fails to be reached again, or no defense follows the initial vote, the said organization shall be dissolved. Dissolution shall be defined as the destruction of said organization's constitution, dispatch of all members, and return of all unused SOAP funds, if any.
- v. For said organization to become existent again, it will follow those guidelines for groups wishing to become new student organizations.

4. Standing Committees

5. Budget

6. Constitution

7. Office Hours

8. Senators

- a. Senators are required to uphold the University Mission Statement, Policies, and Code of Ethics.
- b. Senators will, to the best of their ability, attend each of their assigned Standing Committee's meetings.
- c. Senators will work to gather information from their constituents and present it to the Student Association Senate.
- d. Senators will make an effort to be involved in Senate meeting discussions.
- e. Senators will benefit their constituents by maintaining a regular set of office hours.

B. Meetings

1. The minutes shall give a chronological record of events taking place at Senate meetings and will follow the order of the written agenda except in cases of procedural suspension.
2. Minutes shall be accurate and objective.
3. Minutes shall contain a heading showing the date, time, and place of the meeting, along with a statement indicating special session status, if necessary.
4. A call to order statement shall be made indicating the time of commencement of each Senate meeting, and shall be placed first on the minutes, after the heading.
5. All absent members and their proxies, if any, shall be reported and specified by name under the appropriate section of the minutes (Roll Call and Approval of Proxies, etc).
6. If the member is excused and fulfills the requirements of bylaw 4.2.3.1(School sponsored activity and excused absence) this should be recorded with the nature of the excuse under the appropriate section of the minutes (Roll Call and Approval of Proxies, etc).
7. All motions shall be noted, indicating their nature, reasoning (if applicable), points of debate, 'seconds,' nonstandard voting methods, and outcomes. On the final vote on a resolution (with or without amendments) the voting of each senator shall be noted.
8. Speakers and audience comments shall be noted.

9. A statement of adjournment time shall be recorded and shall be the last statement of Senate minutes.
10. Minutes shall not be written into publicly accessible files during closed sessions of the Senate.

C. Attendance

4.2.3.1 School Sponsored activity and excused absence

1. If there is a school sponsored activity (defined in Tech Policies III-A-04) taking place during the time of a Student Association Meeting, and a senator is involved with that activity, the senator may be absent from that meeting as long as:
  - a. Prior to the meeting the senator notifies their class president and committee chair
  - b. The senator finds a proxy, of proper class standing, to fill their vacant spot during the meeting missed.
  - c. The Senator continues fulfilling their duties outside of the meeting
2. In the case of a personal accident/injury or family emergency the senator will be given an excused absence from the meeting. The senator may be excused as long as:
  - a. The senator talks to their class president and committee chair before the next meeting and makes up anything that was missed.
  - b. The absence from the meeting is approved by the president of student association.
3. In the case of a circumstance where a senator will miss more than 2 consecutive meetings due to a school sponsored activity, they must report weekly to their class president and committee chair.
4. These absences will not be counted as missed meetings unless the above requirements are not met.

4.2.3.2 Proxy Form

1. If a Senator is to miss a Student Association meeting, he/she is required to fill out a Proxy Form and turn it in to the Student Association office per instructions before the meeting he/she will miss.

4.2.3.4 (Recording of absence):

1. Only absence recorded in the approved minutes should be considered a missed senate meeting.
2. If the absence is excused and fulfilling the requirements of bylaw 4.2.3.1 (School sponsored activity and excused absence) this must be recorded in the approved minutes to not be considered absence.

## **Article V- Elections**

### Section 1- Term of Office

A. Executive Branch

The Student Association President and Vice President shall be sworn in at the 2nd to last regularly scheduled meeting of the spring semester and assume all responsibilities excluding fiscal decisions and approvals.

B. Legislative Branch

The Student Association Senators shall be sworn in at the 2nd to last regularly scheduled meeting of the spring semester, following the swearing in of the Executive Branch.

C. Appointed Positions

Section 2- Nominations

Executive Branch  
Legislative Branch

Section 3- Election Day

A. In the event that a party does not receive the majority of votes in a presidential election, a runoff shall be held, in which the following procedure will ensue:

1. The runoff election shall be held within a fortnight of the first election
2. The two parties with the most votes will be placed on a ballot
3. The party receiving the most votes in the runoff election will be deemed the winner of the election

Section 4- Class Presidents

Section 5- Write-In Votes

Section 6- Withdrawal

1. Upon the absence of the president and vice president, the duties of the president of the senate shall follow this chain of command:
  - a. Senior senators, starting with the class president and continuing alphabetically with the surname
  - b. Junior senators, starting with the class president and continuing alphabetically with the surname
  - c. Sophomore senators, starting with the class president and continuing alphabetically with the surname
  - d. Freshman senators, starting with the class president and continuing alphabetically with the surname
  - e. Appointed senators, by date of installation
2. The respective senator shall hold the president's position until the office is filled according to the constitution

Section 7- Tie Votes

Section 8- Vacancies

A. Vacancies

In the event of vacancies in any position, which is to be filled by appointment, there shall be a minimum waiting period of one week, between the nomination and the Senate confirmation vote.

Section 9- Voter Eligibility

Section 10- Notification of Elections and Petition Deadlines

## **Article VI- Special Elections**

### Section 1- Recall Elections

### Section 2- Referendum Elections

### Section 3- Legal Initiative

### Section 4- Amendment Procedures Elections

## **Article VII- University Policies**

## **Article VIII- Registered Student Organizations**

## **Article IX- Constitution Approval**

## **Article X- Amendments**

### 20.2 Swearing In

1. Each inductee will be given an Oath of Office statement.
2. The inductee will read the Oath of Office Statement while holding their right hand in the air.
3. The new senator will sign the Oath of Office Statement subsequent to the swearing in, and signing the Oath of Office statement will further bind the Inductee to abide by the Student Association Constitution.

### 20.3 Key Policy

1. Each member in good standing shall be granted an office key for the sole purpose of working on Council projects. The office key shall fall under the jurisdiction of the Vice President who reserves the right of revocation in consultation with the Executive Board. No delegate may transfer his or her key to any undergraduate and any misconduct or inappropriate use of the key shall serve as grounds for dismissal from the Council. Any member who is expelled or resigns from the Council must promptly deposit the key with the Vice President at the time of termination of office, and all delegates must relinquish their keys by the final day of exams of the Spring Council session at the discretion of the Vice President.

### 20.4 Travel Policy

1. The vice-president shall reserve a vehicle no later than two weeks prior to departure.
2. In the event that no motor pool vehicles are available a “personal vehicle” may be taken to be used for business approved by the Student Association legislative body.
  - a. Personal Vehicles will only be driven by the owner of the vehicle.
  - b. Expenses for the personal vehicle will be paid for by the owner of said personal vehicle.
  - c. Reimbursement for personal vehicle travel will be paid to the owner of the vehicle according to state rates only for the mileage to and from the SDSM&T and the destination.
  - d. All passengers of the personal vehicle will be approved by the Student Association.
3. AQ ‘The vice-president shall reserve accommodations no later than two weeks prior to departure.
  - a. Only Student Association Senate sponsored participants will be allowed to stay in accommodations reserved for Student Association activities.
4. All travel expenses incurred by the Student Association Senate must directly benefit the SDSM&T SA.

- a. Motor pool vehicles will only be reserved and used by persons who are members of the Student Association executive or legislative body or by students acting on the behalf of or participating in legislative sponsored activities.
  - b. Accommodations will only be reserved for and used by persons who are members of the Student Association executive or legislative body or by students acting on the behalf of, or participating in Student Association legislative sponsored activities.
  - c. All participants in a legislative sponsored event are guaranteed a minimum maximum of three (3) meals daily.
    - i. Participants will pay for their meals out of pocket.
    - ii. Reimbursement for meals will only be issued by the Finance chair when he or she procures a receipt from the claimant for said meal.\
    - iii. Reimbursement for said meals will be given according to state rates for breakfast, lunch, and dinner.
    - iv. If travel accommodations provide a “continental breakfast” this meal shall replace the breakfast meal for the participants. Reimbursement will not be given if a “continental breakfast” is offered at the place of accommodation.
5. The SDSM&T Student Association will incur half (1/2) of the travel expenses of the Student Federation Director and/or Assistant Director while they are members of the SDSM&T student body for trips to Student Federation, BOR, and other Student Federations sponsored events.
6. All participants in a SDSM&T Student Association sponsored event must conduct their behavior in a manner that is respectful and positively representative of the entire student population.
- a. At no time is it acceptable for any participant to become excessively inebriated. This behavior constitutes an action that is not positively representative of the entire student population.
    - i. Actions that initiate or move the individual towards excessive inebriation are not positively representative of the entire student population.
    - ii. Actions that support individuals attaining a drunken state are not positively representative of the entire student population.
    - iii. Social drinking at permitting events is acceptable.
  - b. Formal noise complaints issued at hotel or elsewhere constitute behavior that is not respectful. The individuals assigned to the room and the responsible individuals will be held accountable for said complaint.
  - c. Actions that are physically aggressive toward other individuals do not represent the student population in a becoming manner.
7. All damages incurred to any property which is in use by the SDSM&T SA for a sponsored activity will be paid by the individual(s) involved in creating those damages.
- a. Reimbursement for the damages charged to individuals will be considered on a case by case basis by the SDSM&T SA Senate.
8. Individuals involved in violating the travel policy will be reprimanded according to the bylaws of the SDSM&T Student Association.