

CAPITAL UNIVERSITY STUDENT GOVERNMENT

CONSTITUTION BY-LAWS

Article I – Senate

Section 1

Non-discrimination clause

Consistent with all applicable Federal and State laws and University policies, Student Government and its subordinate bodies and officers shall not discriminate on the basis of race, color, national and ethnic origin, sexual orientation, class, religion, gender, age, disability, or veteran status, or any other characteristic protected by law, in selection of officers and administration of programs and policies.

Section 2

- A. The cabinet shall be responsible for advancing the student representation mission of the organization and shaping the legislative agenda of the senate.
- B. The cabinet shall be chaired by the President and its membership shall include the Executive Vice President, Speaker of the Senate, Parliamentarian

Section 3

The Senate (Constitution, Article I) shall be responsible for the following:

- A. Actively seek out and represent the opinion of the student body to the University through the consideration of recommendations and resolutions.
- B. Regulate the operation of Student Government and its components by the consideration of legislation.
- C. Ensure all policies are being followed in accordance with the Constitution in all areas of Student Government.
- D. Attend constituent meetings as applicable
- E. Inform constituents of important Student Government and University issues, policies, and programs
- F. Serve as a member of one of the Senate standing committees, Unless a member of the Cabinet
- G. Be responsible for other duties as assigned by the Speaker of the Senate.

Section 4

There shall be three standing committees of the Senate: purple, gray, and white. Their duties shall include, but not be limited to the following:

- A. Consider issues regarding the academic experience of students such as, but not limited to, majors/minors, General Education requirements, academic advising and academic support services.
- B. Consider issues such as, but not limited to, university planning, facilities, technology, infrastructure, admissions, financial aid, vendor relationships, and university administrative support areas.
- C. Provide support and advocacy for student organizations, consider issues related to university programming, ministries, and multicultural affairs, consider issues regarding the out-of-class experience of students: residence and commuter concerns, campus safety, dining, health and wellness, recreation, and athletics.

Section 5

The ad-hoc Judicial committee will be formed upon necessity.

- A. This committee shall consist of the Student Government Parliamentarian, the Student Government Vice President, and one non-chair member from each of the standing committees. Members must be well-versed in comprehending Student Government rules and regulations.
- B. The three selected senators shall designate one member as the acting ad-hoc Judicial Committee Chair.
- C. Upon receiving a judicial appeal, the ad-hoc Judicial Committee will convene.
- D. The Chair will read the Senator's appeal and the Committee will deliberate [the appeal].
- E. Once the discussion has found its natural conclusion, the Committee will vote. Senators will vote first, then the Parliamentarian will vote next. In the case of a tie, the Student Government Vice President will have the tie-breaking vote.
- F. A three-fifths vote will determine the ruling either in favor of or against the appeal.
- G. Upon conclusion of the vote, the Chair will communicate the results of the ruling to the appellate.

Article II – Officer Position Descriptions

Section 1

The President shall:

- A. Serve as the official representative leader of Student Government
- B. Enforce the Constitution and By-Laws of Student Government.
- C. Delegate responsibilities to other members of Student Government
- D. Be present at all meetings of the Senate unless excused
- E. Serve as a non-voting member of Senate
- F. Take action on legislation upon approval by Senate (By-Laws, Article X)
- G. Create unpaid ad-hoc positions, as deemed necessary, which shall last no longer than the current term of the President
- H. Be an ex-officio, non-voting member of the Board of Trustees with speaking rights
- I. Be, through special invitation of the Undergraduate Faculty Executive Board, an ex-officio member of the Undergraduate Faculty with speaking rights

Section 2

The Executive Vice President shall:

- A. Assist the President in the coordination of all areas of Student Government
- B. Coordinate the process for appointing student representatives to Capital University Board of Trustees and other university committees (i.e. Parking Appeals Committee, Space Committee, Senior Soirée Committee).
- C. Be responsible for duties as assigned by the President
- D. Be present at all meetings of the Senate unless excused
- E. Assume all duties of the President in case of a leave of absence
- F. Report to the Executive Board
- G. Serve as a non-voting member of the senate, with full speaking privileges.

Section 3

The Communication Vice President shall:

- A. Be responsible for the oversight of all Student Government publicity, public relations, and communication
- B. Be present at all meetings of the Senate unless excused
- C. Report to the Executive Board
- D. Work directly with the Elections Committee for the purpose of publicity and publications.
- E. Create and distribute a functional application and information sheet at least two weeks prior to the end of their term for the position of Communication Vice President.
- F. Make available to the senate an agenda from each meeting of the executive board
- G. Promote Student Government and regularly update Student Government social media accounts
- H. Serve as a non-voting member of the senate, with full speaking privileges.

Section 4

The Financial Vice President shall:

- A. Serve as the chief financial and accounting officer of Student Government, coordinate all aspects of the budgeting and expenditure processes, and uphold the Financial Policies
- B. Submit budget reports to the Executive Board on a monthly basis during the fall and spring semesters
- C. Announce current budget at every Student Government General Body meeting and executive meeting
- D. Prepare for any external audits of Student Government
- E. Be present at all meetings of the Senate unless excused
- F. Respond to requests for public records, as appropriate
- G. Maintain close lines of communication to the Provost or designee, Office of Student and Community Engagement, and the Office of Finance
- H. Report to the Executive Board
- I. Create and distribute a functional application and information sheet at least two weeks prior to the end of their term for the position of Financial Vice President.
- J. Serve as a non-voting member of the senate, with full speaking privileges.

Section 5

The Speaker of the Senate shall:

- A. Set the agenda for and chair all meetings of Senate with no voting or tie breaking rights
- B. Distribute the agenda to all members of the Senate with no less than 24 hours prior to each Senate meeting
- C. Serve as an optional non-voting member of all Senate committees
- D. Appoint and direct Senate standing committees and chairs with consultation from the President.
- E. Submit regular legislative business to all Senators at least three class days before regular Senate meetings.
- F. Submit emergency legislation in accordance with Senate Standing Rules (By-Laws, Article IX)
- G. Create special Senate committees with the president as deemed necessary
- H. Report to the Executive Board.

Section 6

The Parliamentarian, who shall:

- A. Advise the Speaker of the Senate on Senate procedures regarding the conduct of meetings
- B. Educate the Senate regarding points of parliamentary procedure
- C. Attend all meetings of the Senate unless excused
- D. Be responsible for duties as assigned by the Speaker of the Senate.
- E. Assist in the discharge of the duties of the Speaker of the Senate.
- F. Ensure accordance with Senate procedures by the Speaker of the Senate and shall bring to the attention of the assembly any significant violation thereof.
- G. Record minutes of each meeting
- H. Distribute the minutes of each Senate meeting to Senators within 24 hours of the meeting ending
- I. Maintain updated versions of all Student Government governing documents (Constitution, Article VII, Section 4).
- J. Respond to requests for public records, as appropriate
- K. Serve as Speaker of the Senate should the Speaker be unable to attend

Article III – Ex-Officio Members of the General Assembly

Section 1

The Elections Coordinator, who shall:

- A. Be nominated and appointed by the Senate, but cannot run for President or Executive Vice President for the following academic year
- B. Chair the ad hoc Elections Committee
- C. Be responsible for the coordination of all Student Government elections and student referenda in accordance with the Election Rules
- D. Be responsible for duties as assigned by the Student Government Advisor(s).

Article IV – Eligibility for Office

Section 1

- A. Academic areas, for the purpose of the Senate, shall be defined as the five academic fields of the University: Conservatory of Music & Communication; Humanities; Management & Leadership; Natural Sciences, Nursing & Health; and Social Sciences & Education.
- B. The number of representative Senate seats from the academic areas shall be apportioned in accordance with the following formula:
 - 1. Each school will be represented by a minimum of three Senators
 - 2. Schools with 400-700 students enrolled will be represented by four Senators
 - 3. Schools with more than 700 students enrolled will be represented by five Senators
- C. Class standing, for the purpose of the Senate, shall be defined as first years, sophomores, juniors, and seniors, as indicated by a student's official designation with the Office of the Registrar.
- D. Each class will be represented by three Senators.
- E. The senate will also have four "at large" Senators that can be members of any department.
- F. Student Senators must maintain a 2.0 GPA and remain in good conduct standing with the university.

Section 2

All Senate candidates must be current members of their academic area or upcoming class at the time of election.

Section 3

No person shall simultaneously hold more than one of the following positions:

- A. Student Government Cabinet Member (By-Laws, Article II)
- B. Student Government Senator

Section 4

No Student Government Officer may simultaneously hold any of the following positions:

- A. Activities and Management Programming (AMP) Director of Programming
- B. Interfraternity Council (IFC)
- C. Interfraternity Music Council (IFMC) President
- D. Chimes Chief Editor
- E. Pan-Hellenic Council President

Article V – Attendance

Section 1

When a member of the Executive Board misses two Executive Board meetings without a valid written excuse, the officer shall be automatically removed from the Executive Board and the position declared vacant. All excuses for not attending an Executive Board meeting shall be submitted to the President within two class days before the meeting. The President shall determine the validity of excuses for absences from Executive Board meetings.

Section 2

- A. When a member of the Senate misses two Senate or Senate standing committee meetings without a valid excuse, the member shall be issued a warning from the Speaker of the Senate.
- B. When a member of the Senate misses three Senate or Senate standing committee meetings without a valid excuse, the member shall be automatically referred to the ad-hoc Judicial Committee.
- C. A valid excuse is defined as an excuse that is submitted to the Speaker of the Senate no less than two class days in advance of the missed meeting.

Section 3

Attendance is defined as; when the individual is present for the entirety of the meeting from roll-call to adjournment.

Section 4

The decision on the validity of an excuse can be appealed to the ad-hoc Judicial Committee.

Section 5

This constitution defines quorum as %50+1 of voting members must be in attendance.

Article VI – Vacancy in Office

Section 1

In the event of vacancy in the office of the President, the Executive Vice President shall become the President.

Section 2

In the event of vacancy of the Executive Vice President, a successor shall be appointed by the President, subject to approval by a two-thirds affirmative vote of the Senate.

Section 3

In the event of a simultaneous vacancy of the President and Executive Vice President, the Speaker of the Senate shall act in the place of the President until a campus-wide election can be conducted to replace the President and Executive Vice President.

Section 4

In the event of vacancy in the office of the Speaker of the Senate, a successor shall be selected by the Senate, subject

to approval by a two-thirds affirmative vote of the Senate.

Section 5

In the event of vacancy of a Senate seat, the Executive Board shall appoint a successor, following an application process open to all eligible students from the respective academic area or class, and after interview(s) conducted with finalists by the Executive Board and Advisor(s).

Section 6

In the event of vacancy of any position not previously mentioned in this article, a successor shall be selected by the Senate, subject to approval by a two-thirds affirmative vote of the Senate

Article VII—Impeachment and Removal from Office

Section 1

- A. A Student Government officer, assistant, or senator may be removed from office by the Senate for acting with impropriety, violating any code articulated in the Student Handbook, or failing to fulfill duties outlined in the Student Government governing documents.
 1. Impeachment proceedings begin with a submission of a complaint to an Advisor who will convene the ad hoc Judicial Committee for an investigation.
 2. The ad hoc Judicial Committee must allow the complainant and respondent to present their respective cases before the committee and may call appropriate parties to gain sufficient knowledge to determine a finding of responsibility for the charges presented. All committee hearings, deliberation, and voting will be conducted in closed session with a Student Government Advisor present.
 3. A three-fifths vote of the ad hoc Judicial Committee will be required to bring impeachment charges to the Senate.
 4. A two-thirds vote of the Senate shall be necessary to proceed with a public impeachment hearing. Such a hearing will take place at a regular or special meeting of the Senate at least three days following the vote to conduct the hearing.
 5. The ad hoc Judicial Committee Chair will present the findings and vote of the ad hoc Judicial Committee. The originating complainant and the respondent will also be invited to speak to the charges. The period of questions will be conducted in a public open session, the debate will be conducted in a closed senate meeting, and the vote will be recorded in a public open session.
 6. A two-thirds vote of the Senate shall be required to approve the ad hoc Judicial Committee's decision.

Section 2

Any person removed from an elected or appointed office through procedures other than the impeachment proceedings described in Section 1 has the right to file an appeal with the Judicial Committee Chair within 10 class days. The action/decision of the ad hoc Judicial Committee on appeal is final.

Article VIII— Student Referenda

Section 1

The members of Student Government (Constitution, Article III), by showing sufficient interest, shall have the power to call a student referendum. Sufficient student interest shall be defined as one of the following:

- A. The signatures and ID numbers of 15 percent of the Capital University undergraduate population attached to a petition outlining the referendum proposal
- B. A two-thirds vote of the Senate
- C. Upon proof of significant interest, the ad hoc Elections Committee shall place the referendum on the ballot. The referendum shall consist of the proposal and a short summary of the proposal.

Section 2

The referendum proposal shall be submitted to the Elections Committee two weeks before the spring or fall elections. Student referenda shall take place only during the spring and fall elections, except upon special request of two-thirds of the Senate, provided that the assembly provides at least 10 class days between the date authorizing the referendum and the referendum itself.

Section 3

The referendum results will be considered binding to the Student Government if 50% +1 of the voting student body (Constitution, Article III) votes in favor of the referendum.

Article IX – Senate Standing Rules

Section 1

Parliamentary Authority

- A. The parliamentary authority of the Senate shall be *Robert's Rules of Order, Newly Revised*, except where amended by the Constitution, By-Laws, or these Standing Rules.
- B. Ambiguous issues and/or errors in procedures contained within the Senate Standing Rules that prevent the Senate from conducting its business in a normal and ordinary fashion shall be subject to interpretation of the Parliamentarian and decision of the Speaker of the Senate.

Section 2

Speaking Privileges

- A. Senate meetings, unless held in executive session, are considered open and all members of the public are invited to attend and observe. Community members may speak at the time allocated for public comment or as approved by the presiding officer.
- B. Voting members of the Senate, the Student Government Advisor(s) and the Parliamentarian shall have full speaking privileges, upon recognition by the presiding officer.
- C. Non-students, including Capital University administrators or faculty, may attend Senate meetings, but may speak only if invited or approved by the presiding officer and shall not have speaking privileges during debate.

Section 3

Voting

- A. A senator must be physically present in order to cast a vote. Proxy or absentee votes may not be recorded.
- B. The calculation of votes needed to pass a motion or legislation will be determined by the number of all senators present and voting, including those who abstain from voting. A quorum requires at least 50% of the voting members to be present.
- C. The President, under consultation from the Advisor(s) may call for a special vote on any matter so long as a majority of the Senate is present.

Section 4

Consideration of a Motion

- A. All motions calling for approval of a bill, recommendation, resolution, or amendment must first be reviewed by a Senate standing committee
- B. Motions properly moved for consideration shall be introduced by up to four authors of the legislation, taken in order their names appear on the legislation. This introduction shall take place immediately after the motion has been appropriately moved and seconded. The time allocated for authors to introduce the legislation shall be no more than eight minutes and shall not be extended.
- C. Following the introduction there shall be a period of questions
 1. Questions shall be asked only by senators. There shall be no time period on the overall period of questions. Questions may be asked of anyone present and non-senators may respond to questions, at the discretion of the Speaker of the Senate.
 2. The Speaker of the Senate may limit the overall period of questions in announced prior to the consideration of the motion. A two-thirds vote of the Senate will be required to override the limits of the chair.
 3. The chair shall also intervene and select who shall ask or answer questions if, in the opinion of the chair, there is need to do so to facilitate the process of inquiry.
- D. After the time for questions has been expended or if there are no further questions, the Senate shall move into debate.
 1. Only senators are permitted to speak in debate. Each time a senator speaks s/he shall be limited to a period of three minutes.
 2. Senators shall be permitted to speak either in support of or in opposition to a motion. The senator may also make a motion to move the previous question (end debate) or introduce an amendment to

- the legislation.
3. The Speaker shall seek viewpoints both for and against the bill, with a minimum of two arguments either for or against the bill.

Section 5

Standing Committee Structure

- A. Committees, standing or special, shall conduct business as detailed in this section.
- B. A committee shall consist of all Senators appointed to it plus any ex-officio members of the Senate who choose to be present.
- C. The President, Speaker of the Senate, and Parliamentarian shall be ex-officio members of all committees of the Senate.
- D. After the meeting is called to order, the committee shall conduct its business in parliamentary fashion according to *Robert's Rule of Order, Newly Revised*, except where these Standing Rules conflict.

Section 6

The Operations Of a Meeting

1. The Meeting will be called to order by the speaker of the house, which will be followed by attendance as directed by the parliamentarian. If quorum is not met at a meeting, no voting on legislation will be held until quorum has been reached.
2. Next will be a time for public comment, in which any non-senator will be allowed to speak on anything on the docket for that meeting, or any special topics as allowed by the speaker.
3. Next will be a time for senators to relay student feedback they have received since the last meeting. This time may not exceed 10 minutes.
4. Next will be committee chair reports. Each committee chair must report the key takeaways from their most recent meeting, and must answer any questions asked by the senate. These reports shall not exceed 3 minutes for each committee chair.
5. Next will be time for any presentations of guest speakers, this will be under the direction of the speaker, and this time may not exceed 15 minutes unless otherwise allowed by the presiding officer.
6. Next will be time for new business. All actions which must be voted on by the senate will be heard during this time. These proceedings will follow all outlines as described in Article X.
7. Next will be time for reviewing any updates on old business, which is at the discretion of the speaker.
8. Finally the meeting will conclude with the closing remarks of the executive board, faculty advisor, and end with a motion of adjournment.

Article X – Legislation Passed by Senate

Section 1

- A. Any Senator wishing to author and pass legislation must have completed legislative training at least once in their Student Government career. To complete legislative training, a Senator will take one of the following actions:
 1. Attend a General Assembly during which the legislative authoring procedure is taught.
 2. Meet with a knowledgeable member of the Executive Board who shall teach the Senator [the legislative authoring procedure].
 3. Meet with a knowledgeable Committee Chair who shall teach the Senator [the legislative authoring procedure].
- B. A record must be taken of all Senators who have completed their legislative training by the Committee Chair and then sent to the Speaker of the Senate. At the end of the academic year/Student Government term [of that year], the record may be disposed of and a new one will begin for the following year.

Section 2

- A. For any legislation, upon passage by Senate, the President will take one of the following actions:
 1. Sign the legislation, making it effective immediately.
 2. Veto the legislation, and return it to the Speaker of the Senate within three (3) class days of receiving the legislation.
 3. Take no action, whereupon the legislation will take effect five (5) class days after receiving it from

the Speaker of the Senate.

Section 3

- A. If the President vetoes legislation, the Speaker of the Senate shall notify the Senate. This notification shall be made at the next regular or special Senate meeting and the Speaker of the Senate shall seek a motion to consider veto-override procedures for the legislation. If the motion is so made and seconded, the veto-override procedures shall begin.
 - 1. The original authors of the legislation are given time to reintroduce the motion.
 - 2. Once the authors have concluded, the President is allowed a period of four minutes to summarize why a decision to veto the legislation was made. The President's time shall not be extended unless approved by a two-thirds majority vote of the present Senate.
 - 3. Questions on the motion shall follow (Robert's Rules of Order).
 - 4. Debate of the motion shall follow (Robert's Rules of Order).
 - 5. Once debate is exhausted, voting to override the veto on the legislation shall take place.
 - 01. Any legislation originally requiring a simple majority vote of the Senate for approval requires a two-thirds majority vote of the Senate to override the President's veto.
 - 02. Any legislation originally requiring a two-thirds majority vote of the Senate for approval requires a three-fourths majority vote of the Senate to override the President's veto.
 - 03. If the President's veto is overridden, the signature of the President is no longer necessary, making the legislation effective immediately, pending any other required approvals.

Article XI—Student Government Financial Rules

Section 1

Student Government Operations Fund

- A. The Executive Board shall expend funds with the permission of the President. Any expenditures by the executive board must be announced to the senate body. In which they can, by two-thirds majority, override the expenditure of funds.
- B. The Senate shall expend funds with the permission of the executive board. If the executive board shall disagree with the expenditure of funds, they can by majority vote of the executive board override the speaker.
- C. The Executive Board and Senate Committee Chairs shall be required to provide a written request, or form developed by the Finance Vice President.
- D. The ad hoc Judicial Administrator may review and/or investigate the transactions for financial misconduct.

Section 2

Compensation

- A. For serving on the executive board and each position shall be compensated as follows:
 - 1. President-\$1000
 - 2. Executive Vice President-\$750
 - 3. Speaker of the Senate-\$750
 - 4. Financial Vice President-\$750
 - 5. Communications Vice President-\$750
 - 6. Parliamentarian-\$750
- B. Compensation is annual compensation for the term of office. The stipend will be paid at the end of the fall and spring semesters.
- C. A prorated amount will be paid if an officer has to step down from their office for personal reasons. This amount will be calculated based upon the number of months completed in the term.
- D. If an officer is removed/impeached from office, they shall not receive any further compensation.

Article XII— Student Government Election Rules

- A. The ad hoc Elections Committee shall be chaired by the Elections Coordinator and additional members shall include the Communication Vice President and other members deemed necessary by the Elections Coordinator with consultation from the Student Government Advisor(s).
 - 1. The Election Coordinator shall be appointed by the president and confirmed by the Senate through a majority vote.

2. The Communications Vice President will work directly with the Elections Coordinator to promote, and organize the structure of the elections
- B. The ad hoc Elections Committee will develop an elections packet.
 1. A candidate application and personal statement form, a candidate eligibility form, regulations for campaigning, elections procedures and dates, an informational meeting date, any additional information that the ad hoc Elections Committee deems necessary, and financial restrictions of \$500 dollars for a campaign will all be included in this packet.
 2. The elections packet, including the candidate application, must be made available at least two weeks before the elections.
 3. This election packet may take the form of an online form.
- C. The ad hoc Elections Committee is responsible for collecting all receipts from campaign expenditures.
- D. The ad hoc Elections Committee will facilitate any campaign forums or debates.

Article XIII—Amendments

1. All Amendments must be submitted to the speaker of the house three days prior to the general body meeting. The speaker must allow the amendment to be added to the docket for the meeting and must allow it to be heard on the floor.
2. The senator proposing the amendment will be allowed a maximum of five minutes to explain their reason for the amendment. Then there will be time for questions to the author bound by no time limits, followed by open discussion which will be bound by no time limits.
3. The president of the senate will be in charge of facilitating discussion and recognizing speakers.
4. Only senators will be allowed to comment on amendments.
5. All members of student government will be allowed to vote on amendments to the constitution including any otherwise ex-officio members.
6. These Constitutional By-Laws may be amended by a two-thirds vote of the Senate. The amendment shall become effective upon approval by the Provost or designee.

Article XIV — Elections

Section 1

Time of elections

- A. Elections for general body members shall be at two distinct times. One at the start of the academic school year, and one at the end of the academic year for the purpose of electing the next year's senate.
- B. Elections for executive officers shall be held in the spring semester with exact dates determined by the elections committee.

Section 2

Order of Executive Elections

- A. President and vice president shall be elected together. This shall be the first election of the spring semester, unless otherwise necessary as per the constitution.
- B. The President and Vice president shall appoint a Vice president of communications, Vice president of finance, and elections coordinator. These appointments must be approved by a majority of the senate.
- C. The Speaker of the Senate shall be elected after all executive appointments have been confirmed. The speaker of the senate must be elected from the existing senate by majority vote. All other appointments can be anyone in the student body.
- D. The newly appointed elections coordinator will not assume the position until the start of the next school year.
- E. The parliamentarian will be appointed by the speaker of the senate, and must be approved by a majority vote of the senate. This can be any member of the student body.