

# THE CONSTITUTION OF THE EASTERN MICHIGAN UNIVERSITY STUDENT GOVERNMENT

## PREAMBLE

We, the students of Eastern Michigan University, do hereby constitute the Eastern Michigan University Student Government in order to promote and defend the welfare of the Student Body.

## ARTICLE I - STUDENT GOVERNMENT

1. **Name.** The official name of this organization shall be Eastern Michigan University Student Government.
2. **Definition.** Student Government is an independent, student run organization established to further Eastern Michigan University students' rights while working with the University. Student Government is a service organization intended to serve the needs of the Student Body.
3. **Authority.** All power vested in this Constitution shall be derived from the Student Body of Eastern Michigan University. All currently registered students shall be members of the Student Body. Student Government shall have the authority to speak and act on behalf of the Student Body.
4. **Non-Discrimination Clause.** Student Government shall not discriminate because of race, color, creed, religion, national origin, gender, age, physical or mental ability, political identification, gender identification, sexual identity, or sexual orientation. The Senate shall have the power to expand, but not diminish, these protections.
5. **Student Bill of Rights.** Student Government shall maintain and enforce a Student Bill of Rights.
6. **Adviser.** Student Government shall select an adviser with the advice of the University.
7. **Multiple Offices.** No person shall simultaneously hold multiple offices within Student Government, except on a limited, interim basis.
8. **Compensation.** Any compensation paid to the Student Body President, Student Body Vice President, senators, or delegates may not be increased or decreased during the individual's term in office.
9. **Oath of Office.** Before assuming office, elected and appointed members of Student Government shall take an oath of office.
10. **Higher Law.** Student Government shall act in accordance with federal and state law.

## ARTICLE II - THE LEGISLATURE

1. **Legislative Powers.**

- a. All legislative power shall be vested in the Student Senate (herein referred to as the "Senate" or "Student Senate").
- b. The Senate shall be empowered to research, investigate, and pass resolutions on issues affecting the Student Body in order to advise the University on the will of the Student Body.
- c. The Senate shall possess the power to determine its own organizational structure, so long as it does not conflict with this Constitution.
- d. The Senate may exercise additional powers that do not conflict with this Constitution.

**2. Composition.** The Senate shall consist of senators and may also consist of delegates.

**3. Senators.**

- a. There shall be one (1) Senator for every 1,000 registered students, or fraction thereof. The total student enrollment for the university for the immediately preceding fall semester, as determined by the President of the University, shall be used to determine the size of the Senate for the next annual election. This enumeration shall occur annually no later than sixty (60) Calendar days before the annual election of Senators.
- b. All Senators shall be elected at-large by an annual popular election of the entire Student Body at a date and time prescribed by the Senate.
- c. Senators shall be elected for a term of one (1) year.
- d. All currently registered students shall be eligible to serve as a Senator so long as they maintain good academic and judicial standing as defined by the chief academic officer of the University.
- e. Senators shall possess one (1) vote on all substantive and procedural matters before the Senate. Absentee and proxy voting shall be prohibited. All Senators shall vote on every question before the Senate unless the Senator has a conflict of interest on the question, in which case the Senator must disclose the conflict of interest to the Senate before the vote.
- f. The Senate shall possess the power to fill vacancies among Senators over the course of the term by way of appointment

**4. Delegates.** In addition to the Senators, the Senate may, through its bylaws, create up to five (5) delegate positions to represent different constituencies on campus. If the Senate takes such action, it shall establish the process for appointing and removing delegates and the rules applicable to delegates.

**5. Meetings.**

- a. The Senate shall meet no less than once per month during the fall and winter semesters at a date, time, and place prescribed by the Senate.
- b. Quorum shall be a majority of the Senate.
- c. All meetings of the Senate shall be held in open session and minutes shall be made public, except that the Senate may enter into closed session by a majority vote to discuss attorney-

client privileged communications. Minutes of meetings held in closed session may be withheld from public view

### ARTICLE III -THE EXECUTIVE

1. **Executive Power.** All executive power shall be vested in the Student Body President and Student Body Vice President.
2. **Student Body President.**
  - a. The Student Body President shall be the chief representative and spokesperson for the Student Body; shall serve as the chief executive officer of Student Government; shall have the authority to enter into agreements with other governing bodies with the advice and consent of the Senate; shall appoint student representatives to university committees; and may select employees of Student Government, as well as remove such employees.
  - b. The Student Body President may veto resolutions passed by the Senate. Any veto must be accompanied by a written statement from the Student Body President explaining the reason(s) for the veto. If a resolution is not vetoed within ten (10) calendar days of passage, it shall be considered approved. An absolute two-thirds (2/3) of the Senate may override a veto.
  - c. The Student Body President may exercise additional powers that do not conflict with this Constitution.
3. **Student Body Vice President.**
  - a. The Student Body Vice President shall be the President of the Senate and preside over its meetings, but shall not vote, except when there is a tie.
  - b. The Student Body Vice President may exercise additional powers that do not conflict with this Constitution.
4. **Elections.**
  - a. The Student Body President and Student Body Vice President shall be elected together as a ticket in an annual popular election of the entire Student Body at date and time prescribed by the Senate that shall be the same date and time as the annual election for Senators and referendum.
  - b. All currently registered students shall be eligible to serve as Student Body President and Student Body Vice President so long as they maintain good academic and judicial standing as defined by the chief academic officer of the University.
  - c. The Student Body President and Student Body Vice President shall be elected for a term of one (1) year.
5. **Vacancies.**

- a. If the office the Student Body President becomes vacant, the Student Body Vice President shall assume the office of Student Body President for the remainder of the term.
- b. If the office of the Student Body Vice President becomes vacant, the Student Body President may appoint a replacement for the remainder of the term, subject to the approval of two-thirds (2/3) of the Senate.
- c. Should both the office of Student Body President and Student Body Vice President become vacant, the Senate shall select a Student Body President from among the Student Body by an absolute majority vote.

#### ARTICLE IV -JUDICIAL PROCEEDINGS

##### **1. Impeachment.**

- a. The Student Body President, Student Body Vice President, or senators may be impeached upon a vote by an absolute two-thirds (2/3) of the Senate for reasons of malfeasance in office, misappropriation of Student Government resources, or violation of the oath of office.
- b. The Senate may not conduct a hearing and vote to impeach unless a written article of impeachment outlining the reasons for impeachment has been signed by an absolute majority of the Senate at least seven (7) calendar days before the hearing and vote to impeach. Once signed by an absolute majority of the Senate, an article of impeachment must be voted on by the Senate.
- c. Impeachment proceedings must permit the accuser(s) and the accused to have equal time to present evidence and call witnesses, not less than twenty (20) minutes each.
- d. The Senate may establish other procedures for conducting impeachment proceedings that do not conflict with this Constitution.

- 2. **Removal Due to Ineligibility.** The Student Body President, Student Body Vice President, a senator, or a delegate is automatically and immediately removed from office upon receipt by the Senate of written notification from the chief academic officer of the University that the individual is not a registered student at the University, not in good academic standing with the University, and/ or not in good judicial standing with the University.
- 3. **Censure.** The Senate shall have the power to censure members of the Student Government by a method prescribed in the bylaws.
- 4. **Judicial Proceedings.** The Student Senate may create other judicial proceedings that do not conflict with this Constitution.
- 5. **Due Process.** All judicial and impeachment proceedings by the Senate must afford due process to all parties.

## ARTICLE V -THE CONSTITUTION

1. **Definitions.** Throughout this Constitution:
  - a. use of the phrase "absolute majority" means a majority of all members of the Senate serving at that time regardless of the number of members of the Senate present during the vote;
  - b. use of the phrase "majority" means a majority of the members of the Senate .who are present during the vote;
  - c. use of the phrase "absolute two-thirds (2/3) of the Senate" means at least two-thirds of all members of the Senate serving at that time regardless of the number of members of the Senate present during the vote;
  - d. use of the phrase "two-thirds (2/3) of the Senate" means two-thirds of the members of the Senate who are present during the vote.
2. **Ratification.** This Constitution shall, upon ratification, replace any existing Constitution of Student Government and all other policies of Student Government that conflict with this Constitution, except for Article II(3)(a) and Article II(4), both of which shall become effective for the 2014 election cycle.
3. **Supremacy.** This Constitution shall serve as the governing document of the Student Body, hold supremacy over any conflicting documents or actions of Student Government, and be binding upon all members of Student Government. This Constitution is not subject to motions of suspension.
4. **Bylaws.** The Student Government may establish bylaws and other operating procedures and policies that do not conflict with this Constitution to establish the structure and proceedings of Student Government and the Senate. The Bylaws may be amended by a vote of two-thirds (2/3) of the Senate. The Bylaws may not be suspended.
5. **Amendments.**
  - a. This Constitution may only be amended by a majority of the Student Body voting on the question during an election.
  - b. Amendments to this Constitution shall be submitted to a vote of the Student Body at the next annual election, or during a special election called by the Senate, upon (1) a two-thirds (2/3) vote of the Senate, or (2) presentation to the Senate of the signatures of at least 500 students.
  - c. Amendments replace the material they amend.
  - d. The Senate may establish other procedures for conducting an election to amend this Constitution that do not conflict with this Constitution.
6. **Review.** There shall be a holistic review of this Constitution to assess the continuing relevance of its provisions every three years after passage. Review commissions shall include members of both the legislature and executive.