



South Dakota Student Federation Constitution & Bylaws

Preamble

We, the students of public institutions of higher education in South Dakota, in order to provide an effective student government, do set forth this Constitution and Bylaws.

Article I. Name

The name of this organization shall be the South Dakota Student Federation, hereafter referred to as the Student Federation.

Article II. Purpose

Section 1. The Student Federation shall provide a communication network in which students, faculty, administration, and staff of public institutions of higher education in the State of South Dakota; the South Dakota Board of Regents, and South Dakota Legislators will work in concert to solve problems.

Section 2. The Student Federation shall ensure students' representation in decisions affecting the quality of student life and education for students of public institutions of higher education in South Dakota.

Section 3. The Student Federation shall take a leadership role in educating the students of South Dakota on the importance of participating in the governing of their campus and their country.

Section 4. The Student Federation shall remember that it is an elected body chosen to represent the students of South Dakota and is required to defend the interest of the students.

Section 5. The Student Federation shall primarily be a student organization with the central focus of lobbying for higher education. This lobbying will take place at both the Board of Regents and legislative levels.

Section 6. The Student Federation will establish relationships with the Board of Regents and legislative leaders of the state, ensuring cohesion among all three bodies and creating a stronger understanding among students, Regents and legislators.

Section 7. The Student Federation resolves to share ideas and resources among member institutions in the spirit of impactful collaboration and mutual helpfulness.

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Article III. Membership

The student bodies of the following universities shall comprise the official membership of the Student Federation: Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines & Technology, South Dakota State University, and the University of South Dakota.

Article IV. Executive Branch

Section 1. Officers

- A. The officers of the Student Federation shall be the Executive Director and the Chairperson.
- B. Eligibility: At the time of election, the Student Federation Executive Director and Chairperson must fulfill the following requirements and maintain them throughout the term.
 - 1. Must be a fees-paying student at one of the Student Federation member institutions.
 - 2. Must be registered in at least six (6) credits at his/her home institution per semester.
 - 3. Must hold a minimum cumulative grade point average of 2.5 on a four-point scale.
 - 4. Must be in good conduct standing with his/her home institution.
- C. Multiple offices: No officer shall hold more than one office concurrently.
- D. Multiple terms: Any officer may serve more than one (1) term if re-elected.
- E. Training of successors: The officers shall be responsible for training their successors at no extra cost to the Student Federation

Section 2. Elections

- A. Term of office: The officers shall serve a term of one (1) year, beginning at the April meeting of the Student Federation. If for some reason an officer is unable to complete his/her term, the officer should, when appropriate, submit his/her resignation in writing two (2) weeks prior to his/her last day in office.
- B. Nominations: Nominations for the positions of Student Federation Executive Director and Chairperson must be submitted to the current Executive Director or Chairperson two weeks prior to the final (election) meeting of the spring term. Nominations are to be submitted by a member of the Board of Directors of the home institution in which the interested party is enrolled. Nominations should include a brief biography of the candidate along with a paragraph outlining relevant experience/skills pertinent to the position for which they are applying. Nominees will speak before the Board of Directors prior to the election. A simple majority vote of the Board of Directors will be required to appoint those officers.

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C. Vacancies

1. In the event of a vacancy in the office of the Executive Director, the Board of Directors shall, by a two-thirds vote, appoint an acting Executive Director. The acting Executive Director shall set a date, approved by a two-thirds vote of the Board of Directors, on which a special election will be held to elect a new Executive Director. This special election will require a two-thirds vote of approval by the Board of Directors. Until the special election is held, the acting Executive Director shall assume all powers and duties of that office.
2. In the event of a vacancy in the office of the Chairperson, the Executive Director shall, with a two-thirds vote of approval by the Board of Directors, appoint a new individual to fill the position.
3. Upon simultaneous vacancy, the Board of Directors shall appoint a chair to chair the Board of Directors meeting until an election to fill the vacant offices is conducted.

D. Removal

1. In the event that an officer no longer meets eligibility requirements or duties outlined in the Bylaws, they may be removed by the Board of Directors.
 - a. The Internal Affairs Committee shall investigate the allegations and shall recommend action to the Board of Directors.
 - b. If the Internal Affairs Committee recommends removal, a vote of two-thirds of the Board of Directors shall be required for removal.

E. Removal by Election

1. Upon three-fourths vote of the Board of Directors, a special election shall be arranged for the removal of either officer.
 - a. The special election may not be held during the summer recess nor during periods when classes are not in session.
 - b. Notice of the elections must be distributed to all members of the Board of Directors, and by extension, the student senates of each member institution, at least one (1) week prior to the election.

Section 3. Powers

A. Executive Director

1. Shall, in cooperation with the Chairperson, call special meetings of the Student Federation with at least 24 hours' notice.
2. Shall report at each Student Federation meeting on the achievements and failures of the Student Federation and its officers.
3. Shall vote only in the event of a tie situation or to create a tie among the Student Federation Board of Directors.
4. Shall actively lead the Student Federation at all Student Federation functions.

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5. Shall actively lead and supervise the Executive Branch of the Student Federation.
6. Shall attend all regular Student Federation meetings unless absences are excused by a majority vote of the Board of Directors two (2) weeks prior to the meeting.
7. Shall maintain regular contact with the South Dakota Board of Regents.
8. Shall carry out lobbying duties as directed by the Board of Directors. These expectations shall be articulated weekly by the Board of Directors during legislative session conference calls.
9. Shall participate in weekly legislative conference calls conducted by the South Dakota Board of Regents office. If the Executive Director cannot participate, he/she shall name a proxy to participate in his/her place.
10. Shall maintain regular contact with the Student Federation Chairperson.
11. Shall take minutes of Student Federation meetings, or shall appoint someone to do so.
12. Shall be in charge of planning Students for Higher Education Days (SHED).
13. Shall compile a transition report to present at the final meeting of each term.
14. Shall compile a legislative relations plan that will assign legislative districts to relevant Student Federation member institutions.
 - a. This plan shall be adopted by a majority vote by the Board of Directors.

B. Chairperson

1. Shall preside over Student Federation meetings.
2. Shall not vote.
3. Shall create and distribute an agenda to the Board of Directors one (1) week prior to the student senate meetings of each member institution immediately preceding the Student Federation meeting.
4. Shall ensure that Student Federation members receive information requested in a timely manner.
5. Shall, in cooperation with the Executive Director, call special meetings of the Student Federation with at least 24 hours' notice.
6. Shall, in the event of an absence of the Executive Director, appoint a member of the Student Federation to take minutes of Student Federation meetings.
7. Shall attend all regular Student Federation meetings unless absences are excused by a majority vote of the Board of Directors two (2) weeks prior to the meeting.
8. Shall compile a transition report to present at the final meeting of each term

Section 4. Compensation: The Executive Director and Chairperson shall receive compensation for their services from the dues paid by the Student Federation members.

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Article V. Legislative Branch

Section 1. Board of Directors

- A. The governing body of the Student Federation shall be the Board of Directors.
- B. The Board of Directors shall be comprised of twelve (12) directors, with a pair of directors representing each member institution.
- C. The Board of Directors shall be comprised of the student government presidents and vice presidents of each member institution, or their appointee(s), as approved by the Executive Director.
- D. Director Duties
 - 1. Shall attend Student Federation meetings and may not accumulate more than two (2) unexcused absences per year.
 - 2. Shall maintain frequent contact with the presidents of their respective institutions.

Section 2. Powers of the Board of Directors

A. Voting

- 1. A consensus of members of the Board of Directors present and voting must be obtained in order to take a stance on behalf of the Student Federation as a unified body.
 - a. Consensus shall mean unanimous agreement among the members of the Board of Directors present and voting.
 - b. Members of the Board of Directors may abstain from voting if the student senates of their respective institutions have not come to an official stance at the time of the vote.
 - c. If more than two member institutions, the equivalent of four (4) members of the Board of Directors, abstain from voting on an item, consensus shall not be possible and the vote shall be null and void.
 - d. If consensus is not obtained, it shall be the responsibility of each institution to represent its own interests on its own behalf.
- 2. A proxy vote may be permitted under the following guidelines:
 - a. The Executive Director excuses the director prior to the vote.
 - b. Acceptable absences include illness, conflict with testing, family emergency, adverse weather conditions, or university excused absence.
 - c. Unacceptable absences include studying for a class/test, employment obligations, other campus organization meetings, or failure to remember scheduled meeting time or place.
 - d. Failure to proxy a vote for an excused absence from any meeting shall automatically result in an unexcused absence.
 - e. All of the above guidelines are subject to the discretion of the Executive Director.

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B. Legislation

1. No legislative act shall violate the Bylaws of the Student Federation.
2. All legislation shall be recorded as an ordinance or a resolution.
 - a. Ordinance: Any formal action taken by the Board of Directors that affects the operation of the Board of Directors and/or the Student Federation shall be known as an ordinance. An ordinance, until altered by subsequent acts of the Board of Directors, is a legislative act that binds both current and future legislative action.
 - b. Resolution: Any act taken by the Board of Directors of a temporary character or for the purpose of requesting or commending action by organizations or persons outside the authority of the Student Federation shall be known as a resolution.
3. Voting
 - a. Ordinances
 - i. Ordinances shall receive two (2) readings before the Board of Directors.
 - ii. Ordinances shall receive no vote upon the first reading.
 - iii. Approval of an ordinance following the second reading shall require an unanimous vote by roll call.
 - iv. Ordinances failing passage shall receive no further legislative action for the remaining academic year.
 - v. The Chairperson shall have discretion whether amendments incurred at a second reading significantly affect the intent of a given ordinance so as to warrant an additional reading.
 - vi. Upon enactment, ordinances may be amended or repealed by a majority vote following prescribed rules of conduct.
 - b. Resolutions
 - i. Resolutions shall receive one (1) reading before the Board of Directors.
 - ii. Resolutions may be passed by a unanimous vote following the first reading.
 - iii. Upon enactment, resolutions may be amended or repealed by majority vote.
4. Proposal of Legislation
 - a. Upon enactment, new legislation that conflicts with existing resolutions or ordinances shall have precedence.
 - b. Legislation shall require the sponsorship of at least two (2) members of the Board of Directors representing at least two (2) different institutions.

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5. Documentation

- a. Proposed legislation must designate in typewritten form the date, whether the item is a resolution or ordinance, the names and institutions of the sponsors, a title, and a description of the proposed legislation.
- b. Upon enactment, ordinances and resolutions shall be maintained in a document to be known as the Student Federation Code.

C. Meetings

- 1. Regular meetings of the Student Federation shall be held monthly. The Student Federation shall meet weekly during South Dakota's legislative session or as determined by the Executive Director and Board of Directors.
- 2. The Board of Directors has the power to call a special meeting upon 24 hours' notice by submitting to the Chairperson a written request signed by half of the Board of Directors membership.
- 3. A quorum of at least a majority of the Board of Directors (7 members) representing at least five (5) of the six (6) member institutions shall be necessary to conduct business.
- 4. *Robert's Rules of Order, Newly Revised* shall be the parliamentary authority.

D. Shall form committees on an as-needed basis.

Article VI. Finances

Section 1. Funding

- A. All funds of the Student Federation shall be deposited to the credit of the South Dakota Student Federation at South Dakota State University by the Financial Program Assistant. All applicable accounting procedures of the institution shall be followed.
- B. The Executive Director shall submit a budget proposal to the Board of Directors at the December Student Federation meeting to be voted on at the March Student Federation meeting.
- C. The yearly dues of the Student Federation shall be a flat fee for each member institution not to exceed eight-hundred (800) dollars. These dues shall not be expended to reimburse expenses of the officers or delegates with the exception of the Executive Director.

Section 2. Records

- A. All books and records of the Student Federation may be inspected by any member or their agent or attorney for any proper purpose at any reasonable time.
- B. The Executive Director or the Chairperson shall sign all checks, drafts, or orders for the payment of money issued in the name of the Student Federation.
- C. The Board of Directors, by a two-thirds vote, may authorize the Executive Director to enter into or execute any not or other evidences of indebtedness.

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- D. The member institutions shall make payment of dues in full within six (6) weeks after notification. Failure to comply will result in a suspension of all votes on any Student Federation matters until dues are paid. All suspensions of voting privileges are subject to approval by the Executive Director.
- E. The fiscal year shall coincide with the term of office for the Student Federation Executive Director.

Article VII. Internal Affairs Committee

Section 1. Purpose

- A. The Internal Affairs Committee shall conduct hearings to determine the validity of complaints brought against any Student Federation member.
- B. The Internal Affairs Committee may formalize complaints and present them for hearings before the Student Federation or dismiss the complaints.
- C. If the Internal Affairs Committee finds the charges to have merit, the Internal Affairs Committee will then present formal complaints at the next regular Student Federation meeting.

Section 2. Positions

- A. The Internal Affairs Committee shall be comprised of a chairperson and four (4) committee members.
 - 1. The four (4) committee members shall be comprised of two (2) Student Federation members appointed by the Board of Directors and two (2) Student Federation members appointed by the Executive Director.
 - 2. The members appointed by the Board of Directors may include, but are not limited to, members of the Board of Directors.
- B. The Board of Directors will appoint the chairperson of the Internal Affairs Committee by a majority vote.
- C. Initiating the process, all formal complaints will be submitted to the Student Federation Executive Director or Chairperson prior to the formation of the Internal Affairs Committee.

Section 3. Disqualifications

- A. After the formation of an Internal Affairs Committee, if charges are brought against any Internal Affairs Committee member, that member shall be suspended until the Internal Affairs Committee has made a decision.
- B. By a two-thirds vote, the Student Federation shall select a replacement member to serve for the duration of the Internal Affairs Committee hearing. Replacement members need not be members of the Board of Directors.

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Section 4. Jurisdiction: Officers and directors who do not perform or meet their duties and qualifications specified in these Bylaws are subject to the jurisdiction of the Internal Affairs Committee.

Section 5. Initiating Internal Affairs Committee Proceedings

- A. Any Student Federation member may present complaints.
 - 1. Complaints must be presented in writing with supportive documentation, the signature of the member making the complaints, and the date said complaints are being brought.
 - 2. Upon receipt of complaints by the Student Federation Executive Director or Chairperson, the Internal Affairs Committee will convene. At least one (1) week before the hearing to review the complaints, the chairperson of the Internal Affairs Committee will present the charged member with written notification. Said notification shall include the complaints and the time and place of the hearing.
- B. The Internal Affairs Committee reserves the right to seek outside information and request expert interpretations as may be deemed necessary.
- C. The Internal Affairs Committee, while responsible for delivering a timely recommendation to the Student Federation, reserves the right to make a careful and slow deliberation.

Section 6. Confidentiality

- A. All proceedings and events discussed while the Internal Affairs Committee is in session are confidential. Under no circumstances shall an Internal Affairs Committee member reveal to any non-member the complaints made against the Student Federation member. The name of the charged member shall remain confidential.
- B. When a final disposition of the complaints is made, the Executive Director will prepare and dispense a press release. Press releases shall include a formal letter to the Board of Directors. Members of the Board of Directors may distribute them to their respective student governments.

Section 7. Rights of the Charged Student Federation Member(s)

- A. The charged member(s) shall receive written notice one (1) week before commencement of any hearing(s) relevant to the charges.
- B. The charged member(s) has the right to have counsel present at the Internal Affairs Committee hearing and charged member may present to the Internal Affairs Committee any information in his/her defense. Counsel will be allowed to offer advice but will not be entitled to participate in the Internal Affairs Committee hearings in any other capacity.

Section 8. Dismissal: A majority of the Internal Affairs Committee members must vote in favor of the charges to initiate a Student Federation hearing. If a majority is not reached, the charges will be dismissed.

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Section 9. Initiating Federation Hearings

- A. If a majority of the Internal Affairs Committee members decide the charges are sufficient to merit a full Student Federation hearing, the Chairperson shall place this item first on the agenda at the next regular Student Federation meeting.
- B. The Student Federation shall, by a two-thirds vote, take action on the recommendation of the Internal Affairs Committee. The charged member(s) is/are suspended at this time and therefore have no vote in these proceedings.
- C. All decisions reached by the Internal Affairs Committee and the Student Federation are binding. There is no recourse of action or appeal.

Section 10. Removal

- A. Following presentation of the charges by the Internal Affairs Committee chairperson, the Student Federation shall hold a hearing.
- B. The sole penalty the Student Federation may impose is a removal from office. To remove a Student Federation member, the Student Federation must attain a three-fourths vote of all members.
- C. The accused Student Federation member may attend, but he or she will be considered temporarily suspended from office until a vote is taken.

Section 11: Appeal

- A. Should an accused Student Federation member wish to appeal a decision of the Internal Reviews Committee to the Student Federation Board of Directors, they may do so by filing a written request to the Student Federation Executive Director or Chairperson at least one (1) week after notification of the original decision.
 - a. The Board may overturn the original decision with a three-fourths vote of all members.
- B. Should an accused Student Federation member wish to appeal a decision of the Student Federation Board of Directors to the member institutions' student governments, they may do so by filing a written request to the Student Federation Executive Director or Chairperson at least one (1) week after the original decision.
 - a. The member institutions may overturn the original decision with a three-fourths vote of all member institutions.
 - b. The Chairperson will be responsible for communicating with the Federation members to conduct this appeal.

Article VIII. Amendment and Ratification

Section 1. Amendments to the Bylaws

- A. Amendments may be brought forth by a member of the Board of Directors.
- B. Readings
 - 1. Amendments shall receive two (2) readings before the Board of Directors with no vote upon the first reading.

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2. The Chairperson shall have discretion whether any amendments incurred at the second reading significantly affect the intent of a given amendment so as to warrant an additional reading.

C. Voting: An amendment may be approved following the second reading with a two-thirds majority vote of the Board of Directors.

Section 2. Ratification: This Constitution and Bylaws shall require a two-thirds vote of approval by the Student Federation Board of Directors to be ratified. This document must have the most recent ratification date on each draft.

Article IX. Oath of Office

The following Oath of Office will be recited by the outgoing Executive Director and the incoming Executive Director at the April Student Federation meeting. The new Executive Director will then administer the Oath of Office to the new Chairperson and Board of Directors at the following meeting.

"I, [name], solemnly swear that I shall faithfully execute the office of [position] of the South Dakota Student Federation. I shall, to the best of my ability, preserve, protect, and defend the Constitution of the South Dakota Student Federation."

Article X. Board of Regents Compliance

Section 1. Discrimination Clause: We, the South Dakota Student Federation, agree to refrain from discrimination practices based on race, color, creed, age, veteran status, marital status, gender identity, sexual identity, disability, and sexual orientation.

Section 2. Drug and Alcohol Policy: We, the South Dakota Student Federation, agree to adhere to the alcohol, marijuana and controlled substances policy of the Board of Regents of South Dakota as laid out in the Student Code of Conduct.

**Submitted and proposed by the Bylaws Ad-Hoc Committee to the Board of Directors:
March 25, 2019.**

Approved by the Board of Directors on April 2, 2019.