

NORTHERN STATE UNIVERSITY STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

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PREAMBLE:

NORTHERN STATE UNIVERSITY STUDENT GOVERNMENT ASSOCIATION CONSTITUTION

We, the students of Northern State University (NSU), in order to establish a self-governing Student Association and to act in the best interest of the students and the university, do set forth this constitution. This constitution is dedicated to enhancing communication, understanding, and cooperation between the students and the university administration, faculty and the Board of Regents. We, the Northern State University Student Association, shall refrain from discrimination practices based on gender, race, color, creed, age, veteran status, marital status, disability, and sexual orientation

Updated: 3/25/18

ARTICLE I: NAME AND PURPOSE

Section 1: NAME

- A. The name of this organization shall be Northern State University Student Government Association, herein referred to as SGA.

Section 2: PURPOSE

- 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.
- B. SGA shall not discriminate against any student, regardless of race, color, religion, nationality, sex, national origin, age, disability, sexual orientation, economic status, marital status, veteran status, or parenthood.

ARTICLE II: MEMBERSHIP

- A. The members of Student Association (SA) shall consist of all registered students of Northern State University.

ARTICLE III: JURISDICTION

- A. SGA shall represent all registered students of Northern State University

ARTICLE IV: LEGISLATIVE BRANCH

Section 1: Composition

- A. The SGA Senate shall be a single chamber of twenty-one (21) voting members

Section 2: Constituencies

- A. There shall be academic constituencies consisting of the College of Arts and Sciences, the School of Business, School of Education, School of Fine Arts, and Graduate School
 - a. College of Arts and Science shall be represented by four (4) Senators
 - b. School of Business shall be represented by four (4) Senators
 - c. School of Education shall be represented by four (4) Senators
 - d. School of Fine Arts shall be represented by two (2) Senators
 - e. Graduate School shall be represented by one (1) Senators
- B. There shall be non-academic constituencies consisting of At-Large, Residence Life, Freshman Students, and International Students.
 - a. At-Large shall be represented by three (3) Senators
 - b. Residence Halls shall be represented by one (1) Senator
 - c. Freshman shall be represented by one (1) Senator
 - d. International Students shall receive special representation by one (1) Senator

- i. International students can run for seats other than the international seat.
 - ii. Exchange students and degree seeking international students shall be able to run for this Senate seat.
- C. Each constituency shall be allowed a proportionate number of seats based upon the number of full-time students within it. Seats shall be reapportioned every two years based on official numbers provided by the registrar. Each constituency shall be guaranteed one (1) seats.

Section 3: Term

- A. A Senator shall hold office for a term of one (1) year from the third week of April of the present year through the third week of April of the following year.

Section 4: Powers

- A. Decide all matters of policy for the Student Association and to enact all legislation for the Student Association.
- B. Regulate all activities of the Student Association, including the recognition and dissolution of student organizations
- C. Legislate in matters which impact the students at Northern State University, subject to the limitations imposed by the laws of the State of South Dakota and the Policies of the South Dakota Board of Regents.
- D. Create committees deemed necessary to implement the legislative function of the Student Association and to appoint any chairpersons, co-chairpersons, and members of these committees.
- E. Reverse a veto of the SGA President by a two-thirds (2/3) majority vote of the Student Senate within two weeks after the veto.
- F. Appoint advisors to assist the Student Association with approval of two-thirds majority vote of the Student Senate and approval by the SGA President.
- G. All votes of approving new senators, funding clubs and/or groups, approving clubs and/or groups, legislation, and other votes where it is deemed necessary will be done by a roll call
- H. The Student Senate shall have the authority to approve expenditures up to \$999.99 from the General Activity Fee reserve fund by a simple majority vote approval of the Student Senate.
 - a. The Student Senate may defer any expenditure request to the SBAC by a simple majority vote.
- I. Student Senate shall have the ability to discipline its own members and may expel a Student Senator if the Senate Government Affairs Committee is able to press charges against a member.

Section 5: Meetings

- A. The SGA shall meet a minimum of twice a month during the months of September to May.
 - a. Meetings shall not be held during December break and Spring break
- B. The Student Senate shall use the current edition of Robert's Rules of Order Newly Revised for parliamentary procedure at Student Senate Meetings. Any other rules and/or procedures may be determined by the Student Senate

- C. Quorum:
 - a. Fifty-one percent (51%) of all filled Senate seats shall be required to hold a meeting
- D. Executive Session
 - a. Any meeting of the SGA or of its committees may retire into executive session by a majority vote of Senators in attendance based on the rules outlined in the current version of Robert's Rules of Order.
- E. Special Session
 - a. The SGA President shall be able to call the Senate into special session. The Senate must have twenty-four (24) hour notice about the meeting and the topic. Special session may only conduct business on the items stated in a special session petition filled out by the SGA President.

Section 6: Presiding Officer

- A. The Vice-President of the SGA shall be the presiding officer of the Student Senate. The SGA Vice-President shall have no vote in the Student Senate except in the case of a tie. If the SGA Vice-President is absent, the President Pro-Tempore shall preside. Thereafter, the order of succession

Section 7: President Pro-Tempore

- A. Election
 - a. The SGA Senate shall elect one their members to serve as the President Pro-Tempore of the SGA Senate
 - i. The elected President Pro-Tempore cannot hold a leadership position on a standing committee
 - b. The Pro-Tempore shall be elected by a simple majority of the Student Senate at the first meeting.
- B. Duties
 - a. The Pro-Tempore shall sit in for the Vice-President or President should they be absent.'

Section 8: Standing Committees

- A. The standing committees of the SGA shall be the Government Affairs Committee, Finance Committee, Public Relations Committee, and State and Local Government Committee.
- B. Assignments to committees shall be made by the Vice President.
- C. Only Senators may vote in standing committees
- D. Chairperson roles are outlined in By-Law I.

Section 9: Ad-hoc committees

- A. The SGA Vice-President or Senate shall have the ability to form ad-hoc committees by a simple majority vote.

Section 10: Proxies

- A. Senators may proxy their vote to another Senator. The proxied Senator shall have more than one vote.
 - a. The proxied Senator shall vote as as instructed by the absent Senator

- b. Votes may be proxied in committee votes
- B. Proxy forms must be submitted to the Vice-President and Administrative Assistant 24 (twenty-four) hours before a Senate meeting.
 - a. Proxy forms must be submitted to the chair of a committee instead of the Vice-President

ARTICLE V: EXECUTIVE BRANCH

Section 1: Composition

- A. The Executive Branch shall consist of a President, Vice President, Chief Policy Officer , Chief Financial Officer, and Chief Communications Officer.

Section 2: Term

- A. All members of the Executive Branch shall serve one (1) year starting the third week of April to the third week of April the following year.

Section 3: Appointed Positions

- A. Officers
 - a. The President and Vice-President shall have the ability to appoint a registered student to any director position within the Executive Branch.
 - b. The Senate shall interview the candidate before a vote.
 - c. All appointments must be approved by a two-thirds ($\frac{2}{3}$) majority of the Senate.
- B. Administrative Assistant
 - a. The President and Vice-President shall have the ability to hire an Administrative Assistant for the SGA.
 - b. The Senate shall have the ability to interview the candidate before a vote.
 - c. Appointment must be approved by a two-thirds ($\frac{2}{3}$) majority of the Senate.

Section 4: Powers and Duties of the Student Government Association President

- A. Be the Chief Executive Officer of the SGA and execute and abide by the provisions of this Constitution, its By-Laws, and any other rules and regulations which the Senate deems necessary;
- B. Have the power to create ad hoc committees with a majority vote approval of the Student Senate;
- C. Have no vote on the Student Senate;
- D. Have the power to call the Student Senate into a special session;
- E. Serve as the official representative of the Student Association before the Northern State University faculty and administration, Student Federation, Governor, and Legislature;
- F. The President shall have full veto power over all legislation passed by the SGA Senate pursuant to By-Law VI, 3, E.
- G. The President shall have the power to issue Executive Orders on matters of policy that do not violate the constitution or any codified laws.
- H. Shall have the ability to remove a director from their position should they fail to meet the requirements of their job or violate the qualifications to be a member of the SGA.

Section 5: Powers and Duties of the Student Government Association Vice-President:

- A. Assume all responsibilities and duties of the SGA President if, or for any reason, the SGA President is unable to perform their duties;
- B. Call and preside over meetings of the Student Association;
- C. Assist the SGA President in executing all legislation passed by Student Senate;
- D. Have no vote within the Student Senate except in the case of a tie vote, in which the SGA Vice-President would then cast the deciding vote;
- E. Serve as an official representative of the Student Association before the Student Federation;
- F. Carry out any duties deemed necessary by the SGA President.

Section 6: Powers and Duties of the Student Government Association Chief Policy Officer

- A. Assist the members of the Executive Branch in setting a policy agenda for the term;
- B. Assist in the creation of legislation originating from the Executive Branch;
- C. Assist in the creation of Executive Orders;
- D. Lobby for or against legislation passing through the Senate;
- E. Update the Student Senate and Executive Branch on legislation at the local, state, and federal levels;
- F. Be an ex-officio member of the Senate Government Affairs Committee;
- G. Carry out any duties deemed necessary by the Student Government Association President.

Section 7: Powers and Duties of the Student Government Association Chief Financial Officer

- A. Oversee the Student Government Association budget;
- B. Present to the SGA Senate a monthly update on the SGA budget;
- C. Assist in the creation and management of a Fiscal Guidelines document;
- D. Create the Student Government Association budget;
- E. Present the Student Government Association budget to the Student Budget Appropriation Committee;
- F. Be an ex-officio member of the Senate Finance Committee;
- G. Carry out any duties deemed necessary by the Student Government Association President.

Section 8: Powers and Duties of the Student Government Association Chief Communications Officer

- A. Work with the Senate Public Relations Committee to create brand standards for the SGA;
- B. Work with University Relations to publish press releases created by the Public Relations Committee;
- C. Enforce branding standards on all social media platforms for the SGA;
- D. Attend Aberdeen City Council meetings and report back to the SGA the business of the city;
- E. Stage the office to create a welcoming environment for students, faculty, administration, and Senators;
- F. Maintain the SGA website and ensure that it is correctly branded and maintained;
- G. Be an ex-officio member of the Senate Public Relations Committee and the Senate State and Local Government Committee

Section 9: Powers and Duties of the Student Government Association Administrative Assistant

- A. Attend all Student Senate meetings and record the minutes of such meetings;
- B. Take and record attendance at Student Senate meetings;
- C. Take and record all roll call votes of the Student Senate;

- D. Serve as an assistant to the Student Government Executive and Legislative branches by carrying out directives given to them;
- E. Maintain the Student Association Code master document with all necessary information related to legislation and executive orders
- F. Attend all Student Budget Appropriations Committee meetings and record the minutes of such meetings;
- G. Take and record attendance at SBAC hearings;
- H. Take and record notes for a Senate committee meetings.
- I. Serve as the Archivist for the SGA and preserve all documents generated by the government digitally and physically with the help of the Northern State University Archivist.

Section 10: Compensation

- A. The SGA President and Vice-President shall receive compensation for their services, which shall be neither increased nor decreased during their term of office. The rate and term of compensation shall be established by the Student Senate prior to the general election.
- B. Director positions shall be unpaid volunteer positions.
 - a. Funding for the positions can be made available by the Senate, should the budget allow.
- C. The Administrative Assistant shall be paid from work study funding and/or student labor funding.

ARTICLE VI: PARLIAMENTARIAN OF THE STUDENT GOVERNMENT ASSOCIATION

Section 1:Qualifications

- A. The Parliamentarian shall be a member of the Student Association.
 - a. In the event of a vacancy, the Student Affairs advisor shall oversee the position.

Section 2:Appointment

- A. The Parliamentarian will be appointed by the Vice-President and President of the SGA.
 - a. The appointee shall be voted on by the Senate.

Section 3: Training

- A. Should be trained in parliamentary procedure before or after being approved by the Senate

Section 4: Term

- A. The Parliamentarian shall hold their position for a term of one (1) University year beginning at the first meeting of the fall semester to the last meeting of the sitting President's term.
 - a. The SGA President and Vice-President elect will have the choice to extend the term of the Parliamentarian or appoint a new one.
- B. The Parliamentarian shall not be a voting member of the SGA.
- C. The Parliamentarian shall not be a voting member of SBAC

ARTICLE VII: INITIATIVE, REFERENDUM, AND RECALL

Section 1. Initiative:

- A. Student Association members may initiate legislation by presenting a petition to the SGA containing a minimum of five (5) percent or two hundred (200) signatures of their members, whichever is least.
 - a. A written bill must be presented with the petition.
 - b. The bill shall be considered by the SGA no less than four (4) weeks after the submission of a complete petition.

Section 2. Referendum:

- A. All SGA legislation may be referred to the student body for its approval by a two-thirds (2/3) vote of the SGA Senate. The student body may petition SGA, 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 or two hundred (200) of students within SGA's jurisdiction.

Section 3. Recall:

- A. An executive officer or SGA senator 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 ten (10) percent or four hundred (400) of the members of the proper constituency. If an SGA member is recalled by a majority vote, the person will be removed pursuant to Article X.

Section 4: Special Election

- A. 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.

Section 5: Majority Rule:

- A. All initiative, referendum, constitutional referendum, and recall elections shall be determined by a simple majority vote of SGA members.

ARTICLE VIII: ADVISORS TO THE STUDENT GOVERNMENT ASSOCIATION

Section 1. Faculty Advisor

- A. There will be a faculty advisor to the SGA
 - a. This position will be appointed yearly by the SGA.
 - b. The SGA faculty advisor shall hold office for a term of one (1) year beginning of the third week of April of the present year through the third week of April of the following year.
- B. The duties of the SGA Faculty advisor shall be:
 - a. advise the SGA on Federal, State, and University policies

Section 2: Student Affairs Advisor

- A. There will be a Student Affairs advisor to the SGA
 - a. This position will be appointed yearly by the University President. Appointees must be either the Associate Vice President of Student Affairs OR the Director of Student Involvement and Leadership.

- b. The SGA Student Affairs advisor shall hold office for a term of one (1) year beginning the third week of April of the present year through the third week of April of the following year.
- B. The duties of the SGA Student Affairs advisor shall be:
 - a. Advise the SGA on Federal, State, and University policies.

ARTICLE IX: AMENDMENTS

Section 1: Introduction

- A. Amendment legislation shall follow all requirements and processes outlined in By-Law VI: Bills and Resolution.

Section 2: Amendment Initiation outside of the Student Government Association

- A. The student body may amend this constitution per Article VII of this constitution.

Section 3: Ex-Post Facto

- A. Any amendment to this constitution or the organizations governing documents that affects the number or qualifications of any official can take effect during a Student Government Association term by a three-fourths ($\frac{3}{4}$) vote by the Senate so long as it does not affect salary.

ARTICLE X: IMPEACHMENT

Section 1: Power

- A. The NSU SGA shall have the sole power to sanction or remove executive and legislative members with a three-fourths ($\frac{3}{4}$) vote of the full Senate after a proper trial has been held.

Section 2: Impeachment

- A. Power
 - a. The Senate Government Affairs Committee shall have the sole authority over impeachment and consider all complaints against any official.
- B. Requirements for Formal Complaints
 - a. Any member of the SGA may file a written formal complaint to the chair of the Senate Government Affairs Committee that outlines specific violations from Article X, Section 7. Written formal complaints must include evidence for the committee to consider in order for the complaint to be considered complete.
 - i. Complaints considered incomplete shall not be considered by the committee.
- C. Pre-Trial
 - a. Within one (1) school week after receiving a formal complaint the committee shall investigate the accused of the complaints set forth.

- i. Should the committee find evidence supporting the formal accusation, the committee shall be able to press formal charges against the accused.
- ii. Should the committee be unable to find evidence to support the accusations within the complaint, the investigation shall conclude, the accused be notified, and a report to the Senate that an investigation has concluded.
 - 1. Specifics shall not be included in the report.
- iii. The accused shall be notified of the investigation process when a formal complaint is submitted.
- b. Should the committee be able to find probable cause to charge the accused, a closed session, one (1) week after the committee investigation process, shall convene.
 - i. The accused shall be able to plead *guilty or not-guilty*.
 - 1. Should the accused plead *guilty*, the committee shall move to enforce a probable punishment and the accused shall be considered impeached.
 - 2. Should the accused plead not-guilty, a resolution shall be submitted to the Senate. The Senate shall then hear arguments from the accused and the committee.
- c. Should the accused be a member of the Senate Government Affairs committee, they shall be removed from the committee and replaced.

D. Trial

- a. Upon a not guilty plea from an accused member of the SGA, a resolution will be submitted by the Senate Government Affairs Committee outlining charges against an accused member and sanctions the committee may desires.
- b. The resolution shall be read out loud to the Senate, and the chairperson of the committee and the accused shall testify before the Senate.
- c. The Senate shall vote on the resolution. A two-thirds (⅔) majority vote of all Senators is required to pass the resolution. Should the resolution be adopted, all sanctions shall be enforced.
 - i. The chairperson and the accused shall not be granted a vote and must leave during the vote.

Section 3: Sanctions

- A. Sanctions against an accused member shall be decided by the committee and submitted with the resolution to the Senate. Sanctions against the accused shall be reasonable and abide by local, state, and federal law.
 - a. Possible sanctions include:
 - i. Community service
 - ii. Apology to the Senate
 - iii. Removal from Office

Section 4: Impeachable Offences

- A. Threats, verbal abuse, or any other inappropriate conduct towards any person while presenting the Northern State University student body.
- B. Misuse of SGA funds or property.
- C. Misuse of powers and privileges.
- D. Violation of the constitution or any governing document of the SGA.

- E. Failure to follow proxy instructions.
- F. Failure to abide by attendance policies.
- G. If any member of the SGA should be found guilty in a local or federal court of any felony or non-felony charges, that personal shall be removed from the SGA immediately.