

The Constitution of the Missouri Students Association

Article I. Preamble

We, the students of the University of Missouri-Columbia, in order to gain the benefits inherent in the organization of a government for the students, further the interests of the students within the University and the general community, encourage the greatest level of cooperation and communication with faculty and administration, and to assist in all manners consistent with the policies and regulations of the University in the pursuit of excellence in all aspects of student life, do hereby establish this Constitution for the Missouri Students Association, as the undergraduate student government of the University of Missouri-Columbia.

Article II. Membership

All undergraduate students of the University of Missouri-Columbia shall be members of the Missouri Students Association, hereinafter referred to as the Association.

Article III. Organization

The organization of the Association shall consist of the executive branch, the legislative branch, and the judicial branch.

Article IV. Executive Branch

Paragraph A. Authority

The executive authority of the Association shall be vested in the President who, along with the Vice-President, shall be elected by the members of the Association at the Association general election in accordance with the provision established by law.

Paragraph B. Qualifications of Executive Officers

A candidate for President or Vice-President must have been a member of the Association for at least two semesters prior to the general election, and must give assurance that they intends to complete their term of office, including the summer session if elected.

Paragraph C. Duties of Executive Officers

(1) President

It shall be the duty of the President to preside at general meetings of the Association, to enhance the provisions of the constitution and bylaws; and to perform such other duties as are associated with the office of the President.

(2) Vice-President

It shall be the duty of the Vice-President to aid the President in the discharge of their duties and perform the duties of the presidency should that office become vacant. The Vice President is also responsible for the oversight of student representatives to the various Chancellor's Standing Committees, and for updating the Association as appropriate on such committees. The Vice President shall also serve in the capacity of Auxiliary liaison.

Paragraph D. Organization of the Executive Branch

(1) Department of Student Services

The Department of Student Services shall be a permanent part of the executive branch and shall be responsible for student services which aid the President in the discharge of their duties or which are provided for by law.

(2) Communications Director

The Communications Director shall be a permanent part of the executive branch appointed by the MSA President and shall be responsible for all public relations and publicity necessary for the successful operation of all branches of the Association.

(3) Treasurer

The Treasurer will be a permanent member of the executive branch appointed by the MSA President and shall perform all financial transactions as authorized by law and by the appropriate University officials, and keep all financial records of the Association.

Paragraph E. Powers of the President

The President shall be chief executive of the Association; all other officers of the executive branch shall be responsible to the President. They shall have the power to nominate and by and with advice and consent of the Senate appoint all justices of the Student Court and all other officers in the executive and judicial branches which are established by law. They may require the opinions of any officer of the executive branch in writing and may make temporary appointments in the executive and judicial branches which shall expire at the adjournment of the next regularly scheduled Senate meeting. They shall have the sole power to fill undergraduate student positions on University committees and boards in accordance with the provisions established by law.

Article V. Legislative Branch

Paragraph A. Authority

All legislative powers herein granted shall be vested in the Senate.

Paragraph B. Organization

(1) Membership

The Senate shall consist of Senators elected according to the provisions of this paragraph and by law.

(2) Selection of Senators

For the purpose of selection of Senators, the Senate body shall be 81 representatives.

- a) 50 will be divided by percent of total enrollment of each Undergraduate Degree Program. The total undergraduate enrollment as defined by the University of Missouri – Columbia will be determined on the 21st day of the winter semester. These seats shall be defined as academic college senators.
- b) 20 seats will be defined as at-large senators and will be elected at a full Senate meeting of the term. Of those at-large seats, one will be allotted to each non-MSA undergraduate member organization of Joint Session. Each Joint Session member organization will determine their own selection process for their MSA Senator. Of those at—

large seats, a minimum of 6 seats will be designated to students of freshman standing as defined by the University of Missouri-Columbia.

- c) 10 seats will be defined as organizational senators and will serve for a semester-long term, with the terms beginning at the start of the fall and spring semesters. These seats will be divided between the following organizations: Four Front, Interfraternity Council, Legion of Black Collegians, Missouri International Student Council, Multicultural Greek Council, National Pan-Hellenic Council, Panhellenic Association, Residence Halls Association, Freshman Council and Student Athlete Advisory Committee. These organizations will determine their own selection process for their MSA Senator. The seat held by Freshman Council shall be elected in an at-large process by the full Senate during the spring semester.
- d) Upon election, the Speaker of the Senate will receive one seat in accordance with the bylaws of the association.

(3) Representation

- a) In accordance with the provisions in the bylaws, representation is defined by the electoral groups in section two subsections (a), (b), and (c).

(4) Qualifications of Senators

- a) Senators representing electoral groups defined in section two subsection (a) must be members of the academic college they represent in accordance with the enrollment as defined by the University of Missouri-Columbia at the time of their election.
- b) Senators representing the electoral group in section two subsection (b) must be enrolled undergraduate students as defined by the University of Missouri-Columbia.

Paragraph C. Powers of the Senate

The Senate shall have sole power to:

- a) Enact laws as authorized by this constitution or as necessary and proper to carry out the constitutional purpose of the Association.
- b) Allocate the Association's student activity fee revenue, and all other revenue, consistent with and subject to the approval of appropriate University official(s).
- c) Pass resolutions on subjects which affect or are of concern to the Association.
- d) Elect its own leadership and establish its own rule of procedure.

Paragraph D. Quorum

A quorum of the Senate shall be forty percent, and shall be necessary to transact business except that fewer members may adjourn a meeting.

Paragraph E. Necessary Votes

All laws and appropriations shall require at least a three-fifths majority vote of the Senators present and voting for passage. All other resolutions unless otherwise herein stipulated shall require a simple majority vote of the Senators present and voting for passage.

Paragraph F. Veto

Any bylaw or appropriation passed by the necessary votes in the Senate shall be sent to the President and if they approve

they shall sign it within ten days. If they do not approve they shall return it to the Senate the next meeting along with their objections and it shall immediately stand reconsidered and if passed by a two-thirds vote of full Senate membership, it shall become valid over the President's veto. If the President shall fail to sign or veto a by law or appropriation within ten days, it shall become valid automatically.

Paragraph G. Removal of Officers

(1) Executive Office

The President and Vice-President of the Association shall be indicted for dishonesty or nonperformance of duty by a petition signed by twenty percent of the total qualified Senate membership and convicted and removed from office upon the passage of a resolution to that effect by a three-fourths vote of full Senate membership.

(2) Inferior Officers

All inferior officers of the executive branch and all justices of the Student Court shall be indicted for dishonesty or nonperformance of duty by a petition signed by twenty percent of the total qualified Senate membership and convicted and remove from office upon the passage of a resolution to that effect by a two thirds vote of those Senators present and voting on the issue.

(3) Procedure

Any resolution outlined in section one or two of this paragraph must be presented along with the indictment petition for the first reading at any regularly scheduled Senate meeting and must be voted on at the following Senate meeting. An officer against whom such an indictment has been presented must be allowed to make a defense before the Senate and before any committee considering the issue before the vote on any resolution is taken.

Paragraph H. Power of the Speaker

Any legislative power not specifically denied to the speaker nor specifically assigned to another individual or group in the constitution, rules of the senate, or bylaws, shall be reserved to the speaker.

Article VI. Judicial Branch

Paragraph A. Authority

The judicial authority of the Association shall be vested in one Student Court and in such inferior courts as the Association shall from time to time ordain and establish.

Paragraph B. Student Court

(1) Jurisdiction

The student Court shall have authority to hear all cases and controversies in law and equity arising under the constitution, or the bylaws of the Association. It shall have appellate jurisdiction over all cases from inferior courts in accordance with provisions established in the Association laws.

(2) Rules of Procedure

The Student Court shall have the power to establish rules of procedure for the judicial branch which are not contrary to laws passed by the Senate.

(3) Membership and Terms of Office

The Student Court shall consist of nine justices who shall serve during good behavior so long as they are continually a member of the Association. One justice shall be designated Chief Justice and shall preside over the court, administer the judicial branch, and designate another justice to preside in their absence.

(4) Quorum

A quorum of the Student Court shall be six justices and shall be necessary to transact business.

Paragraph C. Board of Election Commissioners

(1) Purpose

The Board of Elections Commissioners (BEC) shall serve as an independent entity of the association that shall certify the results of all elections and referenda.

(2) Membership

The Chair of the BEC shall be appointed jointly by the President, Senate Speaker, and Chief Justice. Once selected, it is the duty of the Chair to oversee the responsibilities of the BEC and create a team as necessary.

(3) Responsibilities

The BEC shall be responsible to ensure the proper execution of the election and the responsibility to uphold all election laws.

Article VII. Elections Inaugurations, Oath of Office, and Terms of Office

Paragraph A. Elections

(1) General Elections

A general election for the office of President and Vice President and all qualified propositions shall be held on the first Tuesday in March of each year unless the Senate shall set a different date within twenty days thereof.

(2) Special Elections

Special elections for qualified propositions may only be called during the fall and winter semesters by the Senate or by the President with the concurrence of the Senate. Such special elections shall not be held within ten days of the beginning or end of any academic semester or when the University of Missouri-Columbia is not in session.

(3) Procedure

All Association elections shall be conducted in accordance with the provisions established.

Paragraph B. Inaugurations and oath of office

(1) Inaugurations

The positions named in section one of paragraph A of the article will be sworn in by a justice of the court at a full Senate meeting. The Senate Speaker must determine the swearing in date within 30 days of the close of the general election. The positions named in section one of paragraph A of the article must be sworn in by the end of the spring semester

(2) Oath of Office

The President, Vice-President, Senate Speaker, Judicial Court, & Senators shall take the following oath of office:

“I _____ solemnly swear to execute the duties of my office as prescribed in the constitution and bylaws of the Association for the benefit of all members in the Association.”

Paragraph C. Terms of Office

The President, Vice-President, and academic college Senators shall serve a regular term of one calendar year subject to the qualifications of this constitution and the laws. All inferior positions of the executive branch shall serve a term corresponding to the term of office of the President who appointed them except that any such officer may be removed for cause by the President under procedures established by law.

Article VIII. Annual Budget

The annual Association budget shall be drawn up for Senate approval by the President and Vice President, and other representatives as may be provided for by law. The operative revenues of all branches of the Association shall be included in this budget which must be passed by a three fifths vote of the full Senate membership and voting before the commencement of the fiscal year beginning July first.

Article IX. Rules of Order

Robert’s Rules of Order, newly revised, shall govern proceedings of the Senate.

Article X. Initiative, Referendum and Amendments

Paragraph A. Initiative and Referendum

By petition of ten percent of the members of the student body or by two-thirds majority vote of those senators present and voting, any law, resolution or appropriation passed by either student legislature or any proposed issue must be placed before the members of the student body for acceptance or rejection. A simple majority of the members voting on such an issue shall be required for passage of the issue except to add or increase a student fee, which shall require a three fifths majority of members voting on the referendum.

Paragraph B. Amendments

Amendments to this constitution may be proposed by a petition of ten percent of the members of the Association or by two-thirds majority vote of those senators present and voting on the proposed amendment and shall become a legal part of this constitution when approved by a two-thirds majority vote of those members of the Association on the proposed amendment in an election. The Senate, upon passage by a three-fourths majority of those present and voting, shall be able to change this constitution to reflect name changes of departments and government branches which are already recognized herein.

Paragraph C. Procedure

In the case of an initiative the Senate shall declare by vote the date of the election at least thirty days in advance of the election provided that no such elections shall be held during the time University of Missouri-Columbia is not in session for the regular fall or winter semesters. In the case of an amendment the Senate shall declare by vote the date of the election

and the content of the issue as necessary to establish the validity of such an election.

Article XI. Open Meetings

All meetings of committees, commissions, departments or other sub-agencies with the Association governmental structure and meeting of Association recognized organizations must be open to the public except that all judicial deliberations of student courts or of the Senate shall be exempt from the provisions of this article.

Article XII. Auxiliary Protection & Petition

Auxiliaries of the Missouri Students Association shall be members of the Association unless removed or altered by the Missouri Students Association Senate. The alteration of any auxiliary shall require 3/4ths vote from the full Senate membership. If the alteration should pass the Student Legislature, the appropriate alterations shall be made in the rules established by law and altered in the following fiscal budget.

Article XIII. Declaration of Nondiscrimination

The Association will not discriminate on the basis of sex, religion, race, national or ethnic origin, mental or physical handicaps, gender expression, gender identity, sexual preference, or age.