

# Minnesota State University Moorhead Student Senate Constitution

## Preamble

Students bring a variety of interests and goals to the campus community that are critical to the pursuit of their academic and social development. As members of Minnesota State University Moorhead (MSUM), students should be free to express their views on issues of institutional policy, participate in the making of decisions that affect them, and promote matters of general interest to the student body. To that end, the purpose of this document is to enumerate the essential provisions for the rights and responsibilities of the student government of Minnesota State University Moorhead.

## Article I. Institutional Rights and Constraints

### Section 1: General Rights and Statements

1. Exercise of Fundamental Rights:
  - a. All students shall have the protection of the rights enumerated in the Minnesota State Colleges and Universities' (hereafter Minnesota State, formerly known as MnSCU) rules and operating policies. The University shall not employ institutional powers to limit or infringe upon these rights either on or off campus.
2. Non-Discrimination and Harassment Statement:
  - a. Minnesota State University Moorhead is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, or gender expression. In addition, discrimination in employment based on familial status or membership or activity in a local commission as defined by law is prohibited. Harassment on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, gender expression, or familial status is prohibited.
3. Student Conduct Code Statement:
  - a. This organization shall abide by the Minnesota State University Moorhead Student Conduct Code.
4. Statement of Non-Hazing:
  - a. Hazing is prohibited by MnSCU Board of Trustees' policy. Minnesota State University Moorhead will investigate all allegations of hazing and will utilize appropriate judicial, disciplinary and criminal processes in our efforts to eradicate hazing. The MnSCU Board of Trustees policy and MSUM Student Code of Conduct define hazing as an act which endangers the mental or physical health or safety of a person, subjects a person to public humiliation or ridicule, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for

continued membership in a student group, organization, or athletic team. Such activities and situations include, but are not limited to, sleep deprivation or causing excessive fatigue; engaging in public stunts, jokes, or degrading games and activities; or branding; or late night activities that interfere with academic and occupational activities. The express or implied consent of the victim to any activity covered by the foregoing definition does not validate or excuse that activity.

5. Affiliations:
  - a. This organization is not affiliated with any local, state, or national group.
6. Associations:
  - a. This organization is associated with Students United. The President of this organization or an appointed permanent designee shall serve as a member of the Board of Directors of Students United. This designee must be a non-voting member of Senate. This organization is not required to follow the rules and regulations of Students United.
7. Procedural Constraints:
  - a. This organization shall follow the procedural rules during meetings set out in the most recent publication of Robert's Rules of Order unless preempted by the rules enumerated in the Constitution or existing Bylaws.
8. Quorum:
  - a. Quorum for this organization is 2/3 of the voting members of this body.

## **Section 2: Right of Consultation**

1. Through committees and procedures designated in the Constitution and University regulations, students shall consult and/or review with the appropriate administrative officers to develop and implement recommendations as to broad policies and regulatory structures which affect all aspects of administrative policy, budget processes, academic policies, and any other aspects the Student Senate deems appropriate.

## **Article II. Student Senate**

The principle agency for student governance and participation in university policy development is the Student Senate.

### **Section 1: Composition of the Senate**

1. The Senate shall be composed of a President, a Vice President, a Treasurer, a Secretary, Chairs, and Senators.

### **Section 2: Terms of Office**

1. Members of the Student Senate are elected for a term of one year. All elected positions shall assume office on the day after the end of the spring semester.
2. Chairs are appointed for the academic year and must be re-appointed each year.

### **Section 3: Qualifications for Senators and Officers**

1. Any person who qualifies as a student is eligible for election in accordance with the conditions enumerated hereafter.
2. No student who is on academic probation or has a cumulative GPA of less than 2.0 at the time of filing may run for any office. Any student on academic probation or having a cumulative GPA of less than 2.0 while in office shall be subject to removal.
3. Academic seat candidates must be officially declared in a major within that college at the time of filing or appointment.
4. Officers must have reasonable expectations of being able to complete the full term of office when filing.
5. Candidates for the office of President, Vice President, Secretary and Treasurer must be of sophomore standing, have served on the Senate for one semester, and shall possess a cumulative GPA of 2.5 or higher. Officers must be full-time students. If an officer falls below full-time status during their office, they may continue their term if the Senate approves by a 2/3 vote of Senators present at the meeting.
6. Candidates for the chair positions must be of sophomore standing, or have served on the Senate for one semester, and shall possess a cumulative GPA of 2.25 or higher. Chairs must be full-time students. If a Chair falls below full-time status during their office, they may continue their term if the Senate approves by a 2/3 vote of Senators present at the meeting.

### **Section 4: Disqualification of Senate and Officer Candidates**

1. Candidates alleged to have violated Election Board rules will be subjected to a hearing before the Election Board. Candidates found in violation of rules may be disqualified.
2. A 2/3 vote of Senators present at the meeting is needed to disqualify a candidate. A motion to disqualify shall be offered by the Election Board only after a hearing has been conducted.
3. All Candidates must meet the qualifications stated in Article II, Section 3.

### **Section 5: Powers of the Senate**

1. The powers of the Student Senate include, but are not limited to the following:
  - a. The safeguard of students' welfare, the right to vote, the right to participate in all Minnesota State University Moorhead sponsored student governance activities, and the right to a fair hearing of grievances before an agency of appropriate jurisdiction.
  - b. To review all Senate and University committees' actions.
  - c. The Senate shall also exercise such additional powers as deemed necessary and proper for the general welfare of the student body.
  - d. The right to create and recommend policy to the University President.

## Section 6: Duties and Powers of Officers

### 1. Executive Board

- a. The purpose of the Executive Board shall be to oversee all actions of the Senate and its committees.
- b. The President, Vice President, Treasurer and Secretary shall be voting members of the Executive Board.
- c. The President shall chair the Executive Board.
- d. The Executive Board shall appoint and dismiss all committee chairs following the procedures in the bylaws.
- e. The Executive Board may introduce resolutions or bills to the Senate.
- f. All decisions made by the Executive Board must be approved by a simple majority vote.
- g. The Officers must inform the members of the Non-Discrimination and Harassment Statement and Student Conduct at the initial meeting. Thereafter, all members shall be responsible for knowing and abiding by these policies.

### 2. President

- a. Serves as the official representative and spokesperson for the Senate.
- b. Has the option to call emergency meetings of the senate, in consultation with the Vice President.
- c. Has the option to call emergency Executive Board meetings.
- d. Ensures representation at all Students United meetings. If the President cannot attend, the President's designee may be any student senator appointed by the President as identified in the Students United's bylaws.
- e. Ensures that the provisions of the Constitution are carried out.
- f. Appoints vacancies in the Senate and Officer positions subject to the confirmation of a 2/3 vote of voting Senate members present at the Senate meeting.
- g. Must fulfill seven office hours in the Senate office per week during the normal academic year.
- h. May call special elections with the approval of a 2/3 vote of voting Senate members present at the Senate meeting.
- i. May appoint any task force and/or Ad Hoc committees as they see fit.
- j. May cancel any scheduled meeting with the approval of a 2/3 vote of voting Senate members present at the Senate meeting, in consultation with the Vice President.
- k. May delegate any duty to appropriate members of the Senate.
- l. Within five (5) business days of any final Senate action, the President may veto such action. No later than the second (2nd) regular meeting following the veto, the Senate, by a two-thirds (2/3) vote, may override the veto. However, the President may not vote in the event that the Senate may attempt to override their veto.
- m. The President serves as an ex-officio member of the Senate body.
- n. Shall remain in regular contact with the President of the University pertaining, but not limited to:
  - i. Meet and Confer

### 3. Vice President

- a. Assumes the duties of the President in their absence.

- b. Has the option to call emergency meetings of the senate with 2/3 approval from senate over an agreed upon form of electronic communication.
- c. Serves as a member of the Student Activity Fee Allocation Committee (SAFAC). May designate a proxy as they see fit.
- d. Coordinates the training of Senate members to raise their overall awareness of the Senate's involvement with the campus community, including that of Students United.
- e. Performs duties assigned by the President.
- f. Must fulfill six office hours in the Senate office per week during the normal academic year.
- g. Administers and coordinates the Transitional Manual Program.
- h. Must attend one Students United conference per academic year.
- i. May delegate any duty to appropriate members of the Senate.
- j. Assumes the office of the Presidency if the President is impeached, resigns, or becomes incapacitated and unable to perform the duties of the office.
- k. Chairs all Senate meetings and develops the Senate's meeting agenda.
- l. Votes in Senate meetings only in the event of a tie.
- m. Shall remain in regular contact with the Dean of Students of the University pertaining, but not limited to:
  - i. Developments impacting students and the campus community.
  - ii. Emerging needs of students.

#### 4. Treasurer

- a. Monitors the Senate payroll.
- b. Reports the detailed written financial statement of the Senate at least twice each semester.
- c. Serves as the chair of SAFAC. May designate a proxy as they see fit.
- d. Performs duties assigned by the President.
- e. Must fulfill five office hours in the Senate office per week during the normal academic year.
- f. Must attend one Students United conference per academic year.
- g. Assumes the office of the President if the offices of President and Vice President are simultaneously vacant.
- h. If the student organization receives Student Activity Fee Allocation Committee funding the Treasurer will remain in contact with the Activities Business Manager.
- i. Shall remain in regular contact with the Vice President of Finance and Administration of the University pertaining, but not limited to:
  - i. Matters relating to University finances.

#### 5. Secretary

- a. Shall be an elected position which makes them a voting member in Senate.
- b. Must fulfill four office hours in the Senate office per week during the normal academic year.
- c. Records minutes at all Senate meetings. In the absence of the Secretary a proxy may be designated.
- d. Monitors all Senate meetings, committees, and office hour attendance.
- e. Maintains an accurate record of membership and submits an updated list to the advisor and Office of Student Activities on a regular basis.
- f. Submits a list of graduating members to the Alumni Association once per semester.

- g. Oversees the demerit point system.

### **Section 7: Duties of Senators**

1. The duties and responsibilities of Senators include but are not limited to the following:
  - a. Serve the needs of the student body and initiate discussion and action for student problems.
  - b. Assist in providing a common ground for communication and the promotion of close cooperation between the students, faculty, staff, administration, and alumni of the university.
  - c. Represent their constituents to the administration of the university and other appropriate governmental bodies, both inside and outside the university.
  - d. Investigate and make recommendations concerning issues pertaining to all aspects of student affairs.
  - e. Shall maintain at least one office hour per week in the Senate office.
  - f. Must be a member of at least one Senate committee and one university committee.

### **Section 8: Committees**

1. All committee chairs and officers will serve as members of the Cabinet. The Cabinet is an advisory body that meets at the discretion of the Executive Board.
2. Standing committees, Ad-Hoc committees, and any other bodies created by any applicable bylaw, Senate resolution, or by the President of the Senate shall abide by procedural rules enumerated in subsequent bylaws. The committees shall include, but are not limited to:
  - a. Legislative and Internal Affairs
  - b. Campus Affairs
  - c. Student Affairs Oversight
  - d. Public Relations
  - e. Diversity
  - f. Academic Affairs
  - g. Sustainability
3. Each committee shall be headed by a Chair appointed by the Executive Board.

### **Section 9: Removal Procedures**

1. Voluntary Removal
  - a. A member shall submit a written resignation to the President of the Senate if they are unable to complete or fulfill their term of office. If the entire Executive Board resigns simultaneously, then the Advisor shall chair the Senate meeting and accept nominations for interim officers whose approval shall require a 2/3 secret ballot vote of members present at the meeting. The interim officers shall schedule and hold a special election within four weeks of their appointment.
2. Involuntary Removal
  - a. Demerit Point System

- i. A point system will be utilized to track Senator's absences. The Secretary shall keep track of the points. The President will have the authority to turn unexcused absences into excused absences if they deem it proper.
  - ii. When the demerit point system has been deemed to trigger an automatic removal, a hearing will be put on the agenda of the next Senate meeting. The President shall preside over the removal hearing.
  - iii. The Senator in question shall have the right to attend and to testify at the removal hearing. If the Senator cannot attend the removal hearing, they may send a representative to speak on their behalf.
  - iv. At the removal hearing's conclusion, a secret ballot vote with a 2/3 approval shall determine whether the member is removed from office.
- b. GPA and/or Academic Probation
  - i. If a Senator or Officer is on academic probation and/or does not meet the Student Senate GPA requirements, they will be subject to removal.
  - ii. The Senator or Officer may appeal their removal to the Senate. If the Senate grants the appeal, the individual may continue in their position. If the Senate denies the appeal, the individual shall be removed.
- c. Officer Impeachment
  - i. Any member of the Senate may offer a motion to begin impeachment of the President, Vice President, Secretary, or Treasurer. The motion cannot be tabled
  - ii. or avoided by the chair and shall proceed to an immediate roll call vote subject to a 2/3 approval of the entire membership of voting members. Approval triggers an impeachment proceeding automatically scheduled on the next meeting's agenda.
  - iii. The impeachment proceeding shall be presided over by the committee chairs. The committee chairs shall select a chair to preside over the impeachment hearing. Members of the Senate shall have the right to question the officer who is the subject of impeachment. The officer shall have the right to attend the hearing and defend themselves. If the officer cannot attend, they may designate a proxy to testify on their behalf.
  - iv. At the impeachment hearing's conclusion, a roll call vote with a 3/4 approval of members present shall determine whether the officer is impeached from office. Any successful impeachment is effective immediately.
  - v. When an officer is successfully impeached, all benefits, compensation, and privileges are terminated immediately.
  - vi. Any person impeached by the Senate shall be barred from seeking an officer position in MSUM student government at any point in the future.

## **Section 10: Student Senate Budget**

- 1. Submitting the Budget
  - a. The President of the Senate is responsible for submitting a budget that is formed in conjunction with the Treasurer and approved by the Senate to the Student Activities Fee Allocation Committee prior to the budget deadline.
  - b. If the group dissolves, all monies allocated by the Student Activity Fee Allocation Committee shall be returned to the Student Activity Fee Allocation Committee. Any other funds will be dispersed as the group sees fit.

- c. It is against University policy for student organizations to have off-campus bank accounts.
  - d. All student organization funds must be kept in an on-campus University account.
    - i. Student Activity Fee Allocation Committee funds shall be kept in an activity account.
    - ii. All other student organization funds, whether fundraised, donated, or collected dues, will be kept in an agency account.
2. New Disbursements
    - a. Any disbursements that have not been allocated within the Senate approved budget must be brought before the full Senate so they may be accounted for and dispersed to proper areas of expenditures.

### **Article III. Student Elections**

#### **Section 1: Voting Districts**

1. Refer to the Bylaws (Article III, Section 1) for the voting districts.

#### **Section 2: Eligibility for Voting**

1. Any person who qualifies as a student in any of the prescribed districts at the time of an election shall be eligible to vote in the election. A person can only vote in their appropriate academic district. A student's academic district is determined by their chosen major and the appropriate discipline it falls under. All students will vote for the Executive Board and University Senator positions.

#### **Section 3: Student Senate Election Board**

1. Election Board Committee
  - a. The Election Board shall be comprised of an Election Board Chair and Election Board members. The Election Board Chair shall be appointed by the President and approved by a simple majority of the Senate. The Election Board shall have at least two members, not including the chair. The Election Board Chair chooses members in consultation with the President. Election rules shall be enumerated in applicable bylaws.
2. Qualifications of Board Members
  - a. Currently enrolled at MSUM
  - b. One member must be a current Senator not running for any Senate seat or officer position.
3. Results of the Election Board Rulings
  - a. After the results of the Election Board rulings have been determined, they shall be placed in the minutes of the Senate meeting.

#### **Section 4: Vacancies**

1. If a vacancy occurs in any officer or Senate position, the President shall bring an eligible candidate before the Senate for appointment subject to a 2/3 secret ballot vote of members present at the meeting.

### **Section 5: Time of Elections**

1. All student senatorial or officer elections shall be held no fewer than three weeks before the final day of the spring semester in which they are scheduled.

## **Article IV. Authorization and Approval of the Constitution**

### **Section 1: Repeal of the Existing Constitution**

1. The adoption of the constitution shall automatically repeal any earlier constitutions of the Student Senate.

### **Section 2: Amendments to the Constitution**

1. Amendments to the constitution shall be made in accordance with the provisions in the paragraphs below.
  - a. Proposals
    - i. Any student may submit recommendations for constitutional amendments to the Student Senate. After the proposal has been introduced to the Senate body, the Legislative and Internal Affairs Committee shall meet with the author(s) of the proposed amendment to discuss any changes, wording problems, conflicts with any applicable external binding laws, etc.
  - b. Certifications of Hearings
    - i. Following the meeting between the Legislative and Internal Affairs Committee and the author(s), the final draft of the proposed amendment will come before the Student Senate at the next meeting date. Upon a 2/3 vote of attending members, the Legislative and Internal Affairs Committee shall set up a publicized hearing at which members of the university may testify. The Legislative and Internal Affairs Committee shall also inform the MSUM President of the proposed amendment(s) and the time of the hearing.
  - c. Ratification
    - i. A proposed amendment must be submitted to the President of the Senate to be placed on the next general election ballot or a special election may be called upon a 2/3 vote of members present at a Senate meeting. 2/3 of voters must vote to approve the Constitution in order for it to pass. If approved by 2/3 of voters, it shall take effect immediately upon submission and final approval of the President of MSUM. A revised copy of the constitution will be placed on permanent file in the Office of Student Activities.

## **Article V. Role of the Advisor**

All student organizations are required to have a currently employed MSUM professional faculty or staff advisor working on-campus during the semester(s) of advisement. If the student organization maintains a University account, the advisor(s) is responsible for overseeing said account. If the student

organization receives Student Activity Budget Committee funding, the advisor(s) will remain in contact with the Activities Business Manager. The Student Senate Advisor shall be a cabinet level MSUM administrative employee or appointed designee.

## **Article VI. Initiatives and Referendums**

Measures that do not entail amendments to the constitution will be handled in the same manner as amendments and be subject to the same processes enumerated in the constitution.

## **Article VII. Student Senate Bylaws**

### **Section 1: Establishment and Definition**

1. The Bylaws of the MSUM Student Senate become operative upon approval of the Senate subject to a 2/3 roll call vote of members present at the meeting. Bylaws are defined as the rules and regulations which govern the procedural and operations workings of the Senate that are neither set forth in, nor in conflict with, the constitution and recorded by the Secretary of the Senate.

### **Section 2: Adoption of and Amendments to the Bylaws**

1. Any committee or Senator may propose the bylaws. Proposed bylaws shall be reviewed by the Legislative and Internal Affairs Committee for conflict with the constitution. Any conflicts must be corrected by the committee or Senator that proposed the bylaw. Adoption of bylaws shall be subject to a 2/3 vote of the entire voting membership of the Senate. A revised copy of the bylaws will be placed on permanent file in the Office of Student Activities.

### **Section 3: Procedure of Bylaws**

1. The bylaws adopted by the Senate shall hold precedence over all previous bylaws.

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\*Approved 11-16-2021