

## **Student Association Constitution**

Re-adopted March 25<sup>th</sup>, 2003

Updated January 29<sup>th</sup>, 2003

Adopted September 18<sup>th</sup>, 1962

### **Preamble**

Accepting the responsibility of citizenship, we, the students of Concordia College, do hereby establish the Concordia College Student Association and the following Constitution, which shall govern our organization. The power and the provisions of the Constitution have been derived from and are consistent with the Concordia College Corporation Charter.

### **Mission**

To develop strong, viable relations between the faculty, the administration, and the students of the college community; to further enhance the quality of life and education of the college; and to act as the official representatives of the student body subject only to the will of the students at large.

### **Article I. General Structure and Powers**

Section 1. The name of this organization shall be the Concordia College Student Association.

Section 2. All members of the Concordia College Student Body carrying at least three full courses per semester are members of Concordia College Student Association and have the right to seek office within it, regardless of race, color, creed, age, disability, gender, sexual orientation, national origin, or religious affiliation.

Section 3. The Concordia College Student Association shall be comprised of three branches: the Executive, the Student Senate, and the Judicial Council.

Section 4. Any member of the Concordia College Student Body in an elected or appointed position within the Concordia College Student Association shall be referred to as a Student Association Official.

Section 5. All Concordia College Student Association Officials and Candidates for positions within Student Association must meet the following academic requirements:

Clause 1. All Student Association Officials and Candidates shall hold and maintain a cumulative GPA of 2.5 or higher.

Clause 2. Student Association Officials following election, failing to maintain a cumulative GPA of 2.5 or higher will be put on probation for the period of one semester where in they may maintain their office and the responsibilities of that office.

Clause 3. Student Association Officials failing to achieve a cumulative GPA of 2.5 after one semester of probation will be removed from offices.

Clause 4. The Director of Student Programming shall be responsible for verifying, by yes or no answer from the Registrar, the cumulative GPA requirement at the beginning of each semester.

Section 6. The Student Association shall provide the means for carrying out duties assigned to it under the Student Rights and Responsibilities Document and of advancing and effecting student concerns.

Section 7. No student may hold more than one office within the Concordia College Student Association.

Section 8. Membership shall be defined as follows

Clause 1. The total membership shall be all members presently in office within each respective body.

Clause 2. Voting membership shall be all members present at proceedings within each respective body.

## **Article II. The Executive Branch**

Section 1. The President of Student Association

Clause 1. Must be a current member of the Concordia College Student Body and have completed at least one full semester at Concordia College prior to his/her election.

Clause 2. Must be duly elected and shall hold a term of office starting the first Tuesday in April of the spring semester in which they were elected and ending on the first Monday in April of the following spring semester.

Clause 3. Shall be the official representative of Student Association in all matters with other bodies within the college and shall be the spokesperson of the ideas and plans of Student Association to those bodies.

Clause 4. Shall be responsible for enforcing and upholding the Student Association Constitution.

Clause 5. Shall preside over the Council of Commissioners as a non-voting member, except in the case of ties.

Clause 6. Shall have the power to sign into effect all motions passed by the Council of Commissioners and the Student Senate.

Clause 7. Shall have the power of item veto over any motions or allocations passed by the Council of Commissioners and the Student Senate, or subcommittee thereof, which must be returned to all members of the appropriate body within seven days of its passage accompanied by a list of reasons for the veto.

Clause 8. Shall have the power and responsibility to appoint members to the Judicial Council, Council of Commissioners, and the Student Business Office Treasurer with approval of the Student Senate.

Clause 9. Shall have the power to appoint members of the Student Body to college committees (as specified in the Bylaws).

Clause 10. Shall maintain communications with alumni, Board of Regents, and other friends of the college.

Clause 11. Shall have all the responsibilities not assumed by other persons in the Constitution or Bylaws.

Section 2. The Vice President of Student Association

Clause 1. Must be a current member of the Concordia College Student Body and have completed at least one full semester at Concordia College prior to his/her election.

Clause 2. Must be duly elected and shall hold a term of office starting the first Tuesday in April of the spring semester in which they were elected and ending on the first Monday in April of the following spring semester.

Clause 3. Shall assume the duties of the President in the instance of an absence or incapacitation of the President.

Clause 4. In the instance of a permanent absence, incapacitation or resignation of the President, the Vice President shall assume the office of President.

Clause 5. Shall serve as parliamentarian of the Student Senate.

Clause 6. Shall administer all elections.

Clause 7. Shall be a voting member of the Council of Commissioners unless assuming the duties of the President.

Clause 8. In the instance of a permanent absence, incapacitation, or resignation of the Vice President, the Chair of the Student Senate shall assume the duties of the Vice President.

### Section 3. The Council of Commissioners

Clause 1. Must be a current member of the Concordia College Student Body and have completed at least one full semester at Concordia College prior to their appointment.

Clause 2. Shall be appointed by the President with the approval of the Student Senate.

Clause 3. Shall serve from the time of their appointment by the President and approval by the Student Senate until the time of the appointment by the newly elected President and approval of their replacement by the newly elected Student Senate the following spring.

Clause 4. Shall provide a forum for discussion within Student Association.

Clause 5. Shall have the power to vote on administration policy recommendations.

Clause 6. Each commission shall have the power to appoint subcommittee members as they deem necessary.

Clause 7. The Student Business Office Treasurer, Student Senate Chairperson, and the Chief Justice shall serve as non-voting members of the Council of Commissioners.

Clause 8. In the instance of absence, incapacitation, or resignation of a Commissioner, the President shall appoint a replacement who will take office upon approval of the Student Senate.

### Section 4. Student Business Office Treasurer

Clause 1. Must be appointed by the President and confirmed by the Student Senate prior to assuming the office of Treasurer.

Clause 2. Term of Office for the Student Business Office Treasurer shall be from January 1<sup>st</sup> to December 31<sup>st</sup>.

Clause 3. Shall be responsible for the accounting of all Student Association Funds.

Clause 4. Shall be responsible for providing current balances of all Student Association Funds.

Clause 5. Must disclose separate balances for each Student Association Fund.

Clause 6. Must notify all Senators, the President, and the Vice President, in writing or via e-mail, of the balance of each Student Association Fund four days prior to a Student Senate Hearing.

### Section 5. Student Advocate

Clause 1. Shall be appointed by the President and confirmed by the Student Senate.

Clause 2. Shall represent the Student Association in all cases brought against that body.

Clause 3. Shall be responsible for working with members of the Student Body with questions regarding college policy.

Clause 4. Shall represent members of the Student Body accused of violating college policy in all hearings.

Clause 5. Shall notify all members of the Student Body of their rights under College Policy and other pertinent laws pertaining to conduct in the community at large.

Clause 6. Shall serve on the Election Committee.

### **Article III. The Legislative Branch-Student Senate**

Section 1. Membership: The Student Senate shall consist of sixteen elected members – four each from the incoming students (first-year students including transfer students), the sophomore, junior, and senior classes at large.

Section 2. Term of Office:

Clause 1. Senators shall serve a 12-month term from the last Sunday in March through the last Sunday in March the following year.

Clause 2. Four Senators representing incoming students at large shall serve from the Sunday following their election through the last Sunday in March.

Section 3. Must hold a quorum of 3/5 of the Total Membership at each Student Senate Hearing in order to act upon any legislation brought forth by a Senator or Senators.

Clause 1. Legislation is defined as any Budget or Allocation requested by an Organization approved by and in good standing with the Director of Student Programming, and any other motion made by a Senator or Senators.

Clause 2. Hearing is defined as a meeting of the Student Senate in which legislation will be enacted upon.

Section 3. Shall choose, from within its body, a Chair and Vice Chair.

Section 4. In the instance of an absence, incapacitation, or resignation of the Chair, the Vice Chair shall assume the duties of the Chair.

Section 5. In the instance of a permanent absence, incapacitation, or resignation of the Vice Chair, a new Vice Chair shall be selected from within its body.

Section 6. Shall have the sole power to allocate from the following Funds:

Clause 1. The Student Activity Fee by a majority vote of the total voting membership, less automatic disbursements for The Concordian, The Cobber, and 10% of the remaining Student Activity Fee directly allocated to the Campus Ministry Commission.

Clause 2. The Emergency Reserve Fund by a 2/3 vote of the total voting membership.

Clause 3. The Student Association Reserve Fund by a 2/3 vote of the total voting membership.

Section 7. Shall have the final approval and oversight of Student Association Budgets.

Section 8. Shall have the power to pass all legislation in the form of Bylaws by a 2/3 vote of the total voting membership for the orderly conduct of Student Association government.

Section 9. Shall have the power to override an executive veto by a 2/3 majority of the voting membership, thereby making the allocation or legislation final and binding.

Section 10. Shall have the power and authority to form subcommittees as deemed necessary and to specify their function and membership.

Section 11. Shall have the power to impeach and remove a Student Association Official by a 4/5 majority of the members of the Student Senate, which is deemed final.

Section 12. In the instance of a permanent absence, incapacitation, or resignation of a Senator more than 28 days prior to a General Election a Special Student Senate Election shall be held.

Section 13. In the instance of a permanent absence, incapacitation, or resignation of a Senator within 28 days prior to a General Election, the seat shall be filled by a Presidential Appointment subject to the approval of the Student Senate.

#### **Article IV. The Judicial Council**

##### Section 1. Membership

Clause 1. Shall be comprised of five members of the Concordia College Student Body at large.

Clause 2. The five Justices shall be chosen by the outgoing Student Association President and approved by the outgoing Student Senate

Clause 3. One of these five members shall be designated Chief Justice by the outgoing President with approval of the outgoing Student Senate.

Clause 4. Each Justice shall serve a one-year term lasting from their approval until the approval of their replacement by the Student Senate.

Section 2. Shall dictate binding decisions and be the final authority in Student Association judicial matters.

Section 3. Shall establish an official interpretation of the Student Association Constitution and Bylaws through ruling on any cases pertaining to these documents.

Clause 1. Cases shall be defined as any formal judicial hearing or question regarding the actions of the Student Association, its Officials, and the Student Association Constitution and Bylaws.

Section 4. Shall hear all cases pertaining to Student Association elections.

Section 5. Shall rule on any case affecting Student Association, the Council of Commissioners, the Student Senate, and any subcommittees thereof.

Section 6. Shall rule on all cases in which a student challenges Student Association government and its officials.

Section 7. Shall hold open Hearings of all cases within two weeks of their submission to the Chief Justice.

Section 8. Shall provide adequate notice of Hearings to all parties involved, all Student Association Officials, the Director of Student Programming, the Student Body, The Concordian, or other persons approved by the Chief Justice.

Section 9. Shall be responsible for the updating and grammatical changes of this Constitution deemed necessary by either an amendment passed by the Student Body or a change in the Student Rights and Responsibilities Document and/or Articles of Incorporation.

Section 10. In the instance of a permanent absence, incapacitation, or resignation of the Chief Justice, the President shall appoint a replacement from within the current Judicial Council subject to approval of the Student Senate.

Section 11. In the instance of a permanent absence, incapacitation, or resignation of any Justice other than the Chief Justice, the President shall appoint a replacement subject to the approval of the Student Senate.

Section 12. Appeals Process

Clause 1. Appeals of decisions of the Executive and Legislative Branches of the Concordia College Student Association must be filed with the Chief Justice by the party directly involved within seven days of that decision.

Clause 2. The Judicial Council shall make its decision within fourteen days of a hearing.

Clause 3. Failure to reach a decision within the fourteen-day time period constitutes the upholding of the appealed decision.

Clause 4. Decisions regarding Impeachment and/or Removal from office require a 4/5 majority of the Total Membership.

Clause 5. Decisions regarding any other matter require a majority of the Voting Membership.

Clause 6. All Decisions of the Judicial Council are final and binding.

## **Article V. The Election of Student Association Officials**

Section 1. The Election Committee

Clause 1. The Political Affairs Commissioner, who is not a Candidate or potential Candidate in the election shall serve as the Marshall of all elections.

Clause 2. Shall serve as an independent committee responsible for coordinating and publicizing all Student Association Elections.

Clause 3. The Marshall shall appoint the members of the committee and serve as its chair.

Clause 4. The Marshall, in consultation with the Student Advocate and Vice President, shall interpret and enforce the election rules and regulations.

Clause 5. All decisions of the Marshall regarding election rules and regulations are final and binding.

Clause 6. Shall publicize Interest Forums, Petition due dates, and Primary and General Election dates via The Concordian, and other means deemed necessary by the Marshall one month prior to the Election.

Clause 7. Shall not alter petition due dates and times or election dates and hours of voting once they have been announced without prior approval of the Judicial Council.

Clause 8. In the event the petition due dates and times or election dates and hours of voting have been altered, the Election Committee must receive a 4/5 approval of the Judicial Council prior to the expiration of the original due date and times or election dates and hours of voting.

Clause 9. Must notify all Candidates and Prospective Candidates, Student Association Officials, the Student Body, The Concordian, and the Director of Student Programming of any alterations regarding petition due dates and times or election dates and hours of voting.

Clause 10. During Petitioning the Marshall shall set and hold daily office hours during which petitions may be presented and approved.

Clause 11. Shall abide by the elections procedures as established by the Constitution.

## Section 2. Election Procedures

Clause 1. All Candidates must be members of the Concordia College Student Body.

Clause 2. Prior to the opening of petitioning for any election, the Marshall shall hold an Interest Forum with all Prospective Candidates to explain election procedures and provide potential Candidates with a current copy of the election rules.

Clause 3. All Prospective Candidates who have not attended an Interest Forum are responsible for obtaining the election rules.

Clause 4. All Prospective Candidates and Candidates must abide by the election rules and are subject to disqualification from the election for failure of adherence.

Clause 5. All approved petitions will be secured and Candidates will remain anonymous until the close of the petitioning period.

Clause 6. The Student Advocate and a Student At-Large appointed by the Vice President shall be present during the counting of the ballots as Official Observers.

Clause 7. Ballots shall be counted by members of the Election Committee in a secured location until all ballots have been counted and the results certified by the Marshall.

Clause 8. No Candidate or Campaign Official shall be admitted access to the secured location under any circumstances whatsoever.

Clause 9. Following the certification of election results the Marshall, via telephone or some other medium, must notify all Candidates, Student Association Officials, the Student Body, The Concordian, and the Director of Student Programming of the results.

Clause 10. Any Candidate in the election may file a request for a recount with the Marshall within 48 hours of the certification of election results.

Clause 11. All parties involved in a recount must be notified in writing.

Clause 12. The recount must take place within 24 hours of the request.

Clause 13. In the event of a tie, within 24 hours of the certification of the results the Marshall must set a date for a run off election between the tied Candidates.

Clause 14. The run off election will occur no later than seven days after the original election.

## Section 3. Petitions

Clause 1. Prospective Candidates shall be provided Petitions at the Interest Forum by the Elections Marshall.

Clause 2. Any prospective Candidate not at the Interest Forum is responsible for obtaining Petitions from the Elections Marshall.

Clause 3. Petitions for the Offices of President and Vice President shall require 300 signatures of current members of the Concordia College Student Body.

Clause 4. Petitions for the Offices of Senator shall require 75 signatures of students from their graduating class.

Clause 5. Petitions must be approved by the Marshall who must verify the signatures on each petition.

Clause 6. Petitions are due at 5:00 pm 21 days prior to the General Election.

Clause 7. Petitions for Special Student Senate Elections are due at 5pm no more than 28 days following the announcement of a permanent absence, incapacitation, or resignation of a Senator.

#### Section 4. Campaigning

Clause 1. Campaigns shall be conducted in an ethical manner.

Clause 2. Candidates for the Offices of President and Vice President shall be limited to \$400 for Formal Campaign Expenses.

Clause 3. Candidates for the Offices of Senator shall be limited to \$100 for Formal Campaign Expenses.

Clause 4. All Candidates must be able to provide records of expenses to the Marshall at their request.

Clause 5. Campaigning shall commence at the close of the Petitioning Period.

Clause 6. No Campaigning shall take place during the Petitioning Period and is subject to automatic disqualification of the Candidate.

Clause 7. Campaign Materials are subject to the following:

- A. Posters may be placed on interior surfaces made of brick or glass (with the exception of glass doors, which cannot be blocked at the eye level of an average person), and general informational bulletin boards.
- B. Posters are forbidden on painted surfaces, subject to regulations for individual buildings.
- C. Posters cannot be placed on Educational Bulletin Boards.
- D. In Olin, materials must be placed near water fountains, and absolutely not on any form of artwork.
- E. Posters may not be placed on exterior surfaces.
- F. Posters shall not cover or block previously placed posters.
- G. On Election Day Candidates' posters may only be in an individual's room or on an individual's door.

Clause 8. All Campaign Materials must be taken down by 12:00 am of the General Election Day.

Clause 9. All Candidates defeated in a Primary Election must have all Campaign Materials taken down by 5:00 pm the following day.

Clause 10. Campaigning on Election Day is prohibited with the exception of articles displayed on personal effects, unless otherwise stipulated by the Marshall.

#### Section 5. Elections

Clause 1. The General Election shall take place eight days prior to Spring Break, or the last Thursday in February, depending on which comes first.

Clause 2. A Primary Election must take place seven days prior to the General Election.

Clause 3. A Special Senate Election shall take place seven days following the close of the Special Senate Election Petitioning Period.

Clause 4. Polls shall open on the day of each election at 8:00am and close at 6:00pm.



Clause 5. Only current members of the Concordia College Student Body are eligible to and may cast only one ballot.

Clause 6. Each ballot shall only include voting instructions, title of position to be filled, eligible Candidates, space for voter I.D., space for write-in Candidates, and descriptions of Constitutional amendments.

Clause 7. Absentee Ballots may be obtained from the Marshall by request of the student unable to vote on Election Day.

Clause 8. Electronic Voting for students studying abroad can be arranged by the individual with the Marshall.

#### Section 6. Campaign and Elections Rules Violations and Punishment

Clause 1. Unethical Conduct of a Candidate in an Election – lies, deceptions, misinformation, or any other behavior deemed unethical – shall be considered a violation of the election rules.

Clause 2. Violation of Campaign and/or Election Rules may be punished by the automatic disqualification of the parties involved as deemed by the Marshall and the Election Committee.

Clause 3. Violation of Campaign and/or Election Rules may be punishable by Monetary Fines not to exceed \$20 per infraction.

Clause 4. Multiple Voting shall result in the automatic disqualification of the individual's ballots.

Clause 5. Multiple Voting shall be punishable by a fine not to exceed \$20 per infraction.

Clause 6. Any Monetary Fines collected from infractions shall be immediately deposited in the Student Association Reserve Fund.

Clause 7. Any findings of Campaign and/or Election Violations, Punishments, or Fines may be appealed to the Judicial Council.

### **Article VI. The Removal of Student Association Officials**

Section 1. Any official may be removed from office for just cause - not fulfilling the duties of office, violating the Constitution, dismissal from the college, or conduct unbecoming of an official of the Student Association.

Clause 1. Cases involved with GPA review shall be referred to the Director of Student Programming. The Director shall be responsible for reviewing the GPA's of Student Association Officials within the first week of each new semester to determine eligibility for office.

Clause 2. This review shall be done in closed chambers and all proceedings not pertinent to the removal of Student Association Officials shall be kept confidential.

#### Section 2. Removal of Elected and Appointed Officials – Impeachment and Removal

Clause 1. Officials of the Concordia College Student Association may be Impeached and/or removed by the Student Senate.

Clause 2. The Student Senate may only Impeach and/or Remove an Official for just cause.

Clause 3. Impeachment and/or Removal by the Student Senate shall be final and binding.

Clause 4. Impeachment and/or Removal by the Student Senate may be appealed to the Judicial Council within seven days of the Student Senate's decision, with the exception that the Judicial Council has been fully appointed by the Official who is making the appeal, in which instance they do not have the right to an appeal.

## **Article VII. Activity Fee Policy**

### **Section 1. Student Activity Fee**

Clause 1. The Student Activity Fee (SAF) shall include the payment of each member of the Concordia College Student Body set by the President of Concordia College.

Clause 2. Shall be the General Allocation Fund used by the Student Senate.

Clause 3. Shall be used to fund for Capital Expenditures and Yearly Operating Budgets.

### **Section 2. Emergency Reserve Fund**

Clause 1. The Emergency Reserve Fund (ERF) will consist of all carry forward dollars from the previous fiscal year and the continuing ERF balance.

Clause 2. Shall be used only in the instance of an Emergency or the depletion of Student Activity Fee funds.

### **Section 3. Student Association Reserve Fund**

Clause 1. The Student Association Reserve Fund (SARF) will consist of all unspent Student Activity Fee and Emergency Reserve Fund allocations from the previous fiscal year and the previous SARF balance.

Clause 2. All unspent allocated SAF and ERF funds shall be transferred to the SARF only after the cash journals for that year have been closed.

Clause 3. In order for funds to be removed from the SARF, the President must present a proposal which must be approved by Student Senate.

Clause 4. In the event that a bill is received from the previous fiscal year after the cash journals have been closed, the Student Business Office (SBO) Treasurer has the authority to remove funds from the SARF to pay the bill.

### **Section 4. Admission Requirements**

Clause 1. No form of admission fee shall be required of students attending an event or film sponsored in part or in whole through activity fee funding, with the exception of the Spring Festival (Cornstock) in which a reasonable admission fee deemed appropriate by a majority of both the Council of Commissioners and the Student Senate may be implemented.

Clause 2. Senate loans shall not constitute activity fee funding. Therefore, an event which only receives loans as sponsorship from Senate may require an admission charge.

### **Section 5. Senate Loans and Charitable Donations**

Clause 1. Senate may make loans to any registered organization with the understanding that the full amount will be repaid to the Senate regardless of the specific event's success.

Clause 2. If the organization is unable to repay the full amount of the loan, remaining funds of the organization controlled by Concordia College will be seized to cover the loan.

Clause 3. The use of activity fee funds for the purpose of making a direct donation to a charitable organization is prohibited.

Section 6. The Student Stipend Committee (The S.S.C)

Clause 1. Shall be a standing committee under the Legislative Branch of the Student Association leadership.

Clause 2. Shall consist of three members: the Senate Chair, who will serve as the chair of the S.S.C., and two other senators appointed by the chair.

Clause 3. During the Student Affairs Committee's debate on stipend levels, the members of the S.S.C. will serve as nonvoting members of the Student Affairs Committee.

Clause 4. The S.S.C. will not take part in setting the stipend levels for the positions within and The Concordian and The Cobber yearbook.

Clause 5. The Student Affairs Committee shall submit a stipend proposal to the senate for ratification.

Clause 6. A majority vote is required for ratification of the Student Affairs Committee's proposal.

Clause 7. Lacking ratification, the proposal shall be referred back to the Student Affairs Committee for further consideration.

Clause 8. Lacking ratification, after each proposal, the Student Affairs Committee shall return to Senate with a revised proposal within two Senate meetings.

Clause 9. The stipend levels set by the Student Affairs Committee will be for the positions to be filled during the general spring election of the current academic year.

Clause 10. The Student Affairs Committee's ratified budget shall be binding for the following academic year and distributed in equal proportions once each semester during the following academic year.

**Article VIII. Initiative, Referendum, Amendment**

Section 1. Initiative

Clause 1. Any member of the Student Body may propose legislation by contacting their Senator or by a petition to the President signed by no less than ten percent of the members of the Student Body.

Clause 2. An initiated measure must be published in The Concordian at least once before the Student Body votes upon it.

Clause 3. A Special Election must be held within twenty days after an Initiative has been approved by the Student Senate or a petition has been presented to the President.

Clause 4. The Initiative must receive a two-thirds majority of all ballots cast in the special election to become binding.

Section 2. Referendum

Clause 1. Any measure passed by the Council of Commissioners, the Student Senate, or a subcommittee thereof by a majority of the total membership may be referred to the members of the Student Body for their approval or disapproval.

Clause 2. The Student Body may call for a referendum against any measure passed by the Council, the Senate, or a subcommittee thereof by presenting a

petition to the President, which is signed by no less than ten percent of the members of the Student Body.

Clause 3. A referred measure must be published at least once in The Concordian prior to the vote of the members of the Student Body.

Clause 4. Such a referendum must be submitted to a vote of the members of the Student Body within twenty days after a petition has been presented to the President.

Clause 5. The measure must be approved by a two-thirds majority of the votes in the Special Election to become binding.

### Section 3. Amendment

Clause 1. This Constitution may be amended by methods of initiative or referendum.

Clause 2. Amendments will become binding at the time when the Special Election results are presented.

## **Article IX. Ratification of the Constitution**

Section 1. The Student Association Constitution shall become effective immediately upon its ratification by a 2/3 majority of the members of the Student Body voting in the Special Election.

Section 2. This Constitution shall render null and void any preceding similar document intended for the purpose of governing Student Association and shall take precedence over any conflicting or contradictory Bylaws.