

CONSTITUTION

OF THE

STUDENT GOVERNMENT ASSOCIATION

OF

INDIANA UNIVERSITY KOKOMO

Approved by the Bylaws Committee on: 11 November 1994

Senators J Bohlmann (Chair), E Douglass, T Vaughn

Approved by the Senate on: 18 November 1994

Vice President B Everhart, J Bohlmann, K Carroll, T Cloum, E Douglass,

E Lawson, T Vaughn, T Wisher, L Wilhoite

Approved by the President on: _____

Todd Hostetler

Approved by the Supreme Court on: _____

Chief Justice K Overdorf, S Clawson, E Cleaver, C Schnurpel, J Schwartz

Approved by the Coordinator of Student Activities: _____

Sarah Hawkins

Approved by the Vice Chancellor of Student Activities: _____

Jack Tharp

Approved by the IUK Chancellor: _____

Emita Hill

Ratified by the Student Body on: _____

(Note: All Articles in the Constitution have a corresponding Title in the Bylaws except:

Article X Amendments, XI Bylaws, XII Grandfather Clause, XIII Enactment)

PREAMBLE

We, the students of Indiana University Kokomo, in order to initiate and coordinate student activities; to represent student interests; to supplement and complement formal education on the Indiana University Campus; to represent student interests, needs and welfare within the University community; to provide for the expression of student opinion and interests to the community at large on issues affecting student life; and to provide a safe and social environment in which to achieve the above objectives in accordance with the educational and academic standards of the University, do affirm and establish the Constitution of the Students of Indiana University Kokomo.

ARTICLE I NAME

The name of the student government at Indiana University Kokomo, hereafter referred to as IUK, shall be "Student Government Association", hereafter referred to as "IUKSGA".

ARTICLE II PURPOSE

The purpose of IUKSGA is to promote self-government and leadership at IUK, and to enhance the educational, social, and cultural experience of the students by:

- Maintaining a forum of the expression of students views and interests,
- Fostering the recognition of student rights and responsibilities,
- Preserving academic freedom and academic responsibility,
- Providing a mechanism for the supervision of student activities, and
- Representing IUK student body in any dealing with other elements of the University and in non-university affairs.

ARTICLE III MEMBERSHIP

All registered students of IUK enrolled in one or more credit hours, and only such persons shall be members of the IUK student body. As members they shall be entitled to vote, to hold office in the Student Government, provided the qualifications for candidacy are met, and to exercise the various rights and privileges of membership.

ARTICLE IV EXECUTIVE

Section 1. Name

The officers of the IUKSGA shall be Executive President, Executive Vice President, Vice President of A Vice President of programming, and Treasurer.

Section 2. Term of Office

The terms of office of the Executive President, Executive Vice President, Vice President of Athletics, Vice President of Programming, and Treasurer shall be one (1) year from the first

Monday at noon after IUK's graduation to the first Monday at noon after graduation the following year. term of office of the Treasurer shall be two (2) years from the time of appointment.

Section 3. Succession

- A. Should the office of the President be vacant for any reason, the Executive Vice President shall be successor.
- B. Should the office of the Executive Vice president be vacant for any reason, the President Pro Tempore shall be successor.
- C. Should the office of President Pro Tempore be vacant for any reason, a new President Pro Tempore shall then be elected from among the Senate membership.
- D. In the event all positions become vacant, the Senate shall appoint interim officers until a special election can be held.
- E. All successions shall be effective until the end of that term.

Section 4. Recall of Officers

- A. *Petition*- A petition for recall of any IUKSGA Executive Officer shall require the signatures and student identification number of at least five percent (5%) of the current students at

- B. *Recall Elections*- Upon receipt by the Election Commission of a petition for recall, duly certified by the registrar to contain the names and student identification numbers of at least five percent (5%) of the current students at IUK, it shall be the duty of the Election Commission to hold a special election for recall. No other issue than the recall shall be presented to the voters at said election.
- C. *Recall*- The IUKSGA officer shall be recalled by a majority vote, provided that the total number of votes amounts to at least three-fourths (3/4) of the total vote cast for the office at the election in which the officer was elected. The vacancy thus created shall be filled immediately as provided in Section 3 Article.

Section 5. Powers and Duties of the Office of the President

- A. **The President shall serve as the official head of the Student Body, and shall perform all official and social functions pertaining to this office.**
- B. The Executive President shall have one (1) week period beginning the day the Bylaw revisions, finance bill, or appropriation bill is placed on their desk to consider the Bylaw revisions, finance bill or appropriation bill. At the end or prior to the end of the one (1) week they shall:
1. Approve the Bylaw revision, finance bill or appropriation bill by signing it.
 2. Veto the Bylaw revision, finance bill or appropriation bill.
 3. Veto a portion of the Annual Budget Bill or the Annual Campus Organization Appropriation Bill.
- C. The president shall create any special committees, which are deemed necessary, with written instruction as to their goal(s), and appoint their Chair. The Chair shall be responsible for recruiting a minimum of two (2) members to serve on that committee.
- D. The President may require opinions, in writing, of the Chair of each standing or temporary committee on any subject relating to the duties of their respective committees.
- E. The President shall appoint a Chief Justice to the Supreme Court with the advice and approval of two-thirds (2/3) of the membership of the Senate. A vacancy in the office of the Chief Justice must be filled within two (2) weeks of its occurrence.

Section 6. Powers and Duties of the Office of the Executive Vice President

- A. The Executive Vice President shall be the president of the Senate
- B. The Senate President shall have no vote unless it is to break a tie vote.

- C. The Senate President may appoint any committee as deemed necessary by the Senate President c majority vote of the Senate.
- D. The Senate president shall be an ex-officio member of all committees.

Section 7. Limited Service

- A. No persons shall concurrently hold a position with either the Executive or Judicial branch of the IUK and with the Legislative branch except as outlined in Article V.2.A.
- B. While serving as Executive President or as Executive Vice President they shall not serve as officer other campus organization.

ARTICLE V LEGISLATIVE

Section 1. Name

The name of the Legislative Branch of the IUKSGA shall be “The Student Senate of IUK”, hereaf referred to as “Senate”.

Section 2. Membership

- A. The Senate shall consist of the Executive Vice President, who shall have the additional title of the President of the Senate and vote only in the case of a tie, and as voting members, twelve (12) Sen be elected at-large from the Student Body of IUK.
- B. The non-voting members of the Senate shall consist of a representative of the Office of Student Af representative from the Faculty Senate , to be selected by the Faculty Senate in a manner of its cho and one Faculty Advisor, to be chosen by the Senate.

Section 3. Term of Senators

The terms of Senators shall be two (2) years from the first Monday at noon after IUK's graduation to the Monday at noon after graduation.

Section 4. Recall

Senators are subject to recall by an affirmative vote of one and a half (1.5) times the number of votes that received when they were elected into office or, in the case of an appointment, one and a half (1.5) times the lowest number of votes cast for a candidate in the last election in which five percent (5%) of the Student participates, provided that a recall petition signed by at least three percent (3%) of the students enrolled in credit classes at IUK is presented to the Election Commission.

Section 5. Powers and Duties

- A. The Student Senate shall have as its concern all student activities.
- B. The Legislative and fiscal power of IUKSGA and IUK Student Activity Fees shall be vested in the S
- C. To conduct hearings for and approve the annual IUKSGA budget subject to the line item veto by president, which may be overridden by a two-thirds (2/3) vote of the Senate.
- D. Conduct hearings for and approve budget transfers, contingency fund requests, and other previous budgeted requests.
- E. Take emergency action on any matter within the jurisdiction of the students that may not be covered by the Bylaws or Student Code of Ethics Handbook.
- F. The Senate shall have the power to promote and foster, educational and service projects in serving the interests of the IUK community, including but not limited to student organizations.
- G. The Senate shall have the powers necessary and proper to carry out the foregoing provisions.

Section 6. Limited Service

- A. No person shall concurrently hold a position with either Executive or Judicial branch of the Student Government and with the Legislative branch, except for the Student Body Executive Vice President whose position is in both the Executive or Legislative branches.
- B. No person shall hold more than one office within the Legislative Branch.

Section 7. Meetings

- A. The Senate shall have a minimum of two (2) meetings a month during the Fall and Spring semest two (2) meetings during each summer semester. These regularly scheduled meetings shall be pos the beginning of every semester.
- B. Special/Emergency sessions
 - 1. May be called either by the Executive Vice President or by a two-thirds (2/3) the Senate.
 - 2. Shall be limited to only two (2) topics and the agenda must be given to all Senators at least four (24) hours in advance.

Section 8. Presiding Officer

The Executive Vice President shall preside over Senate meetings. The President Pro Tempore shall presi the absence of the Executive Vice President.

Section 9. Other Offices within the Senate

The Senate shall select from within its membership a President Pro Tempore, a Parliamentarian, a Treasu a Secretary, who's duties shall be outlined in the Bylaws.

Section 10. Procedure

- A. The Senate shall have the powers to determine its rules and procedures, to establish committees, and discipline its members.
- B. The Presiding Officer of the Senate will consult with the Parliamentarian as necessary and appropriat parliamentary questions.
- C. When Robert's Rules of Order and the Bylaws conflict, the Bylaws take precedence.

D. Robert's Rules of Order, latest edition, will be the parliamentary resource of the Senate and its subsidiary bodies.

ARTICLE VI JUDICIAL

Section 1. Name

The name of the Judicial Branch of the IUKSGA shall be the "Supreme Court of IUK"

Section 2. Powers and Duties

The judicial powers of the IUKSGA shall be delegated to the Supreme Court.

Section 3. Membership

The Student Supreme Court shall consist of a Chief Justice and four (4) Associate Justices appointed by the President of IUKSGA with consent of two-thirds (2/3) of the membership of the Senate.

Section 4. Limited Service

No person shall concurrently hold a position with either the Executive branch or the Legislative branch and with the Judicial branch of the IUKSGA.

Section 5. Jurisdiction

A. The Supreme Court shall have original jurisdiction over all disputes arising under the Constitution or of the IUKSGA. In addition, it shall have appellate jurisdictions the Senate may provide in the Bylaws.

B. The Supreme Court shall not declare the conduct of the Legislative and Executive branches unconstitutional based upon the interpretation of Local, State, Federal or United States Constitutional Law.

Section 6. Term

The five (5) members of the Supreme Court shall retain office unless they are removed, resign, or no longer qualifications set at the time they were appointed.

Section 7. Standing

A dispute may be brought before the Supreme Court by any student, student organization or by anyone with a dispute against a student or student organization, provided this does not violate the student rights as outlined in the Student Code of Ethics.

Section 8. Decisions

All decisions of the Supreme Court shall require a majority vote of the total Court. Decisions and opinions shall be rendered in writing, posted and placed in a permanent IUKSGA file.

ARTICLE VII ELECTIONS

Section 1. Election Commission

A. The Election Commission shall consist of three (3) members with one (1) member being appointed from each branch of government.

1. Who shall serve a one (1) year term, which will begin on the first day of classes of the semester and end at noon on the first day of classes the following year;
2. Who shall not be running for office during the current election.

B. The Commission shall have the responsibility for all election campaign procedures.

C. The Commission shall review all reported election and campaign violations that have been properly filed according to IUKSGA election rules. Results of the Commission's hearings and actions shall be rendered in writing and shall include findings of fact, conclusions, recommendations, and decisions as appropriate.

D. Appeals from the Election Commission rulings may be made to the Supreme Court within one (1) week of the posting of the decision.

Section 2. Election Procedures

- A. Legislative and Executive officers shall be elected in the Spring.
- B. Elections shall be by secret ballot.

Section 3. Requirements for Candidacy

Requirements for candidacy shall be set forth in the Bylaws upon approval by three-fourths (3/4) of the membership of the Senate.

Section 4. Eligibility for Voting

Any person who is taking one (1) credit hour at IUK shall be able to vote during the semester of classes t

ARTICLE VIII IMPEACHMENT & REMOVAL

A hearing must be conducted before any vote(s) may be taken. The rules for the hearing will be set by th in the Bylaws.

Section 1. Executive

- A. The Executive President, the Executive Vice President, the Vice President of Programming, the Vice President of Athletics, and the Treasurer may be removed from office for conviction of a violation of the Student Code of Ethics, a violation of the IUKSGA Constitution, conviction of a felony during their term office, or dereliction of duty.
- B. Articles of Impeachment will be brought before the Senate if and when a petition signed by one-third the total Senate members has been presented to the President of the Senate, together with witnesses and/c verifiable evidence of an offense. Evidence must always accompany the accusation.

- C. Impeachment shall be effected upon a two-thirds (2/3) vote of the total Senate.
- D. Upon a two-thirds (2/3) vote of the total Senate, the Articles of Impeachment shall be presented by the President Pro Tempore to the Supreme Court within one (1) week of the vote.
- E. The Student Supreme Court shall then decide, within one (1) week, upon the validity of the Articles of Impeachment; if they decide, by a four-fifths (4/5) of the total Court, that the charges are valid, the Officer shall be removed from office immediately.

Section 2. Legislative

- A. A Senator may be removed from office for conviction of a violation of the IUK Student Code of Ethics, a violation of the IUKSGA Constitution, conviction of a felony during their term in office, or dereliction of duty.
- B. Articles of Impeachment will be brought before the Senate if and when a petition signed by one-third of the total Senate members has been presented to the President of the Senate, together with witnesses and/or verifiable evidence of an offense. Evidence must always accompany the accusation.
- C. Impeachment shall be effected upon a two-thirds (2/3) vote of the total Senate.
- D. Upon a two-thirds (2/3) vote of the total Senate, the Articles of Impeachment shall be presented by the President of the Senate to the Supreme Court within one (1) week of the vote.
- E. The Student Supreme Court shall then decide, within one (1) week, upon the validity of the Articles of Impeachment; if they decide, by a four-fifths (4/5) of the total Court, that the charges are valid, the Officer shall be removed from office immediately.

Section 3. Judicial

A. Removal

The Chief Justice Shall bring to the attention of the Court any incident in which a Justice or Justices are removed from office in the execution of their Judicial responsibilities, together with witnesses and/or verifiable evidence of an offense. Evidence must always accompany the accusation. Based on the weight of the evidence, a Justice shall be removed from office by a three-fifths (3/5) vote of the total Court, with approval of three-fourths (3/4) of the Senate.

B. Impeachment

1. Any member of the Judiciary may be removed from office for conviction of a violation of the IUK Student Code of Ethics, a violation of the IUKSGA Constitution, conviction of a felony during their term in office, or dereliction of duty.

2. Articles of Impeachment shall be brought before the Senate if and when a petition signed half (1/2) of the total Senate has been presented to the President of the Senate, together with verifiable evidence of an offense. Evidence must always accompany the accusation.
3. Impeachment shall be effected by upon a three-fourths (3/4) vote of the total Senate.
4. Upon a three-fourths (3/4) vote of the total Senate, the Articles of Impeachment shall be presented by the President Pro Tempore to the total Executive Branch, together with witnesses and/or verifiable evidence of an offense. Evidence must always accompany the accusation. The Executive Branch shall have one (1) week to decide if the charges brought against the Judiciary member are valid. If the Executive Branch is in majority agreement that the charges are valid, the Judiciary member shall be removed from the Court.

ARTICLE IX REFERENDUM AND INITIATIVE

Section 1. Referendum

The Senate may refer any proposed Bylaw legislation to the Student Body. An affirmative majority of those voting is required for passage.

Section 2. Initiative

Any student at IUK may petition for initiative measures. Such a petition, signed by not less than five per cent (5%) of the students, shall be presented to the IUKSGA President who, in arrangement with the Election Commission, will authorize a special election on the matter contained in the petition within three (3) weeks of receiving said petition. An affirmative majority of those voting is required for passage.

ARTICLE X AMENDMENTS

Proposals to amend this Constitution shall originate by a vote of three-fourths (3/4) of the Senate. When approved, the proposal shall be scheduled for vote in the next general election. The text of the proposed amendment shall be published in the IUK Student paper during the first full month prior to and up until the next election. If this proposal receives a majority of the votes cast in this election, the Constitution of IUKSGA shall be declared amended.

ARTICLE XI BYLAWS

Bylaws shall be established to include the rules of the IUKSGA Senate and Supreme Court, and the duties of IUKSGA Officers, Senators, Boards, and Committees.

ARTICLE XII GRANDFATHER CLAUSE

All Persons, whether of the Executive, Legislative, or Judicial branches, who were elected or appointed under the previous constitution, shall be required to maintain the requirements of when they were elected/appointed as long as they serve consecutive terms. Those who fall under this clause will be listed, as a separate document, along with the requirements they are to meet. This document will keep with the Coordinator of Student Activities for reference until the people listed no longer hold those offices or positions.

ARTICLE XIII ENACTMENT

This Constitution shall have full force and effect following passage by a majority vote of the Senate by a majority of those voting in a campus-wide election. The Constitution shall supersede and replace all previous IUKSGA Constitutions and Bylaws.