

STUDENT BODY CONSTITUTION

OF

UNIVERSITY OF WISCONSIN-EAU CLAIRE

Revised: October, 2009

Ratified: December, 2009

PREAMBLE

We, the students of the University of Wisconsin-Eau Claire, seeking an effective and equitable means by which to establish, maintain and ensure, pursuant to the federal and state constitutional and statutory rights of students, self-government in student affairs and to promote the interests of students in all aspects of university operations, do hereby ordain and establish this constitution.

ARTICLE I: THE STUDENT BODY

Section 1: Membership.

The student body of University of Wisconsin-Eau Claire shall consist of all students officially enrolled at the university. All such students shall be eligible to vote in all student government elections and referendums.

Section 2: Governing Body.

The student body shall be represented in all matters by the Student Senate which shall serve as its preeminent governing body.

ARTICLE II: STUDENT RIGHTS

Section 1: Open meeting.

All meetings of the Senate and its subordinate bodies shall comply with the provision of the Wisconsin Open Meetings law.

Section 2: Rights to petition.

All members of the student body shall have the right to petition the Senate for redress of a grievance. A petition may be presented to the Vice President of the Student Body or any Senator.

Section 3: Nondiscrimination.

The Senate, its subordinate bodies and officers, consistent with all applicable federal and state statutes, shall not discriminate against any person or group on any non-merit basis.

ARTICLE III: STUDENT SENATE

Section 1: Membership.

A: Eligibility. Any candidates for office and all students in the service of the Senate shall maintain a minimum cumulative grade point average of 2.0 and be either: (a.) an officially enrolled student: or (b.) at least a second semester special ("non-admitted") student. The student must have at least six credit hours at the

university at the time of election or appointment and must thereafter maintain a minimum of six credit hours, exclusive of summer and winterim sessions, while in office or in the service of Senate.

B: Members. The voting membership of the Senate shall consist of the President of the Student Body, Vice President of the Student Body, and 30 Senators elected by the student body.

C: Representation. Each Senator shall be elected from one of the two student communities, on-campus and off-campus, and must be elected from the student body at large. If a senator's residence changes to the other community and there is an open seat in the new community, he/she will automatically be transferred to that seat. However, if no vacant seat exists, he/she will have to wait for the next special/general election and run again. Consistent with the total number of officially enrolled university students residing in each community, the Executive Board of the Senate shall annually apportion, by the third week of March, the 30 Senate seats between the two communities.

D: General Elections. The general election shall be held annually in the second or third week of April. The Executive Board shall establish, by the end of the fall semester, the specific date(s) for the general election.

E: Special Elections. If, at the end of September, each community has more than one-third of its apportioned Senate seats vacant or occupied by appointees, the Executive Board shall call and schedule for the third or fourth week in October a special election to fill such seats. If this one-third threshold is reached by only one community the Senate may, by a two-thirds vote, provide for a special election to be held only in that community. The Senate in its bylaws may provide for a threshold requiring special elections which is proportionally less than one-third and applicable to both communities.

F: Vacancies. Vacancies arising in the Senate shall be filled by appointment upon majority vote of the Vacancies Committee of the Senate, with the advice and consent of the Senate, until the next election. The Vacancies Committee of the Senate shall consist of the President and Vice President, one off-campus Senator, one on-campus Senator, and one member of the Executive Board. The election of the Senators to this committee shall take place at the third or fourth meeting of the Senate after the general election.

G: Recall from Office. Any Senator must stand for reelection within 30 days of the presentation of a petition to the chairperson of the Organizations Commission. The petition must be signed by two-thirds of the number of eligible voters of his/her district which voted in the last general election. The President and Vice President shall be recalled in the same manner except there must be signatures of two-thirds of the number of voting students in general from the last election.

H: Removal. The Senate may establish and enforce uniform standards of conduct for its members. The Senate may, in its bylaws, provide methods for removal of Senators and appointed officers.

Section 2: Officers.

A: Titles. The officers of the Senate shall be the President of the Student Body, Vice President of the Student Body, and Treasurer.

B: Selection of officers. (1) The President and Vice President shall be elected by the student body at large at the general elections. (2) The Treasurer shall be appointed, removed, or replaced by the President with the advice and consent of the Senate.

C: Terms of office. The term of office for the President and Vice President shall be from the third Senate meeting following their election until the third Senate meeting following the next general election. (2) The term of office for the Treasurer shall be from the third or fourth Senate meeting following the general election until the third or fourth Senate meeting following the next general election or until a successor is appointed and confirmed, whichever occurs first. (3) Officers of the Senate may succeed themselves.

D: Duties. (1) The President shall be chief executive and legislative officer of student government and shall be responsible for proper execution of the constitution, bylaws, and Senate legislation. He/She shall be the presiding officer of the Senate and shall have the right to vote at all times. (2) The Vice President may negotiate and, with the advice and consent of the Senate, sign executive agreements on matters of interest to the Senate in the absence of the President. He/She shall preside over the Senate in the absence of the President and shall have the right to vote at all times. (3) The Treasurer shall keep the financial records of the Senate and shall be a member of the Student Senate Finance Commission. He/She shall preside over the Senate in the absence of both the President and Vice President.

E: Succession to the Presidency or Vice Presidency. (1) In the event a vacancy occurs in the Presidency, the Vice President shall assume the office and duties of the President. (2) In the event that a vacancy occurs in the Vice Presidency, a new Vice President shall be appointed by the President with the advice and consent of the Senate. (3) In the event that both the Presidency and Vice Presidency become vacant at the same time, the Senate shall call a special election to fill the vacancies at the earliest possible date, with the newly-elected President and Vice President taking office immediately. During the interim, the Treasurer shall assume the office and duties of acting President.

F: Other officers. To fill such positions as may be created by the Senate in its bylaws, other officers, who need not be members of the Senate, may be appointed, removed or replaced by the President with the advice and consent of the Senate. Unless the Senate in its bylaws provides otherwise, the terms of such officers, including Standing Commission Chairpersons shall be from the third or fourth Senate meeting following the general election until the third or fourth Senate meeting following the next general election or until a successor is appointed and confirmed, whichever occurs first. Such officers may succeed themselves.

G: Acting officers. In the event of a vacancy in the office of Treasurer or in an appointed office created by the Senate in its bylaws, the President may appoint an eligible student to act in such office for, unless extended by the Senate, a period not to exceed 30 days or until a successor is appointed and confirmed, whichever occurs first.

Section 3: Meetings.

A: Senate meetings. The Senate shall meet every school week at a time and place designated by the Senate.

B: Quorum. A majority of the membership of the Senate shall constitute a quorum to do business, but a lesser number will suffice to adjourn or recess from time to time.

Section 4: Commissions, Committees and Representatives.

A: Standing Commissions. The Senate may constitute any Standing Commission by specifying its name, membership, powers and duties in the bylaws.

B: Special and Select Committees. The Senate may constitute any Special or Select Committee by specifying its powers, duties, and term of existence in a bill.

C: Membership. The Chairperson and all members of each Commission and Committee shall be appointed, removed, or replaced by the President with the advice and consent of the Senate.

D: Student Representatives. Student representatives to all university committees shall be appointed by the President with the advice and consent of the Senate.

Section 5: Legislation.

Senate legislation shall be of two forms. Bills shall be those pieces of legislation which establish binding policy and/or require the expenditure of time, labor, and/or money. Resolutions shall be those pieces of legislation which express the opinion of the Senate.

ARTICLE IV: STUDENT COURT

Section 1. Procedures.

A: Judicial Power. The judicial power shall be vested in a Student Court, which shall have five justices, one of which will serve as Chief Justice. No current student senator or Student Senate Executive Board member may be a justice of the Student Court, including the Chief Justice. The Chief Justice will be a member of the Executive Board but cannot hold any other Executive Board position or be a current senator.

B: Student Court Justices. Student Court Justices shall have terms extending for no more than three consecutive academic years in which they are students at the University of Wisconsin-Eau Claire. A student who is studying at another campus for a fall or spring semester must resign, including study abroad programs.

C: Issues or Disputes. The Student Court has jurisdiction over any issues or disputes arising under this constitution.

D: Elections. The Student Court will be responsible for overseeing the annual Student Senate elections. The Court is to ensure that all elections are conducted truthfully and fairly, and abiding by the elections and campaign procedures. The Student Court shall, at the beginning of every semester, do an election and campaign procedure review. Any subsequent rules that are recommended (by a simple majority of justices) shall be taken to the Student Senate for a 2/3 majority approval.

E: Information. The Student Court has the ability to request information, data, or solicit testimony on any issue before the Court.

F: Budget. The Chief Justice of the Student Court is required to present an operating budget each fiscal year and submit that budget to the Student Body President and Treasurer for inclusion in the Student Senate budget.

G: Authority. The Student Senate shall have the authorization to write and edit the bylaws for the student court with a 2/3 majority approval. The court will check to make sure any revisions are not in violation of this constitution.

H: Appointments. Justices of the student court shall be appointed in the following way: A judicial appointments committee shall be convened in the case of any absences or removals on the court. The committee shall consist of the following persons: (1) One student senator; (2) One student senate executive board member; (3) One Housing representative; (4) Two students at large. Once the interview process has been completed, the committee shall submit a recommendation with the top three candidates to the student body president. He or she will then select a candidate and present the candidate and justification to the student senate for approval in the form of a bill. Upon approval by the student senate, the candidate will immediately take the seat. If the candidate is rejected, the student body president shall appoint another candidate.

I: Removal of Justices. Removal of the justices of the student court shall take place in the following way: A removal process should be initiated by the student senate by a motion. The author shall be given ten minutes to speak on his or her objection to the justice. A speakers list shall be opened to debate the issue. A 2/3 majority is required to remove the justice. If the motion is carried, the issue will be taken to the student court justices for approval. The motion must carry with a majority of justices voting in favor. If a justice has accumulated four (4) unexcused absences, the student body president shall remove him or her upon consent of the senate.

ARTICLE V: AMENDMENTS

Section 1: Amendments to the Constitution.

A: Initiation. Amendments to this constitution shall be initiated by any Senator or upon written petition by at least 100 members of the student body. Amendments may alter the constitution in whole or in part.

B: Ratification. A proposed amendment must be approved by a two-thirds vote of the Senate at least one week after its written presentation to the Senate and at least 30 days before being presented to the student body for ratification. Ratification of the amendment shall be by a majority of the students voting on the amendment at the next general election or at a special election called by at least a two-thirds vote of the Senate.

C: Implementation. The amendment shall take effect upon the ratification by the student body.

Section 2: Amendments to the Bylaws.

Amendments to the bylaws to this constitution may be adopted by a two-thirds vote of the Senate, one week after their written presentation to the Senate.

ARTICLE VI: AUTHORITY

Section 1: Precedence.

This constitution shall have precedence over the bylaws, the bylaws over the parliamentary authority, and the parliamentary authority over regular legislation.

Section 2: Meeting Privileges.

The Senate may, in its bylaws, extend the privileges of introducing motions and debating, but not voting, to such persons or positions as it deems appropriate.

Section 3: Parliamentary Authority.

The Senate, and all of its subordinate bodies, will abide by the latest edition of Robert's Rules of Order, Newly Revised.