

---

# Student Association Constitution Bylaws

---

*As of April 2018*

---

## **Article 1 – Executive Branch**

### **Section 1: Duties and Powers of Officers**

#### **1. Student Association President**

- a. Chief Executive
  - i. The President shall have the power to demote, with a two-third majority of the Student Senate, any Committee Chair as long as a suitable replacement is concurrently appointed (with a two-third majority vote of the Student Senate).
- b. Veto
  - i. In the event that a resolution is vetoed during the last scheduled Student Senate meeting of the semester, a special session of the Senate must be called and chaired by the Vice-President so that the President can participate in the meeting directly.
  - ii. In the event that a resolution is vetoed, the Senate may make a motion to overturn the veto. This must happen only during the following Senate meeting.

## **Article 2 – Legislative Branch**

### **Section 1: Duties and Powers of Student Senate**

#### **1. Student Activities – Activity Reports**

- a. Definitions and Structure
  - i. ‘Activity Report’ shall be defined as a written report submitted regarding the activity of a student organization. These reports also serve to judge the uniqueness in purpose and benefit to the campus. These reports will be in conjunction with re-registration in the fall semester.
    1. A member of the Student Senate has the option to attend the student organization’s meeting that they do not hold membership within. This will serve as a method of checking up on organizations that have been placed on probation, especially for multiple semesters.
    2. An Activity Report from the organization will still be required regardless of whether a senator attends an organization’s meeting or not
    3. This is to mandate a report from every organization and to record the proper documentation
  - ii. ‘Active’ will be defined as an organization that has completed the Activity Report fully and completely and who’s Mines Link page is up to date. This organization must also have the required amount of officers and members, who are holding events that align with the mission statement in their constitution, and who hold meetings in ordinance with their constitution
  - iii. ‘Questionably Active’ will be defined as a submitted Activity Report that is not complete, not accurately completed, or is lacking in substance.
  - iv. Activity Reports shall be read by the Activity Review Committee (ARC) which is an ad hoc committee made up of the Student Association Constitution Committee and any other interested members. The status of an Activity Report, as judged by the committee, shall be either ‘Active’ or ‘Questionably Active’. Therefore, the committee exists to judge the status (active or inactive) of student organizations that have been deemed ‘Questionably Active.’
- b. Procedure
  - i. All organizations must be contacted within the first fourteen calendar days after the Activity Report form becomes open to remind them of the upcoming Activity Report due date. They

- must also be reminded no later than one week before the due date. The ARC must review all of the Activity Reports that are turned in to ensure activity amongst the organizations.
- ii. The ARC must review each activity report and judge each organization to be 'Active' or 'Questionably Active'
  - iii. 'Active'
    1. If the organization is deemed 'Active', no further action is required from the ARC.
  - iv. 'Questionably Active' Procedure
    1. The ARC must begin by emailing the 'Questionably Active' organization to set up a meeting to evaluate their activity. If the organization does not respond to the email within two weeks, the organization will be put on the probation.
    2. The ARC can waive sections of the Activity Report if sufficient evidence of activity has been provided by the organization
    3. If sufficient evidence is not provided by the organization, the organization shall be deactivated
  - v. Refusal to complete an Activity Report before the fall semester due date each semester implies inactivity. The due date for these Activity Reports will be within the second week of October. the first 45 calendar days of each semester. The ARC must check to see if every organization has completed an activity report.
    1. If an organization does not fill out a report, the ARC must email the officers of said organization within two-school days after the Activity Report deadline. 14 calendar days after the Activity Report deadline serves as a probationary period for organizations who have not submitted a report. During this probation period, the rights of the organization are revoked including, but not limited to: the ability to reserve rooms, access to on-campus advertising, and their SOAP funds are frozen.
    2. If an organization submits their activity report during this probationary period, their rights will be restored and they will be allowed access to their SOAP funds. A standardized penalty shall be taken off the organizations final SOAP funding allocation for the upcoming fiscal year. This standardized amount shall be determined by the SOAP committee each year.
    3. If an organization does not submit their Activity Report before the end of the probationary period, the deactivation of said organization will begin. A resolution to deactivate the organization must be proposed to the Student Senate at the first meeting after the ending of the probationary period. This resolution must also explain that said organization will have their accounts frozen and rights completely revoked. If the resolution as described above is passed, the organizations listed will 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.
    4. No Activity Reports shall be accepted after the resolution to deactivate the organization has been proposed. If the resolution to deactivate any organization fails, Activity Reports shall again be accepted until a new deactivation resolution has been proposed to the Student Senate.
    5. Any organization can be deactivated and dissolved through a resolution to the Student Senate and the signature of the Student Senate's advisers. This serves as a means to deactivate organizations that have misused their rights and/or misrepresented the school in any manner.
  - vi. Activity shall be considered on a "case-by-case" basis.
    1. Organizations Requesting SOAP Funding
      - a. Organizations requesting funding are required to hold a minimum of two publicized events each semester. "Events" can be defined as an activity hosted by an organization that may be attended by the entire student body. Funded organizations must have at least 10 members and four of those members must be officers to be considered 'Active'. If a funded organization has less than 10 members, the situation will be handled on a "case-by-case" basis by the Chief Financial Officer.
    2. Organizations Not Requesting SOAP Funding

- a. Organizations not requesting funding must have a minimum of one meeting a semester and must have at least three officers to be considered an 'Active' organization.
  - vii. For said organization to become existent again, it will follow those guidelines for groups wishing to become new student organizations.
- 2. **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.

## **Section 2: 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.

## **Section 3: Attendance**

1. **2.3.1: School Sponsored Activity and Excused Absence**
  - a. 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:
    - i. Prior to the meeting the senator notifies their committee chair and the Student Association Vice President
    - ii. The senator finds a proxy, of proper class standing, to fill their vacant spot during the meeting missed.
    - iii. The Senator continues fulfilling their duties outside of the meeting.
  - b. 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:
    - i. The senator talks to their committee chair before the next meeting and makes up anything that was missed.
    - ii. The absence from the meeting is approved by the President of the Student Association.
  - c. 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 committee chair.
  - d. These absences will not be counted as missed meetings unless the above requirements are not met.
2. **2.3.2: Proxy Form**

- a. If a Senator is to miss a Student Association meeting, he/she required to fill out a Proxy Form and turn it in to the Student Association office per instruction before the meeting he/she will miss.
3. 2.3.4: Recording an Absence
    - a. Only absences recorded in the approved minutes should be considered a missed Senate meeting.
    - b. 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 minutes to not be considered an absence.

## **Article 3 – Elections**

### **Section 1: Term of Office**

1. Executive Branch
  - a. The Student Association President and Vice President shall be sworn in the 4<sup>th</sup> to last regularly scheduled meeting of the spring semester and assume all responsibilities excluding fiscal decisions and approvals.
2. Legislative Branch
  - a. The Student Association Senate shall be sworn in at the 4<sup>th</sup> to last regularly scheduled meeting of the spring semester, following the swearing in of the Executive Branch.

### **Section 2: Election Day**

1. In the even that a party does not receive the majority of votes in a presidential election, a runoff shall be held, in which the following procedures will ensue:
  - a. The runoff election shall be held within a fortnight of the first election.
  - b. The two parties with the most votes will be placed on a ballot.
  - c. The party receiving the most votes in the runoff election will be deemed the winner of the election.

### **Section 3: 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 surname.
  - b. Junior Senators, starting with the class president and continuing alphabetically with surname.
  - c. Sophomore Senators, starting with the class president and continuing alphabetically with surname.
  - d. Freshman Senators, starting with the class president and continuing alphabetically with surname.
  - e. Appointed Senators, by their date of installation.
2. The respective senator shall hold the president's position until the office is filled according to the constitution.

### **Section 4: Vacancies**

1. 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.

## **Article 4 – Amendments**

## **Section 1: 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.

## **Section 2: Key Policy**

1. Each member in good standing and the secretary 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.

## **Section 3: 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 the state rates only for the mileage to and from SDSM&T to the destination.
  - d. All passengers of the personal vehicle will be approved by the Student Association.
  - e. Only Student Association Senate sponsored participants will be allowed to stay in accommodations reserved for Student Association activities.
3. All travel expenses incurred by the Student Association Senate must directly benefit the SDSM&T Student Association
  - 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 maximum of three 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 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.
  - d. The SDSM&T Student Association may incur half 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 Federation sponsored events.
  - e. 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.

- i. 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.
  - 1. Actions that initiate or move the individual towards excessive inebriation are not positively representative of the entire student population.
  - 2. Actions that support individuals attaining a drunken state are not positively representative of the entire student population.
  - 3. Social drinking at permitting events is acceptable.
- ii. 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 by the discretion of the Student Association President and Vice President.
- iii. Actions that are physically aggressive toward other individuals do not represent the student population in a becoming manner.
- f. All damages incurred to any property which is in use by the SDSM&T Student Association for a sponsored activity will be paid by the individual(s) involved in creating those damages.
  - i. Reimbursement for the damages charged to individuals will be considered on a case-by-case basis by the SDSM&T Student Association Senate.
- g. Individuals involved in violating the travel policy will be reprimanded according to the bylaws of the SDSM&T Student Association, with consequences determined at the discretion of the Student Association President and Vice President.
  - i. If the violator feels the consequences are not reasonable, an appeal may be submitted to the Student Association Senate and voted upon, with a two-third majority needed to uphold the consequences.
  - ii. Appeals must take place within two meetings after the event takes place.

## **Amendments**

Revisal of Deactivation Process and Activity Report Requirements – November 2016

Update of Formatting and Clarification of Previous Amendment – April 2017

Clarification of Activity reports-Spring 2018