



Student Association at the State University of New York at Albany Inc.

Constitution

Version Ratified May 15, 2003

PREAMBLE

We the students of the University at Albany, State University of New York, do obtain and establish the Student Association in order to provide a university community fostering social, recreational, educational, cultural, and spiritual opportunities beyond those offered in the formal curriculum, while assuming the fullest degree of responsibility and self government. The Student Association of the University at Albany, State University of New York, shall be representative of, and responsible to all undergraduate students.

ARTICLE I – MEMBERSHIP

Section 1 – General

Subsection 1

All students seeking office for an elected or appointed representative position in the legislative, executive, and judicial branches of the Student Association shall be in good academic standing and shall meet membership requirements as outlined in 300.7 and 603.2 at the University at Albany, State University of New York.

Subsection 2

Regular membership in the Student Association shall be granted to an individual, who is an undergraduate student at the University at Albany, State University of New York, as defined by the University Registrar, and has paid the student activity fee. A regular member of the Student Association is entitled the opportunity to join and participate in all Student Association activities, run for and serve as an officer of the Student Association, serve as a representative of the Student Association Senate, and vote in all Student Association elections.

Subsection 3

Associated membership in the Student Association shall be granted to a registered student as defined by the University Registrar who has paid the student activity fee and is a registered student at the University at Albany, State University of New York, but does not have to be an undergraduate student. An associated member is not entitled to vote in any Student Association election or hold any Student Association office.

Subsection 4

Honorary membership in the Student Association shall be granted by the Student Association Senate to an individual who has benefited the community or the capital district community at large. An honorary member is not entitled to vote in any Student Association election, or hold any Student Association Office

ARTICLE II – STUDENT ASSOCIATION SENATE

Section 1 – General

Supreme Legislative Powers granted herein shall be vested in a governing body known as the Student Association Senate. It shall be the responsibility of the Student Association Senate, in cooperation with the President of the Student Association, to implement the statements of the Preamble of this Constitution.

Section 2 – Composition

Subsection 1

Student Association Senate membership shall be derived from the University at Albany, Student University of New York activity fee paying students.

Subsection 2

The basis of representation to the Student Association Senate shall be living areas and the University's undergraduate population. The voting members of the Student Association Senate representing the living areas of the University shall be elected in a ratio of four hundred to one, or the nearest while thereof. Every year that is a multiple of five the Student Association Senate Chairperson shall review the ratio of representatives by living area and take appropriate action. There shall also be at-large members elected per one thousand undergraduate students, and shall be elected by the undergraduate student body

Subsection 3

Term of office shall run for one year. Living area representatives shall be elected in the fall; at-large representatives shall be elected in the spring.

Section 3 – Duties and Powers

Subsection 1

The Student Association Senate shall be empowered to make all by-laws necessary to the operation of the Student Association.

Subsection 2

The Student Association Senate shall have the power to reject any policies and procedures of subsidiary bodies created by the President or Student Association Senate by two-thirds vote of those Student Association Senate members present and voting.

Subsection 3

The Student Association Senate shall have the power to overrule any and all actions taken by the President by a two-thirds vote of those Student Association Senate members present and voting.

Subsection 4

Administrative policies and procedures of the Executive Branch may be rejected by a two-thirds vote of those Student Association Senate members present and voting.

Subsection 5

The Student Association Senate shall be empowered to enact legislation subject to consent of the President. Any bill not acted upon by the President within six days of its passage will become law. If the President vetoes the legislation then the Student Association Senate shall have the power to override the veto by the same percentage of vote that was required for its initial approval (passage). Any Student Association Senate rule cannot be vetoed.

Subsection 6

The Student Association Senate shall oversee proper and just Student Association elections.

Section 4 – Officers

Subsection 1

The Student Association Senate shall elect from its voting membership, by a two-thirds vote, a Chairperson and a Vice-Chairperson, who shall serve as the body's officers.

Section 5 – Duties of Officers

Subsection 1

The Chairperson shall preside at all meetings of the Student Association Senate, have the power to call special meetings of the Student Association Senate, and must notify the President of all actions taken by the Student Association Senate.

Subsection 2

It shall be the duty of the Chairperson to promote and facilitate student issues and concerns in the Student Association Senate.

Subsection 3

The Chairperson shall have the power to appoint chairpersons of all Student Association Senate committees with two-thirds approval of the Student Association Senate.

Subsection 4

The Vice-Chairperson, in the absence of the Chairperson, or at his/her request, shall preside over Student Association Senate meetings and assume any or all duties and responsibilities of the Chairperson.

Subsection 5

It shall be the duty of the Vice-Chairperson to coordinate the efforts of the Student Association Senate regarding the internal operations of the Student Association.

Section 6 – Vacation of Office

Subsection 1

An office is considered vacated when the person dies, resigns, no longer live in the same area which he/she was elected to represent, or ceases to be a student.

Subsection 2

The Student Association Senate may expel its own members on the basis of neglect of duty, by a two thirds vote of the Student Association Senate.

Subsection 3

If for any reason an office of the Student Association Senate is vacated prior to expiration of term, replacement shall be made according to provisions in Section 2b.

ARTICLE III – EXECUTIVE BRANCH

Section 1 – General

The executive power shall be the sole responsibility of the President of the Student Association unless expressly given by this Constitution to another office. The Presidents shall act as the spokesperson for the Student Association and its policies and be an advocate for Student issues.

Section 2 – Officers

Subsection 1

Elected from the membership of the Student Association shall be a President and a Vice-President. The candidates receiving the majority of the votes cast for each separate office shall be considered elected. The elections for President and Vice President shall be administered on a “Rank Ballot” whereby voters rank the candidates in order of preference; '1' shall indicated a voter’s first choice, '2' their second preference, and so on. A system of “Instant Runoff Voting” shall also be used, so that if no candidate receives a majority of first choices the candidate with the fewest number of votes shall be eliminated, and ballots cast for that candidate are redistributed to the surviving candidates according to the voters' indicated preference. This process is repeated until one candidate obtains a majority. A majority shall be defined as 50% +1 of the ballots cast.

Subsection 2

Both the President and the Vice-President shall be ex-officio, non-voting members of the Student Association Senate.

Subsection 3

The President and the Vice-President shall be officers of the Executive Branch.

Subsection 4

All Directors shall be appointed by the President and confirmed by a two-thirds vote of the Student Association Senate. These Directors shall be officers of the Executive Branch.

Subsection 5

All Directors shall make a report to the Student Association Senate at least once a month, while it is in session, to inform the Legislative Branch of the activities of their respective office.

Subsection 6

The elections of President and Vice-President shall be held concurrently during the Spring Elections.

Subsection 7

The terms of office shall be one year, commencing two academic weeks prior to finals.

Section 3 – Duties and Powers of the President

Subsection 1

The President is hereby empowered to carry out this Constitution and shall expedite all measures resolved by the Student Association Senate.

Subsection 2

The President shall have the power to call the Student Association Senate into special session.

Subsection 3

The President shall report weekly to the Student Association Senate while it is in session.

Subsection 4

At the beginning of the term, the President shall have the duty to recommend the organization of the executive branch to Student Association Senate. This shall go into effect upon a two-thirds vote of approval by the Student Association Senate.

Subsection 5

The President shall have the power to grant organizational recognition in accordance with the procedures established by the Student Association Senate and shall report the status of such request to the body.

Subsection 6

Emergency powers Act: The President shall have the power to act for the Student Association in an emergency with the approval of the Chairperson of the Student Association Senate, the Vice Chairperson of the Student Association Senate, the Chairperson of the Board of Finance, and two other members of the Student Association Senate. An emergency is defined as any occurrence that arises that cannot be postponed until the next regular Student Association Senate meeting.

Subsection 7

The President shall nominate members to the Supreme Court, including a Chief Justice, when there are vacancies. These nominations shall be subject to a two-thirds approval of Student Association Senate except as stipulated in Article V, Section 2d.

Section 4 – Duties and Powers of the Vice President

Subsection 1

The Vice-President shall serve and the chief administrative officer of the Student Association.

Subsection 2

The Vice-President shall work in conjunction with the President on all campus wide concerns.

Subsection 3

The Vice President shall adhere to the rules of the Student Association Senate.

Subsection 4

The Vice-President may appoint his or her own assistants, upon a two-thirds approval of the Student Association Senate.

Subsection 5

The Vice President may advise the President concerning appointments.

Section 5 – Student Counselor and Counselor of the Student Association

Subsection 1

The Student Counselor shall provide legal counsel to any student litigant.

Subsection 2

The Counselor of the Student Association shall represent the Student Association in all cases.

Subsection 3

The President has thirty (30) days while classes are in session to present a nominee for any vacancy in the position(s) of Counselor of the Student Association and Student Counselor, to the Student Association Senate. A two-thirds vote is necessary to confirm the nominee. After the thirty day period expires, the Student Association Senate shall be empowered to fill the vacancy or vacancies.

Subsection 4

The term of office for the Student Counselor and Counselor of the Student Association shall be valid until graduation, but to term shall extend past two years.

Section 6 – Vacancy of Office and Rules for Succession

Subsection 1

In case of a vacancy of the office of President, the Vice-President shall assume all duties and responsibilities of that office.

Subsection 2

In case of a vacancy in the office of Vice-President, the President shall appoint an interim Vice-President with a two-thirds approval of the Student Association Senate, until another election can be held.

ARTICLE IV – BOARD OF FINANCE

Section 1 – General

The Board of Finance of the Student Association is established to monitor and ensure the fiscal responsibility and integrity of the Student Association.

Section 2 – Composition of the Board of Finance

The Board of Finance shall be composed of seven members. The Chairperson of the Student Association Senate shall appoint four Student Association Senate members to the Board of Finance. These members must be Student Association Senate members at the time of their appointment. The President shall appoint three Student Association members to the Board of Finance. All appointees to the Board of Finance must be confirmed by a two-thirds vote of the Student Association Senate.

Section 3 – Terms of Office

One member appointed by the President shall serve a two year term, commencing on October 1 and ending on September 30. The remaining Presidential appointments shall serve a one year term, commencing on October 1 and ending on September 30. One member appointed by the Chairperson of the Student Association Senate shall serve a two year term, commencing on October 1 and ending September 30. The remaining appointees, appointed by the Chairperson of the Student Association Senate shall serve one year terms respectively, commencing on October 1, and ending on September 30.

Section 4 – Duties of the Board of Finance

Subsection 1

The Board of Finance shall review applicants and select a nominee to serve as Comptroller. The nominee shall become Comptroller if approved by the two thirds vote of the Student Association Senate.

Subsection 2

The members of the Board of Finance shall elect one of its members to serve as Chairperson of the Board by a two thirds vote. The Chairperson must be an appointee of the Chairperson of the Student Association Senate.

Subsection 3

The members of the Board of Finance shall elect one of its members to serve as Vice Chairperson of the Board by a two thirds vote.

Subsection 4

The Board of Finance shall oversee and review all transactions and proposals made by the Comptroller.

Subsection 5

The Board of Finance will oversee the Student Association Budget and ensure that it is followed.

Subsection 6

The Board of Finance may, by a two thirds vote, remove the Comptroller from office for reasons of neglect of duty or abuse of office. A two thirds vote of the Student Association Senate must confirm the removal in order for it to be carried out.

Subsection 7

The Board of Finance shall compose a budget proposal for the next academic year.

Subsection 8

That Board of Finance shall exercise any and all powers granted to it by the Student Association Senate.

Section 5 – Duties of the Chairperson of the Board of Finance

Subsection 1

The Chairperson of the Board of Finance shall be empowered to call emergency meetings of the Board of Finance.

Subsection 2

The Chairperson of the Board of Finance must ensure that the Board meets at least once a month while the Student Association Senate is in session.

Subsection 3

The Chairperson shall report the financial situation of the Student Association monthly to the Student Association Senate while it is in session.

Section 6 – Duties of the Vice Chairperson of the Board of Finance

Subsection 1

The Vice Chairperson shall take attendance at all meetings of the Board of Finance.

Subsection 2

That Vice Chairperson shall record the minutes of all meetings of the Board of Finance.

Subsection 3

The Vice Chairperson shall preside over meetings of the Board of Finance in the Chairpersons absence.

ARTICLE V – JUDICIAL BRANCH

Section 1 – General

The judicial power of the Student Association shall be vested in the Supreme Court.

Section 2 – Supreme Court

Subsection 1

Jurisdiction: The judicial power shall extend to all cases in law and equity arising under the Constitution, the laws of the Student Association (all groups) and enactments made or which shall be made.

Subsection 2

Composition: The Supreme Court shall be composed of seven Justices, including a Chief Justice, nominated by the President and confirmed by a two-thirds approval of the Student Association Senate.

Subsection 3

Term of office: Appointments are made for two years or until the appointee ceases to be a tax-paying student. Any Justice must remain a fee paying student in order to be a Justice.

Subsection 4

Vacancy of office: When a vacancy in the Judicial Branch arises, the President shall have thirty days when classes are in session to make the necessary nominations to fill the court. Any Presidential nominee shall appear before the Student Association Senate for confirmation in accordance with Article V, Section 2b. If the thirty day nomination period expires, the court shall be empowered to consider any nomination. In this instance a nominee may appear before the Student Association Senate for confirmation upon a majority vote of the court.

Subsection 5

Restrictions: Justices of the Supreme Court are prohibited from serving in any elected or appointed positions in Student Association or any of its subsidiary bodies (i.e. Executive Branch, Student Association Senate).

ARTICLE VI – OATH OF OFFICE

The Chief Justice of the Supreme Court shall be responsible for administering the following oath of office before Student Associations officers or members of Student Association Senate upon the execution of their office. “I (name) do solemnly swear (or affirm) to uphold the Student Association Constitution and fulfill the duties of my office to the best of my ability.”

ARTICLE VII – IMPEACHMENT AND RECALL

Section 1

Any officer of the Student Association for reasons of neglect of duty, or abuse of power shall be subject to impeachment or recall.

Section 2

Impeachment proceedings may be instituted by written petition of at least one eighth of the constituents of any representative or two thirds of the Student Association Senate.

Section 3

The Supreme Court shall hear all cases of impeachment and issue a decision. If the court shall find the representatives guilty, the mandate of impeachment shall be carried out.

Section 4

Recall proceedings may be instituted by a written petition of one sixth of the constituents of the elected officer. The petition must be presented to the Student Association Senate. A recall election, held in accordance with Student Association Senate guidelines, must be held within three weeks of receipt of the petition. A majority affirmative vote is necessary for recall.

Section 5

The comptroller is exempted from Section 4b and Section 4d. The comptroller can be removed by a two thirds vote of the Board of Finance and by a two thirds vote of the Student Association Senate.

ARTICLE VIII – AMENDMENTS

Section 1

An amendment to the Constitution may be proposed in two successive academic semesters while the Student Association Senate is in session by a two-thirds vote of the Student Association Senate.

Section 2

An amendment to the Constitution may be proposed by written petition of twenty percent of the Student Association. The President is responsible to receive all amendment petitions.

Section 3

An amendment proposed in accordance with Article VIII, Section a or Article VIII, Section b shall be ratified through referendum by a two-thirds affirmative vote of those who voted during the Student Association Spring Elections.

Section 4

To rewrite this Constitution, a proposal to place a referendum on the Spring ballot must be passed by two-thirds of the Student Association Senate. If the student body passes the referendum by a two thirds vote, the Student Association must establish a constitutional convention consisting of six Student Association Senate members (appointed by the Student Association Senate Chair), three people selected by the President, and three Supreme Court Justices (appointed by the Chief Justice). The Chair of the Constitutional Convention shall report to the Student Association Senate within four months of their establishment. Their proposal is subject to two-thirds consent of the Student Association Senate, which will then place the referendum on the following Spring Election subject to a two-thirds approval of the Student Body. Any constitution which is ratified in any other way than established in this Constitution will be null and void.

ARTICLE IX – IMPLEMENTATION

This constitution takes effect at midnight on May 15, 2003. Elections shall be held for the positions as they will exist in accordance with this constitution, during the Spring 2003 academic semester. Central Council shall create new bylaws to accompany this constitution and confirm them by a two thirds vote to take effect at midnight on May 15, 2003. Central Council shall oversee the implementation of this constitution.