

## **University of Cincinnati Undergraduate Student Government Constitution**

(Revised 5/6/2009 under the authority of Speaker of Student Senate-KWS)

(Revised 3/11/2013 under the authority of Speaker of Student Senate- JCB)

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### **Preamble**

We, the undergraduate students of the University of Cincinnati, in order to represent our interests and opinions, provide for the government of student organizations, and promote the general welfare of the student body, do establish this Constitution for the Undergraduate Student Government of the University of Cincinnati.

### **Article I: Overview**

Undergraduate Student Government is the official representative of all undergraduate students attending the University of Cincinnati. The University of Cincinnati Undergraduate Student Government is made up of three branches: the legislative, the executive, and the judicial.

### **Article II: Legislative Branch**

#### **Title I: Structure**

**Section 1.** Supreme Undergraduate Student Government legislative authority shall be vested into one Student Senate of the University of Cincinnati.

**Section 2.** The Speaker of Student Senate shall be the presiding officer of Student Senate and may vote only in the event of a tie.

**Section 3.** Student Senate shall consist of voting and non-voting members.

- (a) Voting members shall include: two Senators that represent each college tribunal, eight At-Large Senators, one Senator that represents each of the Boards under the jurisdiction of Senate, the Student Body Vice President, and the two Holdover Senators.
- (b) Non-voting members shall include: the Student Body President, one Undergraduate Student Trustee, one Treasurer, one Residence Hall Association Senator, one Secretary of Senate, one Senate Sergeant-At-Arms, and one Student Senate Parliamentarian.

#### **Title II: Enumerated Powers**

**Section 1.** Student Senate shall govern all registered undergraduate student organizations except social fraternities, social sororities, and Residence Hall Organizations.

**Section 2.** Student Senate shall have exclusive power to:

- (a) charter all student organizations under its jurisdiction and to revoke or suspend such charters;
- (b) require any student organization or board under its jurisdiction to charge its constitution, bylaws or practice to conform to Undergraduate Student Government legislation;

- (c) approve or reject any proposed changes in the constitutions or bylaws of any student organization or board under its jurisdiction;
- (d) recommend to the proper University officials any action or policy that Student Senate deems to be in the best interests of the Undergraduate Student Body;
- (e) conduct hearings and investigations on any matter affecting the Undergraduate Student Body;
- (f) approve or reject any changes in the ombudsman's office;
- (g) remove, for cause, any elected member of Undergraduate Student Government or any appointment requiring the approval of Student Senate;
- (h) establish rules for the operation of its internal business;
- (i) review and approve the Undergraduate Student Government operating budget;
- (j) approve or reject Presidential appointees;
- (k) elect the Speaker of Student Senate and two Holdover Senators; and
- (l) enact legislation pursuant of its power.

**Section 3.** The aforementioned enumerated powers shall be interpreted so as not to prohibit Student Senate from exercising any and all powers necessary to perform its governing function in promoting the general welfare of the Undergraduate Student Body.

**Section 4.** The individual colleges shall have representative bodies collectively known as College Tribunals, which under the jurisdiction of Student Senate shall have the name and powers as specified in their respective constitutions.

**Section 5.** The following Boards shall function under the jurisdiction of Student Senate: Student Activities Board, University Funding Board, and Student Safety Board.

## **Article III: Executive Branch**

### **Title I: Structure**

**Section 1.** Chief Undergraduate Student Government executive power shall be vested into the Student Body President. The Student Body President shall be the official representative of the Undergraduate Student Body.

**Section 2.** Secondary executive power shall be vested into the Student Body Vice President. The Student Body Vice President shall assist the Student Body President in the performance of all executive functions.

**Section 3.** The Cabinet shall consist of Legislative Committee Chairpersons and Directors. The External Holdover Senator shall oversee the Cabinet.

**Section 4.** The Executive Staff shall consist of members that assist in the executive functions of the Undergraduate Student Government. The Student Body Vice President shall oversee the Executive Staff.

### **Title II: Enumerated Powers**

The Student Body President shall have exclusive power to:

- (a) veto any legislation of the Student Senate; and
- (b) nominate members of the Cabinet, Executive Staff, and Student Court.

## **Article IV: Judicial Branch**

### **Title I: Structure**

**Section 1.** Chief Judicial Authority shall be vested into one Student Court and one Student Court of Appeals.

**Section 2.** There shall be a Student Court consisting of one Chief Justice and a maximum of fifteen Associate Justices. Sole administrative power over Student Court shall be vested in the Chief Justice. The Associate Justices shall select one of their members to serve as Chief Justice.

**Section 3.** There shall be a Student Court of Appeals consisting of at least three Associate Justices of the Student Court. The Associate Justices serving on the Student Court of Appeals shall not be the same Associate Justice(s) who presided over the original case in the lower court.

**Section 4.** The Student Court of Appeals' jurisdiction shall extend to only those cases which were tried in Student Court and may exercise an appeal to Student Court of Appeals. Student Court of Appeals may accept or deny a hearing on any appeal.

**Section 5.** Associate Justices will be appointed by the Student Body President. In the case that a conflict of interest arises, this power will fall to the following individuals, in order: Student Body Vice President, Speaker of Senate, Internal Holdover Senator, External Holdover Senator, Treasurer.

### **Title II: Enumerated Powers**

**Section 1.** Student Court shall have original jurisdiction over:

- (a) all cases of interpretation of the Undergraduate Student Government Constitution and Student Senate legislation;
- (b) any dispute between organizations under the jurisdiction of Student Senate, or between such organizations and students; and
- (c) any dispute in which both parties consent to the jurisdiction of the Student Court.

**Section 2.** The Chief Justice shall make appointments and set procedures as deemed necessary for the just and efficient administration of Student Court.

## **Article V: Student Body Election Terms**

The term of office for Student Body President, Student Body Vice President, and all At-Large Senators shall last one year, commencing with inauguration and continuing until the inauguration of officers one year later, unless removed by Student Senate.

## **Article VI: Impeachment**

**Section 1.** Written charges of impeachment may be brought by a two-thirds vote of Student Senate against any elected member of Undergraduate Student Government or any appointment requiring the approval of Undergraduate Student Senate.

**Section 2.** After charges are voted upon, the impeached officers shall have two weeks in which to form a reply to the charges, and present said reply to Student Senate.

**Section 3.** Student Senate shall act as an impeachment court, with the Chief Justice of Student Court presiding. Both Undergraduate Student Senate and the defendant may be represented by counsel.

**Section 4.** The impeachment hearing shall occur during executive session, which may also include non-Student Senate members approved by the Chief Justice of the Student Court.

**Section 5.** Two-thirds of total Undergraduate Student Senate membership is necessary for conviction. The method of voting shall be secret ballot. A convicted official shall be immediately removed from office.

### **Article VII: University Compliance**

**Section 1.** Nothing in this constitution shall be in conflict with the law or with the Bylaws and Regulations of the Board of Trustees of the University.

**Section 2.** The President of the University retains final authority over all actions of Undergraduate Student Government. Any negation of an action of Undergraduate Student Government by the President of the University shall be in writing and shall specify the actions negated and reasons for the negation. This negation shall, under normal circumstances, be received by Undergraduate Student Government within three weeks after the date of transmittal of each statement of Undergraduate Student Government action to the President of the University.

**Section 3.** Under special circumstances, the President of the University can request an extension of time for consideration of an action of Undergraduate Student Government. Any request for an extension shall be in writing, shall specify the period of time requested, and shall be received within three weeks after the date of transmittal of each statement of Undergraduate Student Government action to the President of the University.

### **Article VIII: Bylaws and Rules and Procedure**

**Section 1.** Student Senate shall develop a set of bylaws to this Constitution. These bylaws may be amended by an affirmative roll call vote of two-thirds of Student Senate. These bylaws shall govern all entities that function under the jurisdiction of the Student Senate and shall hold precedence over the governing documents of those entities. No amendment may be proposed to Student Senate and voted upon during the same meeting, or sooner than one week after it is proposed.

**Section 2.** Student Senate shall develop a list of Rules of Procedure to govern its internal business and the conduct of its meetings. These Rules of Procedure may be amended by an affirmative roll call vote of two-thirds of Student Senate. No amendment may be proposed to Student Senate and voted upon during the same meeting, or sooner than one week after it is proposed. Any rule, except those which state otherwise, may be suspended for one meeting by a two-thirds vote of Student Senate.

### **Article IX: Constitutional Amendments**

**Section 1.** This Constitution may be amended at a special Constitutional Ratification Meeting held between elections and inauguration by a roll call vote of two-thirds of total Student Senate voting membership.

- (a) all proposed amendments shall be submitted to the Speaker of Student Senate to be read at the next regular Student Senate meeting;
- (b) all proposed amendments must be ratified by two-thirds of all College Tribunals by the last regular Student Senate meeting before the Constitutional Ratification Meeting;
- (c) for a College Tribunal to ratify the amendment, two-thirds of the College Tribunal voting membership must vote in the affirmative at the regular Tribunal meeting;

- (d) the exact time, date, and place of the Constitutional Ratification Meeting shall be determined by Student Senate;
- (e) the only official business transactions at this meeting shall be the consideration of Constitutional amendments;
- (f) all non-conflicting Student Senate Rules of Procedure shall apply at the meeting;
- (g) once approved at the Constitutional Ratification Meeting, the Constitutional amendments shall immediately become law.

**Section 2.** This Constitution may also be amended by an affirmative vote of two-thirds of students voting on a constitutional referendum. A constitutional referendum may be initiated by petition of 1000 eligible voters of the Undergraduate Student Body. Each referendum petition shall be on a form provided by the Elections Facilitation Committee. For a referendum to pass, it must receive a two-thirds vote in an election in which no less than ten percent of the eligible voters voted.