

STUDENT ASSOCIATION CONSTITUTION
Last Amended 26 March 2009

We, the students of the University of South Dakota, establish this self-governing Student Association dedicated to communication, understanding, and cooperation between the student body, administration, faculty, and the Board of Regents. We strive for academic, social, and physical development to promote the best interests of the University.

Article I.) NAME AND PURPOSE

I. Section 1.) Name

I.1.A.) The name of this organization shall be the University of South Dakota Student Association.

I. Section 2.) PURPOSE:

I.2.A.) Its purpose shall be to govern the students in their best interests, to direct student organizations within the University, and to represent the students before the University community and the citizens of South Dakota, subject to the limitations imposed by the laws of the State of South Dakota and the rules of the Board of Regents.

Article II.) MEMBERSHIP

II.1.A.) The membership of this organization shall consist of all fee-paying (registered) students of the University of South Dakota, except those students currently enrolled in the School of Medicine or the School of Law.

Article III.) LEGISLATURE

III. Section 1.) Legislative Powers

III.1.A.) The legislative power of the Student Association shall be vested in the Student Government Association.

III. Section 2.) Organization of the Student Government Association

III.2.A.) Composition:

III.2.A.1.) The Student Government Association shall be composed of a single chamber of twenty-one (21) voting members.

III.2.A.2.) Executive officers of the Student Government Association shall be full members without a vote unless otherwise provided for in the constitution.

III.2.A.3.) Liaisons shall be observers with speaking privileges.

III.2.B.) Constituencies:

III.2.B.1.) There shall be academic constituencies consisting of the College of Arts and Sciences, the School of Business including registered pre-business, the School of Education including pre-education majors, the College of Fine Arts, and the Graduate School.

III.2.B.2.) Each constituency shall be allowed a proportionate number of voting seats based upon the number of full-time students within it. All seats shall be reapportioned each year based upon the official registration numbers provided by the registrar. Each constituency shall be guaranteed at least one seat.

III.2.B.3.) There shall be one liaison from the Residence Hall Government Association.

III.2.C.) Qualifications:

III.2.C.1.) Each member of the Student Government Association must be in good judicial, social, and academic standing (2.20 cumulative and semester GPA for undergraduate students and a 3.00 cumulative and semester GPA for graduate students) and either:

III.2.C.1.i.) A full or part-time student at the University and majoring within the constituency from which he or she was elected at the time of the election

III.2.C.1.ii.) Or taking the required number of credits in order to complete his or her program of study by the end of the current semester.

III.2.C.2.) If a senator's major changes during his or her term of office, that senator shall continue to represent the constituency from which he or she was originally elected.

III.2.C.3.) The advisor will check grades of each senator and executive member at the end of each semester for eligibility, but can also check for grade changes or updates, and notify the student in the case of ineligibility.

III.2.C.4.) The advisor will check for judicial and social standing at the end of each semester.

III. Section 3.) Officers of the Student Government Association

III.3.A.) Presiding Officer: The Vice-President of the Student Association shall be the presiding officer of the Student Government Association. He or she shall preside at all meetings, preserve decorum and may vote only when the senators are equally divided.

III.3.B.) President Pro-Tempore: In the absence of the Vice-President, the President Pro-Tempore shall assume the office, but may vote on all matters. Thereafter, the order of succession shall proceed through the standing committee chairpersons when such committees are placed alphabetically.

III.3.B.1.) The President Pro-Tempore must be a student senator and shall be elected by a majority vote at the first meeting of each new Student Government Association term.

III.3.B.2.) If the President Pro-Tempore is no longer able to fulfill his or her duties, due to resignation, an appointment to another position in the Student Government Association, or other circumstances the Senate shall hold an immediate vote to replace the previous member.

III.3.C.) Secretary: The Office Manager of the Student Association shall be the Secretary of the Student Government Association. He or she shall set the agenda, record the minutes and keep a copy of all official documents, which includes the agendas and minutes of all meetings, bills, resolutions, constitutional and by-law amendments, internal memorandums and anything else deemed archival by the Senate. It is the duty of the individual Senators to give a copy of the archival materials to the Office Manager (Article III Section 7 A)

III. Section 4.) Meetings

III.4.A.) Regular Sessions: The Student Government Association shall meet in regular session on every Tuesday of the academic year. Meetings may be cancelled by a majority vote of the Student Government Association or, in the case of an emergency, by the Student Association President.

III.4.B.) Special Sessions: Special sessions may be called by the Student Association President or may be called by the Vice-President upon petition of one-third (1/3) of the student senators. The President must give twenty-four hours notice of special sessions to all Student Government Association members. Discussion will be limited to the topic disclosed in the notice.

III.4.C.) Executive Sessions: Any meeting of the Student Government Association or any of its committees may retire into executive session by a majority three-fourths (3/4) vote of the members present. The reason for going into executive session must be stated and can be initiated for only issues related to personnel and internal issues. Senators, executive officers of the Student Association, liaisons, and the advisor shall be the only people allowed in the room during executive sessions.

III.4.D.) Speaking Privileges: During any meeting, any person may speak when recognized by a senator unless the gallery is closed by a majority vote.

III.4.E.) Quorum: Two-thirds (2/3) of the voting members must be present for any business to be transacted. Proxies shall be counted in determining a quorum.

III.4.F.) Agenda: The Student Government Association shall approve the agenda provided by the Student Association Office Manager with a majority vote. Following approval, the agenda may be changed by a two-thirds (2/3) vote of the Student Government Association.

III.4.G.) Parliamentary Procedure: All meetings shall be conducted in accordance with the most recent edition of *Robert's Rules of Order Newly Revised*.

III. Section 5.) Committees

III.5.A.) Standing Committees:

III.5.A.1.) The standing committees of the Student Government Association shall be the Finance Committee, the State and Local Committee, and the Student and Internal Affairs Committee.

III.5.A.2.) Senators shall be evenly distributed among the committees. All liaisons shall serve on the Student and Internal Affairs Committee.

III.5.A.3.) All committee appointments shall be made by the Student Association Vice President and shall be approved by the Student Government Association.

III.5.A.4.) Only senators may vote in standing committees.

III.5.A.5.) The duties of the officers of each committee shall be specified in the By-Laws of the Student Government Association.

III.5.B.) Special Committees: The Vice President of the Student Association, or the Student Government Association by majority vote, shall have the power to create special committees.

III. Section 6.) Proxies

III.6.A.) Senators may proxy their vote to another senator from their constituency. The proxied senator will then have multiple votes. The proxied senator must vote as instructed by the absent senator for whom they are voting if instructions are given. Senators cannot proxy a vote in committee.

III.6.B.) Proxy forms must be filled out and may be turned into the Office Manager anytime before the Student Government Association meeting begins.

III. Section 7.) Bills and Resolutions

III.7.A.) Introduction: All legislation to be brought before the Student Government Association must be introduced by a senator or elected executive officer of the Student Government Association and an electronic and paper copy submitted to the Office Manager at least one (1) day before meeting begins. The Student Government Association may consider any piece of legislation excluding Constitutional A Amendments at any time if an emergency is declared by three-fourths (3/4) of the senators.

III.7.B.) First Reading:¹

III.7.B.1.) All legislation shall first be presented to the Student Government Association and then assigned to the appropriate committee by the Vice President.

III.7.B.2.) The legislation must be read if it comes out of a Standing Committee the same day that Student Senate meets.

¹ Bill #52, 27 January 2009

III.7.B.3.) If the legislation was sent to a Standing Committee or is introduced by a senator or elected executive officer the legislation may be either

III.7.B.3.i.) Read at the Student Senate meeting; or

III.7.B.3.ii.) Presented in writing by electronic mail to all senators and printed copies available in the Student Senate office at least forty-eight (48) hours in advance of the Student Senate meeting. With this option, extra printed copies must be available at the Student Senate meeting.

III.7.C.) Committee Action: The committee shall then meet and deliberate on the legislation and shall pass it out “Do Pass”, “Do Not Pass”, or “Without Recommendation” and include the number of votes given for passage. The way each senator votes shall be recorded in the committee minutes.

III.7.D.) Second Reading: All legislation, regardless of the committee recommendation, shall be given full consideration at a regular meeting of the Student Government Association. If amended in committee, the Student Government Association shall consider the amended version.

III.7.E.) Final Disposition: All legislation shall become effective upon a majority vote of those senators present at a meeting with quorum² and the signature of the Student Association President. Final disposition of all legislation must be conducted with a roll call vote with those voting for and against recorded in the minutes.

III.7.F.) Presidential Veto: The Student Association President shall have full veto power over all legislation passed by the Student Government Association. The President may veto the entire bill or any part thereof. Should the President fail to sign any piece of legislation, except budget bills, within seven (7) days of its passage, it shall then be considered passed. The President is required to submit a written statement of reasons for ~~the~~ any veto to the Student Government Association.

III.7.G.) Veto Override: The Student Government Association may override a veto by two-thirds (2/3) vote.

III. Section 8.) Vacancies:

III.8.A.) Senate seats not filled by the respective college through the General Election process and application interview and appointment process shall be opened ~~on or~~ after the first fourth meeting of the ~~fall semester term, as defined in Article V Section 6 of the Student Association Constitution,~~ of the Student Government Association to at-large students who will represent all University of South Dakota General Activity Fee paying students as a whole. Submitted at-large candidate forms will be forwarded to the Student and Internal Affairs Committee for an interview.

III.8.B.) Committee Action and Student Government Association Approval: The Student and Internal Affairs Committee shall interview all candidates whom apply through the application process. It shall then move into executive session and will have a formal vote. The recommendation will be forwarded to the Student Government Association for approval.

Article IV.) Executive

IV. Section 1.) Executive Powers

IV.1.A.) The executive power shall be vested in the President of the Student Association.

IV.1.B.) Other executive officers shall be the Vice-President of the Student Association, the Business Manager, and the Office Manager.

IV. Section 2.) Qualifications

IV.2.A.) The Student Association executive officers shall be full-time students and in accordance with Student Association guidelines as is stated in Article III Section 2C (~~2.2 cumulative GPA for undergraduate students and a 3.0 cumulative GPA for graduate students~~).

IV. Section 3.) Powers and Duties of the Student Association President

IV.3.A.) The President shall be the Chief Executive Officer of the Student Association and shall execute the provisions of the Constitution and By-Laws and any other regulations of the Student Government Association.

IV.3.B.) The President shall make all appointments of student officials, including the business and office managers. The Student Government Association must approve all appointments with a majority vote.

IV.3.C.) The President may call the Student Government Association into special session.

IV.3.D.) The President, with recommendations from the Budget Committee, will prepare and submit an annual Student Association budget to the Student Government Association.

IV.3.E.) The President shall oversee all Student Association expenditures to be sure no organization exceeds their previously budgeted amounts from the budgeting process.

IV.3.F.) The President shall serve as the official representative of the students before the faculty, administration, Student Federation, Board of Regents, governor, and legislature.

IV.3.G.) The President shall have full veto power over all legislation passed by the Student Government Association as stated in Article III Section 7F.

IV. Section 4.) Powers and Duties of the Vice-President

IV.4.A.) The Vice-President shall preside at meetings of the Student Government Association

IV.4.B.) The Vice-President shall provide for any and all administrative functions of the Student Government Association.

² Bill #52, 27 January 2009

- IV.4.C.) The Vice-President shall make the appointments of each Student Senator to the various Student Government Association committees described in the Constitution within one (1) school week of a student becoming a senator. All appointments are subject to approval by the Student Government Association.
- IV.4.D.) The Vice-President shall fill the office of the President should that office become vacant.
- IV.4.E.) The Vice-President shall carry out any duties deemed necessary by the Student Association President.
- IV.4.F.) The Vice-President shall serve as a representative of the students before the faculty, administration, Student Federation, Board of Regents, governor, and legislature.
- IV. Section 5.) Powers and Duties of the Business Manager
- IV.5.A.) The Business Manager shall keep accurate records of all Student Association funds.
- IV.5.B.) The Business Manager shall oversee all expenditures from Student Association accounts to ensure the expenditures fall within the previously Senate-approved budgets.
- IV.5.C.) The Business Manager shall be a non-voting member of the Finance Committee
- IV.5.D.) The Business Manager shall give a monthly report of all organization expenditures to the Finance Committee and a shortened version of this report to Senate on the first meeting day of the month. The report to the Finance Committee shall be written and available to the student population.
- IV.5.E.) The Business Manager shall serve as the non-voting chair of the Budget Committee.
- IV.5.F.) The Business Manager shall carry out any duties as deemed necessary by the Student Association President.
- IV. Section 6.) Powers and Duties of the Office Manager
- IV.6.A.) The Office Manager shall take the minutes of the Student Government Association.
- IV.6.B.) The Office Manager shall prepare the agenda of the Student Government Association.
- IV.6.C.) The Office Manager shall ensure that all official correspondence from the Student Association is accurately and properly written.
- IV.6.D.) The Office Manager shall be in charge of all office supplies, pick up mail, and answer phones.
- IV.6.E.) The Office Manager shall oversee the maintenance of all office computers and the Student Association web page.
- IV.6.F.) The Office Manager shall carry out any duties deemed necessary by the Student Association President.
- IV. Section 7.) Compensation
- IV.7.A.) The executive officers shall receive compensation for their services, which shall be neither increased nor decreased during their term of office. The rate of compensation shall be established by the previous year's Student Government Association.
- IV. Section 8.) Vacancies
- IV.8.A.) In the event of a vacancy of the President, the Vice-President shall assume the presidency and ~~immediately~~ appoint a new Vice-President within one (1) school week of the vacancy. In the event of vacancy of the Vice-President, the President shall appoint a replacement of his or her choice within one (1) school week of the vacancy. If both offices are vacated simultaneously, the President Pro-tempore shall vacate his or her Student Government Association seat and become the President of Student Association and appoint a new Vice-President within one (1) school week of the vacancy. The Student Government Association must approve all appointments with a majority vote.

Article V.) Elections

- V. Section 1.) Election Steering Committee
- V.1.A.) Composition: The Election Steering Committee shall consist of five (5) students appointed by the Student Association President. One student shall be the chairperson who is a senator not seeking election. In the event that no senator is willing or eligible, the chairperson may be any student not seeking election. The remaining four seats shall be filled by any students not seeking election. The Student Government Association shall approve all members of the committee. The full committee must be appointed and approved by the 20th of January. Should the number of members on the committee ever fall below five (5), the Student Association President shall appoint a new member within one (1) school week of the vacancy.
- V.1.B.) Non-affiliation: All members of the Election Steering Committee may not campaign or show bias in any way toward any candidate. The Student Government Association may remove any student from the committee and may fine him or her up to \$50 if this section is violated
- V.1.C.) Duties:
- V.1.C.1.) The Election Steering Committee shall reapportion the number of seats and determine the number of signatures needed on all petitions by the 1st of February.
- V.1.C.2.) It shall handle all debate challenges and petition questions, as well as other election disputes
- V.1.C.3.) It shall review all ballots and declare all winners
- V.1.C.4.) It shall enforce all election regulations.
- V.1.D.) Autonomy: It shall have autonomy in its operations, but its decisions may be reviewed and altered by the Student Government Association. The committee shall receive administrative support from the Student Association.
- V. Section 2.) Date
- V.2.A.) The general election shall be held on the ~~Tuesday and following Wednesday before the start of Spring Break.~~ date(s) voted upon by the Senate. The election dates must be held within or before the first two weeks of March.
- V. Section 3.) Petitions

V.3.A.) Availability: Petitions and applications shall be continually available for Student Government Association seats to represent a school's constituency or an at-large seat until the first meeting of the fall semester from the Student Association Office Manager. ~~After the first meeting of the fall semester all seats will become at large seats. The open seats will become at-large seats pursuant to Article III Section 8.~~

V.3.B.) Executive: Candidates for the office of Student Association President and Vice-President shall run as a team and will be officially nominated for election when a petition containing the names of the nominees and the signatures of at least five (5) percent of the Student Association members has been submitted to the Election Steering Committee and the Election Steering Committee has checked for the candidates to meet qualifications stated in Article III Section 2 C i.

V.3.C.) ~~Student Government Association~~ Senators: For a student to be considered a candidate for the Student ~~Government Association~~ Senate election, a petition must be submitted to the Election Steering Committee containing signatures of four (4) percent of the students in their constituency, but no less than thirty (30) and no more than sixty (60) and the Election Steering Committee has checked for the candidates to meet qualifications stated in Article III Section 2 C i. Along with these signatures, a list of the candidate's goals shall be submitted.

V. Section 4.) Voting

V.4.A.) Voting Rights: Each member of the Student Association shall have the right to vote in any election. Each member shall have one vote in the executive election. In the Student Government Association election, each member shall be allocated the number of votes equal to the number of seats in his or her constituency, not to exceed three. Casting multiple votes for one candidate is not allowed.

V.4.B.) Plurality Vote: The executive team and Student Government Association candidates that receive the highest number of votes shall be declared elected.

V.4.C.) Ties: Ties in either the executive or Student Government Association election shall be broken within one (1) week by the new Student Government Association at a special meeting called and chaired by the current Student Association President. The President shall not vote.

V. Section 5.) Swearing In

No elected student shall take office until sworn in by the previous Student Association President ~~President of the University~~ or someone properly delegated by the Student Association President to do so.

V. Section 6.) Term in Office

All elected students shall hold office for a term of one (1) year from March 15 through the following March 14.

V. Section 7.) Duality of Offices

No person shall hold more than one (1) of the following positions concurrently: Student Association President, Student Association Vice-President, Student Association Business Manager, Volante Editor-In-Chief, Student Senator, or Program Council President.

Article VI.) Impeachment and Removal

VI. Section 1.) Authority

VI.1.A.) The Student Government Association has the power to expel any executive officer or senator from office with the concurrence of three-fourths (3/4) of all voting senators after a proper trial has been held. During and only during the consideration of all matters dealing with a formal complaint, the accused shall lose all powers, rights, and duties of his or her office, but the accused shall still have the right to speak on his or her behalf.

VI. Section 2.) Impeachment

VI.2.A.) Power: The Student and Internal Affairs Committee shall have the sole power of impeachment. It shall consider all formal complaints made against any official.

VI.2.B.) Impeachable Violations:

VI.2.B.1.) Threats, verbal abuse, or any other inappropriate conduct towards any person while representing the University of South Dakota student body in any official capacity.

VI.2.B.2.) Misuse and/or abuse of Student Association property or funds.

VI.2.B.3.) Misuse and/or abuse of any powers or privileges granted to association officials.

VI.2.B.4.) Intentional violation of any provision of this constitution, the by-laws of the Student Government Association, or ~~the its~~ fiscal guidelines.

VI.2.B.5.) Violation of the censure guidelines of the Student Government Association as listed in Section 2, Point D, Subsection 3.

VI.2.B.6.) Absences are defined as missing any roll call vote in a meeting. Five (5) missed meetings, in either Senate or Standing Committees, or two (2) absences in Senate, constitute an immediate dismissal from the Senate without impeachment proceedings. An individual may appeal this dismissal to Student and Internal Affairs Committee. Student and Internal Affairs Committee (SIA) may overturn the dismissal only if a valid basis for absence is proven. SIA may overturn the dismissal by majority vote in the committee which will immediately reinstate the student to a senator position along with all the rights, privileges and duties accompanying the position.

VI.2.B.7.) If any member of the Senate or Executive Committee should be found guilty in a state or federal court of a felonious ~~or other egregious~~ charge that person will be impeached and removed immediately as it is not the duty of a student led body to overturn or question the decisions made in a court of state or federal law. If upon appeal that person is

found innocent, they ~~could~~ may be reinstated by the Student Government Association upon application and a majority vote of the Senate

VI.2.C.) Requirements for Formal Complaints:

VI.2.C.1.) The complaint must state specific party or individual in violation.

VI.2.C.2.) The complaint must state organization or ~~individual~~ General Activity Fee-paying student presenting the claim.

VI.2.C.3.) The complaint must be typewritten and coherent.

VI.2.C.4.) A specific violation from Section 2B of Article VI must be addressed.

VI.2.C.5.) The complaint must completely and fully describe the instance(s) of violation allegedly committed.

VI.2.D.) Committee Action:

VI.2.D.1.) Within two (2) school days of receiving the complaint, the committee chair shall deliver a copy of the formal complaint to the accused.

VI.2.D.2.) Within one (1) school week of receiving of the formal complaint, the committee in a closed executive session of only committee members and advisors so as not to influence their decisions beyond the evidence presented, using whatever measures it deems necessary, shall determine by a majority vote if sufficient evidence exists to hold a trial. If the committee concludes that enough evidence exists, the accused shall be considered impeached. If the committee concludes that enough evidence does not exist, the matter shall be declared closed including the complaint.

VI.2.D.3.) If the committee should find that impeachment is unnecessary or too extreme they may still take action in the form of censure, probation, counseling, or any other recommendation they see fit in accordance with the situation at hand. ~~Ultimately~~ †The chair of the Student and Internal Affairs Committee will be responsible for monitoring the sanction decided upon by the committee and approved with a majority vote in the general senate body in a closed executive session. This would circumvent a trial and the recommendation would be dealt with in a private forum with the advisors of the Student Government Association to provide assistance to all parties in the proceedings but in no way act to intervene in the decisions of this self-governing unit. If the party in question would refuse to fulfill the senate's sanction, they would be subject to an immediate impeachment and removal without trial because this violation is impeachable in and of itself, independent of all other violations.

VI. Section 3.) Section 3: Trial

VI.3.A.) Power: All impeachment Trials shall be held before the full Student Government Association in a special session and open to the public with exception of deliberation (Article VI Section 3.D.6).

VI.3.B.) Calling of the Trial: The Presiding officer of the Student Government Association shall set the date of the special session for a day no later than two (2) school weeks after impeachment. A copy of the formal complaint shall be given to each senator at least two (2) school days before the trial.

VI.3.C.) Officers:

VI.3.C.1.) Presiding Officer: During the trial of the President of the Student Association, the President Pro-Tempore shall be the presiding officer. In all other situations, the presiding officer shall fall upon the following order: Student Association Vice President, President Pro-Tempore, Finance Committee Chair, State and Local Chair, Student and Internal Affairs Chair, then the most senior member of Student Senate. If any member believes it would be a conflict of interest, he or she may excuse him or herself.

VI.3.C.2.) Complaining Party: If the complaint is a matter initiated in the Student and Internal Affairs Committee, the Complaining Party representative will be the Student and Internal Affairs Chair. If the complaint ~~is~~ originates from another person, he or she may choose to have the Student and Internal Affairs Chair represent him or her, as he or she will be a witness. The Complaining Party is also referred to as the Complainant.

VI.3.D.) Procedure:

VI.3.D.1.) Opening of Hearing

VI.3.D.1.i.) Presiding Officer calls the meeting to order.

VI.3.D.1.ii.) Presiding Officer gives any instructions and reads through the due process procedures to be used during the hearing.

*At this time the Presiding Officer may choose to entertain a motion that limits opening or closing statements, questions, debate, and/or deliberation to a certain time period.

VI.3.D.2.) Opening Statements

VI.3.D.2.i.) Presiding Officer invites the Complaining Party to make an opening statement.

VI.3.D.2.ii.) Upon completion of opening statement, Presiding Officer invites Accused to ask questions of the Complaining Party. (This is the Accused person's only chance to ask questions of the Complainant.)

VI.3.D.2.iii.) Senate and executive officers (hereafter, Senate) are then invited to ask questions of the Complaining Party.

VI.3.D.2.iv.) Presiding Officer invites the Accused Party to make an opening statement.

VI.3.D.2.v.) Upon completion of opening statement, Presiding Officer invites Complainant to Ask questions of the Accused. (This is the Complaining Party's only chance to ask questions of the Accused.)

VI.3.D.2.vi.) Senate is then invited to ask questions of the Accused.

VI.3.D.3.) Witnesses

VI.3.D.3.i.) Complaining Party

- VI.3.D.3.i.a.) Presiding Officer then asks Complaining Party to introduce his or her first witness.
 - *Complaining Party is only allowed to ask questions, not to make statements.
 - *Witnesses come in one at a time, not all together. Witnesses who are not voting members of the Senate should remain outside the room until called in so they do not prejudice the statements of other witnesses. Witnesses who are members of Senate should remain and are voting members as long as they do not see it as a conflict of interest.
- VI.3.D.3.i.b.) Presiding Officer then invites Accused Party to ask questions of the witness.
- VI.3.D.3.i.c.) Senate then is invited to ask questions of the witness. After all questions have been asked of first witness, the Presiding Officer instructs the witness to remain to be available for further questions if necessary.
- VI.3.D.3.ii.) Accused Party
 - VI.3.D.3.ii.a.) Presiding Officer then invites Accused Party to introduce his or her first witness. After all questions have been asked of the witness, the Presiding Officer instructs the witness to remain to be available for further questions if necessary.
 - VI.3.D.3.ii.b.) Presiding Officer then invites the Complaining Party to ask questions of the witness.
 - VI.3.D.3.ii.c.) Senate then is invited to ask questions of the witness.
- VI.3.D.3.iii.) After all witnesses have been presented the Presiding Officer asks the Senate to decide if they need to hear from any other witnesses who were earlier presented. If so, Senate will call each witness forward, ask the relevant questions, and then release the witness(es). If any or none have come forward, the Presiding Officer will remind them that the witness(es) may still be needed for further questions and ask them to remain available.
- VI.3.D.4.) Closing Statements
 - VI.3.D.4.i.) Complaining Party is asked if he or she has a closing statement. NOTHING NEW MAY BE BROUGHT UP!!!
 - VI.3.D.4.ii.) Accused is invited to make a closing statement. NOTHING NEW MAY BE BROUGHT UP!!!
- VI.3.D.5.) Closing ~~and Debate~~
 - VI.3.D.5.i.) Presiding Officer thanks the Complaining Party and Accused for their presence at the hearing and excuses all individuals in order to enter executive session.
- VI.3.D.6.) Deliberation
 - VI.3.D.6.i.) ~~At this time~~ After entering executive session, the Presiding Officer will encourage ~~debate~~ deliberation and finally take a vote as to whether or not the accused party is responsible or not responsible. If accused is found responsible for any violations of the constitution or by-laws, the Senate will deliberate on sanctions. Examples ~~are~~ include but are not limited to: removal from office, censure, counseling, and community service, ~~etc.~~ If accused is not found responsible for any violations of the constitution or by-laws, he or she will be deemed acquitted and will return to full power in his or her position.
- VI.3.D.7.) Disclosure
 - VI.3.D.7.i.) The accused and complaining party will receive the outcome of the procedure, along with fact that helped them to find him or her responsible or not responsible as soon as a decision is reached. A written decision will be available to both parties within 48 hours of the hearing.
 - VI.3.D.7.ii.) The Presiding officer shall announce the vote totals and the verdict to the public immediately after the accused and complaining parties receive the outcome. A written decision will be available to the public within 48 hours of the hearing.

Article VII.) Initiative, Referendum and Recall

VII. Section 1.) Initiative

VII.1.A.) The student body may initiate legislation by presenting to the Student Government Association a petition that calls for a special election among either students or senators containing the specific legislation and the signatures of at least five (5) percent of the Student Association members.

VII. Section 2.) Referendum

VII.2.A.) All legislation may be referred to the student body for its approval by a two-thirds (2/3) vote of the Student Government Association. The student body may petition the Student Government Association, calling for a special ~~election~~ vote by the student body to decide the fate of a specific piece of legislation, by presenting petitions containing the signatures of five (5) percent of the Student Association members.

VII. Section 3.) Recall

VII.3.A.) An executive officer or member of the Student Government Association will be subject to recall upon submission of petitions to the Student Government Association calling for such action and bearing the signatures of no less than fifteen (15) percent of the members of the proper constituency. As a result of the recall, the person will be removed and succeeded pursuant to Article IV Section 8: Vacancies.

VII. Section 4.) Special Elections

All special elections shall be held on the second Tuesday and Wednesday after the petitions have been received. If there is no school at that time, the election shall be the next school week. In all initiative, referendum, and recall elections, a majority vote will rule.

Article VIII.) Bill of Rights

The Student Association recognizes and upholds the Policies and Procedures provisions and the Student Conduct Code contained within the University Student Handbook.

Article IX.) By-Laws

The Student Government Association shall have the power to adopt and amend by-laws with a two-thirds (2/3) majority of all senators. The amendment process for the by-laws shall be the same as for the constitution.

Article X.) Amendments

X. Section 1.) First Reading

X.1.A.) Amendments or revisions to this constitution shall first be presented to the Student Government Association and then referred to the Student and Internal Affairs Committee without exception to allow for discussion, consideration and revision before it is voted upon by the Senate.

X. Section 2.) Committee Consideration

X.2.A.) Amendments or revisions cannot be presented to the full Student Government Association until it has been held in consideration by the Student and Internal Affairs Committee for no less than seven (7) days. The committee may make amendments to the proposal and ~~shall~~ must make a recommendation to the Student ~~Government Association~~ Senate before it is considered for a vote.

X. Section 3.) Objections

X.3.A.) During this time, any Student Association member who opposes the said amendment may bring it before the student body by referendum.

X. Section 4.) ~~Second~~ Third Reading

X.4.A.) Should there be ~~no~~ need for a special election, the amendment will be considered part of this constitution one (1) week after three (3) readings, discussion, then passage by the Student Government Association by a two-thirds (2/3) vote of all senators. The three readings are to allow for extensive discussion, consideration, and revision before it is adopted.

X. Section 5.) Initiation of Amendments Outside of Student Government Association

X.5.A.) The student body may amend this constitution through the initiative process.

X. Section 6.) Ex Post Facto

X.6.A.) Any amendment to this constitution that affects the number or qualifications of any official can take effect during a Student Government Association term by a three-fourths (3/4) vote by the Senate so long as it does not effect salary.