

# **Kansas State University Student Governing Association 2021-2022 Constitution**

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# **KANSAS STATE UNIVERSITY STUDENT GOVERNING ASSOCIATION CONSTITUTION**

*(Revised on January 23, 2022)*

The students of Kansas State University, united in the belief that the goals of a democratic community can be furthered only by the citizenship habits, attitudes, skills and knowledge acquired through experience and that the degree of student development is likely to parallel closely the extent of responsibility which students carry for their own society, do adopt this Constitution for the Kansas State University Student Governing Association (KSU SGA).

# Article I

## Purpose

101. The purpose of the KSU SGA shall be the establishment and maintenance of student government, the enactment and enforcement of the just laws and the promotion of such activities as are appropriate for the student body.
102. The KSU SGA, in pursuit of its stated purpose, shall act in accordance with the principles of equality before the law, separation of powers, proportional representation and university suffrage.
103. This Constitution shall be understood to follow the general outlines of government and to define its important organs, while leaving the operational policies and details to be evolved from the development of these organs as implements to the attainment of the greatest good for the greatest number of the student body.
104. It is recognized that the President of the University is responsible to the Board of Regents for all phases of the university administration and that the authority for student personnel policies and/or practices emanates from them.
105. Source of Authority. Within the sphere of student activity (as limited in Section 104 above) the KSU SGA shall derive authority from the mandate of the student body.

## **Article II Elections**

201. Any person enrolled in at least one credit hour of class work at the main campus of Kansas State University shall be a member of the KSU SGA and shall have full voting privileges to which each member is thereby entitled. Any person enrolled in at least one credit hour of class work at Kansas State University-Salina College of Technology and Aviation shall be entitled to vote for KSU SGA Student Body President and Student Body Vice President at any election.
202. Any member of the KSU SGA is enrolled in a minimum of one semester hour with a minimum cumulative grade point average of 2.000 or who is a graduate student with a minimum cumulative grade point average of 3.000 is eligible to be a candidate for any office as described in the elections statutes. For the office of Student Senator, the member must also be enrolled in the college the member intends to represent. A student who will graduate during the spring or summer of their term in office and does not plan to enroll in graduate school at Kansas State University immediately thereafter is not eligible to be a candidate for any office above described.

## Article III Branches

301. The ~~principle~~ *principal* branches of the KSU SGA shall be the executive, legislative, and judicial.

**SECTION 301 WAS AMENDED BY BILL 21/22/13 BY A VOTE OF 47-1-1 ON OCTOBER 7<sup>TH</sup>, 2021 AND  
HAS NOT BEEN RATIFIED**

302. Each branch shall form rules for carrying out its functions. In particular, it shall establish rules of procedure for itself which must be filed with the Senate Operations Standing Committee.

303. No person shall hold any office concurrently within the legislative, executive or judicial branches of the KSU SGA, unless specifically permitted in the KSU SGA Constitution or By-Laws.

## Article IV

### Executive

401. The executive power of the KSU SGA shall be vested in the Student Body President, assisted by the Student Body Vice President, and such administrative officers as the Student Body President shall appoint in accordance with this Article.
402. Term and Hours
- A. The Student Body President and Student Body Vice President shall be elected for a term of one year by vote of the general membership of the KSU SGA in such manner as shall be prescribed in the laws of the student body.
  - B. Student Body President shall be ineligible for re-election to the position after serving two terms in office.
  - C. The Student Body President and Student Body Vice President shall be required to maintain seven hours undergraduate credit or six hours graduate credit during the fall and spring semesters to be eligible to remain in office.
403. Beginning of Term and Transition
- A. The Student Body President and Student Body Vice President shall take office at the ~~five~~ fourth meeting of Student Senate following the general election.
  - B. During such period, the outgoing Student Body President shall help prepare the Student Body President-Elect for office by giving such assistance and advice as may be requested.
  - C. Also during such period, the outgoing Student Body Vice President shall help prepare the Student Body Vice President-Elect for office by giving such assistance and advice as may be requested.
- SECTION 403 WAS AMENDED BY BILL 21/22/29 BY A VOTE OF 47-0-4 ON NOVEMBER 4<sup>TH</sup>, 2021  
AND HAS NOT BEEN RATIFIED**
404. The Student Body President and Student Body Vice President shall not, during the term of office, hold any other office in the KSU SGA, except as outlined in the By-Laws.
405. In the case of the removal, death, resignation, inability or temporary absence of the Student Body President, succession shall be as set forth in the By-Laws.
406. Duties and Powers of the Student Body President.
- A. Serve as Chief Executive of the KSU SGA.
  - B. Represent and protect the rights and interests of the student body.
  - C. Approve or veto Student Senate legislation. The power to veto shall extend to all bills and resolutions passed by Student Senate except those bills and resolutions dealing with purely internal affairs of Student Senate (approvals of appointments, resolutions of impeachment or expulsion, standing rules, and resolutions expressing the opinion of only the Student Senate). Within eight days after passage, every bill or resolution requiring the approval of the Student Body President shall be signed by the Speaker of the Student Senate and presented to the Student Body President. If the Student Body President approves the bill or resolution, the President shall sign it. If the Student Body President does not approve the bill or resolution, the President shall return it, with a statement of objections, to the Speaker of the Student Senate, who shall cause the veto message to be read at the next meeting of Student Senate. Whenever a veto message is so read, the Student Senate shall have eight days to reconsider the legislation and such action shall be deemed final. If two-thirds of the total membership of Student Senate selected and qualified shall vote to pass the legislation, it shall take effect, notwithstanding the Student Body President's veto. If no written veto is transmitted to the Speaker of the Student Senate within eight days after presentation to the Student Body President, the legislation shall take effect as if the President had approved it.

- D. Call and preside over meetings of the student body.
  - E. Call special meetings of Student Senate with at least 24-hour notice.
  - F. Serve on Faculty Senate and the Faculty Senate Committee on University Planning.
  - G. Request the written interpretation of Student Tribunal on any provision of this Constitution, charter, law of the student body or Student Senate act.
  - H. Examine the records of any administrative office of the KSU SGA and any committee at any time.
  - I. Appoint, with the approval of Student Senate, Cabinet members (as specified in Section 408) who shall be responsible to the Student Body President for execution of their duties and subject to removal from office by the Student Body President.
  - J. Take care that all provisions of this Constitution and the laws of the Student Senate are faithfully executed.
  - K. Delegate authority to Cabinet members, but accept all responsibilities for the executive branch of the KSU SGA.
407. Duties of the Student Body Vice President shall include but are not limited to the following:
- A. Serve as Chief Executive of the KSU SGA in the temporary or permanent absence of the Student Body President due to resignation or inability to perform and discharge the office of Student Body President.
  - B. Serve as the official representative of the student body in the absence or inability of the Student Body President.
  - C. Serve as chair of the Educational Opportunity Fund Committee (unless otherwise stated by the Student Body President).
  - D. Serve as chair of the Student-Centered Tuition Enhancements Committee (unless otherwise stated by the Student Body President).
  - E. Oversee and coordinate special projects and programs of the KSU SGA, as assigned by the Student Body President.
  - F. Make at-large appointments to all university committees in consultation with the Student Body President.
  - G. Assist the Student Body President in appointing Cabinet members.
  - H. Serve on Faculty Senate and the Academic Affairs Committee of Faculty Senate.
408. Student Body President's Cabinet and Appointments.
- A. The Cabinet shall consist of the College of Technology and Aviation Student Body President (or designee), Graduate Student Council – Student Governing Association Liaison, and such appointed officers as provided in the By-Laws. Appointed members of the Cabinet shall be appointed by the Student Body President and shall be subject to the approval of Student Senate. Appointed members of the Cabinet shall be subject to removal from office by the Student Body President.
  - B. Any Cabinet member shall have the right to be recognized on the floor of Student Senate and debate, but not to vote. Cabinet members shall answer questions in Student Senate concerning their respective offices and shall give members of Student Senate free access to their files upon request, with the exception of judicial files. No Cabinet member shall be a member of Student Senate.
  - C. The Student Body President may also appoint and remove other staff members of the Executive Branch determined necessary and proper for the general operation of the KSU SGA.
  - D. The Student Body President's Cabinet shall serve in an advisory capacity to the Student Body President and assist the Student Body President in the general operation of the KSU SGA.
409. No member of the Executive Branch shall concurrently hold offices within two or more branches of the

KSU SGA, unless specifically permitted in the KSU SGA Constitution or By-Laws.



## Article V Legislative

501. All legislative powers of the KSU SGA shall be vested in the legislative body, to be known as the Student Senate.

502. Open Meetings.

All meetings of Student Senate, Student Senate committees (standing or special), and college councils shall be open. The only exception shall be when a successful motion has been adopted to proceed into executive session. Executive session discussion may include matters of discipline, impeachment, employment contracts, or attorney consultations with no vote being taken.

503. Membership of Student Senate.

- A. There shall be sixty elected members of Student Senate. There shall be at least one elected Student Senator from each college and the Graduate School. Apportionment of elected seats shall be made *via the Largest Remainder Method with the Hare Quota* before each general election, based on the student head count in each main campus college and the Graduate School on the twentieth academic day of the spring semester.
- B. There shall be one Student Senator representing Kansas State University-Salina College of Technology and Aviation, appointed by K-State Polytechnic Student Governing Association.
- C. There shall be two faculty/administrator members, one appointed by Faculty Senate and one appointed by the Vice President for Student Life.
- D. In the event a Student Senator is elected to the position of Speaker of the Student Senate, the newly elected Student Senate Speaker's Student Senate seat shall be declared vacant. In the event a Student Senator is elected to the position of Speaker pro tempore of the Student Senate, the newly elected Speaker pro tempore's Student Senate seat shall be declared vacant. In the event a Student Senator initiates a transfer from the main campus college or school the Student Senator represents, the Student Senator's Student Senate seat shall be declared vacant, except if the transfer is initiated less than 28 days before the general election.
- E. A Student Senator is duly elected for a term of one year from the main campus student body, as set forth in the By-Laws.
- F. Newly elected Student Senators shall officially take office ~~five~~ *four* regular meetings following the general election.
- G. Student Senators shall be required to maintain at least one credit hour during the fall and spring semesters to be eligible to remain in office.
- H. Student Senators must maintain a cumulative K-State grade point average of 2.000 if an undergraduate student or a cumulative K-State grade point average of 3.000 if a graduate student.

**SECTION 503(F) WAS AMENDED BY BILL 21/22/29 BY A VOTE OF 47-0-4 ON NOVEMBER 4<sup>TH</sup>, 2021  
AND HAS NOT BEEN RATIFIED**

**SECTION 503(A) WAS AMENDED BY BILL 21/22/41 BY A VOTE OF 51-0-0 ON NOVEMBER 18<sup>TH</sup>, 2021  
AND HAS NOT BEEN RATIFIED**

504. Powers and Rights of Student Senators.

- A. A Student Senator may introduce to Student Senate any motion, bill, amendment, act or question they so desire. They may debate, vote for, against or abstain from voting on any issue brought before Student Senate.
- B. A Student Senator shall be granted access to files and records of any KSU SGA committee, administrative officer or Cabinet member, except those of the KSU SGA Judicial Branch.

- C. Representatives from Kansas State University-Salina College of Technology and Aviation shall hold the same voting rights and responsibilities as Student Senators.
  - 1. Representatives from Kansas State University-Salina College of Technology and Aviation will use personal discretion as to whether to serve on the Student Senate standing committee of their choice.
  - 2. If a representative from Kansas State University-Salina College of Technology and Aviation chooses to serve on a Student Senate standing committee, they shall serve with voting rights.
  - 3. Representatives from Kansas State University-Salina College of Technology and Aviation shall not be subject to the Student Senate attendance policy.
- D. Faculty/Administrator members of Student Senate shall hold the same voting rights and responsibilities as Student Senators.
  - 1. Faculty/Administrator members will use personal discretion as to whether to serve on the Student Senate standing committee of their choice.
  - 2. If a faculty/administrator member chooses to serve on a Student Senate standing committee, they shall serve with voting rights.
- E. A Student Senator shall not be punished outside of Student Senate for any speech or debate they make in Student Senate.
- F. A Student Senator shall inform the Speaker of the Student Senate of any anticipated absence from a Student Senate meeting 24 hours prior to the meeting, unless an emergency situation arises. In the case of an emergency, the Speaker should be notified as soon as the Student Senator discovers they will be absent from the Senate meeting. The Speaker of the Student Senate will then determine if the absence is excused.
- G. A Student Senator may appoint another Student Senator as a proxy voter for a meeting providing that the absence has been excused by the Speaker of the Student Senate. A Student Senator may carry only one proxy.

505. The following shall be Officers of Student Senate:

- A. The Speaker of the Student Senate, who shall be elected by Student Senate by a majority vote.
- B. The Speaker pro tempore of the Student Senate, who shall be elected by the Student Senate by majority vote.
- C. The Student Senate Parliamentarian, who shall be appointed by the Speaker of the Student Senate and shall be subject to removal from office by them. The appointment shall be subject to the approval of Student Senate. The Parliamentarian shall not hold any elected office in the Legislative Branch, except as outlined in the By-Laws.
- D. Standing committee chairs, as selected in the manner provided in the By-Laws.
- E. Such officers as Student Senate may deem necessary for the proper functioning of Student Senate.

506. The Speaker of the Student Senate shall have the following duties and powers:

- A. Chair *and set the agenda of* Student Senate meetings.
- B. Call all Student Senate meetings, except as limited in Section 406.E.
- C. Vote in Student Senate meetings only in the event of a tie.
- D. Appoint and remove the Student Senate Parliamentarian and chairs of Student Senate standing committees and legislatively chartered committees in consultation with the Speaker pro tempore of the Student Senate. The appointments shall be subject to the approval of Student Senate.
- E. Appoint and remove Student Senators on Student Senate committees, in consultation with the

Speaker pro tempore of the Student Senate.

- F. Appoint and remove Student Senators on University committees. The appointments shall be subject to the approval of Student Senate.
- G. The succession to the office of Speaker of the Student Senate in case of removal, death, resignation, inability, temporary absence or permanent inability to serve shall be set forth in the By-Laws.
- GH. Chair Executive Committee meetings.
- HI. Supervise the Student Senate Parliamentarian and the chairs of the Student Senate standing committees.
- IJ. Verify and sign all passed legislation and present such legislation to the Student Body President within eight days of the legislation's passage.
- JK. Represent Student Senate on other committees as appointed or requested.
- KL. Serve on Faculty Senate and the Faculty Senate Executive Committee.

**SECTION 506 WAS AMENDED BY BILL 21/22/42 BY A VOTE OF 51-0-0 ON NOVEMBER 18<sup>TH</sup>, 2021  
AND HAS NOT BEEN RATIFIED**

507. Duties and Powers of the Speaker pro tempore of the Student Senate.

- A. Assume the duties of the Speaker of the Student Senate upon the Speaker's absence or at the Speaker's request.
- B. Serve as the secretary for Student Senate by taking minutes and recording attendance at all Student Senate meetings.
- C. Oversee the legislative process of Student Senate by making all changes in legislation, printing legislation in a certified format for the Speaker of the Student Senate to sign, collecting signed legislation from the Student Body President, sending all signed and certified legislation passed by the Student Senate, and presenting all Constitutional amendments to the College Councils in a timely manner.
- D. Coordinate the open period speakers for the Student Senate.
- E. Assist the Speaker of the Student Senate in the appointment of the Parliamentarian and chairs of the standing committees.
- F. Assist in the coordination of committee appointments.
- G. Oversee the College Caucus system.
- H. Chair such Standing Committees as may be provided in the By-Laws.
- I. Plan and organize at least one diversity training session for KSU SGA.
- J. Organize activities to help in the orientation of newly elected Student Senators.
- K. Serve on the Faculty Affairs Committee of Faculty Senate.

508. Duties and Powers of Student Senate.

- A. Designate the time, place and manner of holding the election of Student Senators, the Student Body President and Vice President, Union Governing Board, and the Board of Student Publications. To provide for the transition from one election date to another, the next general election shall be held on the old date, and the terms of the officers elected may be shortened or lengthened to extend to the time designated for the first election under the new date. However, the term of the current Student Body President and those judicial boards appointed by the Student Body President may be extended to the time designated for the first election under the new date.

- B. Enact, by majority vote, laws of the student body necessary to the well-being of the student community. Laws providing for creation or change of all student fees under Student Senate jurisdiction will require two-thirds majority vote of the total of Student Senate selected and qualified.
  - C. Pass enabling legislation for the establishment or increase of any fee for which the purpose is to finance the construction of or renovation of a building or facility at Kansas State University only after the fee has been ratified by a binding student referendum as provided for in Article XI.
  - D. Approve or disapprove appointments made by the Student Body President, appointments to KSU SGA committee chairs, and appointments of Student Senators to fill vacancies in Student Senate.
  - E. Overrule a veto of the Student Body President by a two-thirds majority vote of the total membership of Student Senate selected and qualified.
  - F. Charter the councils of each college and the Graduate School.
  - G. Charter committees of Student Senate and grant, revoke or amend the charters of these committees.
  - H. Define and establish the Student Conduct Code of the KSU SGA.
  - I. Undertake all reasonable investigations and/or hearings necessary and proper in pursuance of its powers as enumerated in this section.
509. Any President of a Student Organization shall have the right to be recognized on the floor of Student Senate and debate, but not vote. The President of a Student Organization may also designate a person to be given their speaking rights.
510. No member of the Legislative Branch shall concurrently hold offices within two or more branches of the KSU SGA, unless specifically permitted within the KSU SGA Constitution or By-Laws.

## Article VI

### Judicial

#### 601. Judicial Authority

- A. The University President has authority over the operation of the campus judicial program. This authority is delegated to the Dean of Students or their designee.
- B. The Dean of Students or designee shall assist the Judicial Advisor in advising and supporting the operation of the campus judicial program, and in some cases, may determine if there has been a violation of the Conduct Code and impose sanctions.
  - 1. The Dean of Students or designee may serve as the sole member, or one of the members, of an administrative judicial board.
- C. The Dean of Students, by the authority of the University President, assigns the operation of the judicial program to the KSU SGA and its authority shall be vested in the KSU SGA Judicial Branch, composed of the following boards:
  - 1. Student Tribunal.
  - 2. Student Review Board.
  - 3. Parking Citation Appeals Board.
  - 4. Ad hoc boards.
- D. This judicial authority shall include the disposition of:
  - 1. Non-academic university disciplinary complaints against students.
  - 2. Violations of the KSU SGA Constitution, By-Laws, Statutes, Conduct Code, and Housing Policy.
  - 3. Interferences with students' rights and freedoms.
  - 4. Appeals of KSU Police Department or KSU Parking Services parking citations.

#### 602. Judicial Leadership

- A. The leadership of the KSU SGA Judicial Branch shall be the KSU SGA Attorney General, assisted by the KSU SGA Deputy Attorney General.
- B. Appointment of Judicial Leadership
  - 1. The KSU SGA Attorney General shall be appointed by the Attorney General Recommendation Committee, as defined in the By-Laws. The appointment shall be subject to the approval of Student Senate.
  - 2. The KSU SGA Attorney General's term shall begin the day following the last day of spring semester classes and conclude on the last day of spring semester classes the following year. If the KSU SGA Attorney General resigns, is permanently unable to discharge their duties or is removed from office, the KSU SGA Deputy Attorney General shall succeed to the office of KSU SGA Attorney General in order to exercise the authority and duties of the office. The KSU SGA Attorney General shall then appoint a new KSU SGA Deputy Attorney General.
  - 3. The KSU SGA Deputy Attorney General shall be appointed by the Attorney General and subject to removal by them. The appointment shall be subject to the approval of Student Senate.
- C. Duties and Powers of the KSU SGA Attorney General
  - 1. Appoint members to judicial boards in consultation with the Deputy Attorney General, unless otherwise provided in the KSU SGA Constitution or By-Laws.
  - 2. Determine which judicial board shall be authorized to hear each case in consultation with the Dean of Students or designee.

3. Serve as a designee of the Dean of Students in receiving and disposing of complaints according to the judicial code.
4. Appoint and remove the Deputy Attorney General. The appointment shall be subject to the approval of Student Senate.
5. Appoint and remove the Student Review Board Chair and the Student Tribunal Chancellor in consultation with the Deputy Attorney General. The appointments shall be subject to the approval of Student Senate.
6. Appoint ad hoc boards when deemed necessary.
7. Supervise the administration of the judicial program, train judicial branch members in their duties, and advise students of matters of judicial policy.
8. Recommend changes in jurisdiction, procedures, judicial board organization and other judicial matters.
9. Advise students and judicial boards as to their rights and responsibilities in disputes and identify resources if such guidance is requested.
10. Serve as complainant in those cases involving University property or policy or when such action is in the interest of the University.
11. Attend weekly Judicial Leadership meetings with the Deputy Attorney General and the Judicial Branch Advisor.
12. Attend the Senate Executive Standing Committee meetings as a non-voting ex-officio member.

D. Duties and Powers of the KSU SGA Deputy Attorney General

1. Assume the duties of the KSU SGA Attorney General upon the temporary or permanent absence of the KSU SGA Attorney General due to resignation or inability to perform and discharge the office of KSU SGA Attorney General.
2. Assist the KSU SGA Attorney General in the appointment and removal of the Student Review Board Chair and the Student Tribunal Chancellor. The appointments shall be subject to the approval of Student Senate.
3. Aid the KSU SGA Attorney General in training members of the Judicial Branch and prepare and distribute materials explaining the KSU SGA Judicial program to members of the University community.
4. Prepare an annual report for KSU SGA regarding the state of the Judicial Branch. This report shall be completed and submitted to the KSU SGA Student Senate by the first Student Senate meeting in March.
5. Oversee and coordinate special projects and programs of the KSU SGA Judicial Branch, as assigned by the KSU SGA Attorney General.
6. Attend weekly Judicial Leadership meetings with the KSU SGA Attorney General and the Judicial Branch Advisor.
7. Attend the Senate Executive Standing Committee meetings as a non-voting ex-officio member.

603. Composition of Judicial Boards

- A. Members of judicial boards or committees listed in Section 601.C. shall serve one-year terms. Unless otherwise specified, appointments to and membership of judicial boards shall aim to reflect the makeup of the student body.
- B. Student Tribunal shall be composed of eight students, one being designated as Chancellor. Quorum shall be at least four justices.
- C. Student Review Board shall be composed of eight students, one being designated as Chair. Quorum shall be at least four justices.

- D. The Parking Citation Appeals Board shall be comprised of eleven members, being allotted as follows: six students, three faculty members, and two staff members.
1. Co-Chairs
    - a. The boards shall have two separate and equal co-chairs – one being a student and the other being either a faculty or staff member. Each co-chair shall be a joint appointment made by the KSU SGA Attorney General, the KSU SGA Deputy Attorney General, and the Vice President for Administration and Finance.
    - b. Each co-chair shall be selected from among the eleven board members being appointed to the board for the upcoming term.
    - c. Each co-chair shall simultaneously serve as a regular board member, sharing all of the responsibilities and duties of other board members, in addition to their specific co-chair duties.
  2. Members
    - a. The six student members shall be appointed by the KSU SGA Attorney General, in consultation with the KSU SGA Deputy Attorney General.
    - b. The three faculty members shall be appointed by Faculty Senate, and the two staff members shall be appointed by University Support Staff Senate.
    - c. Terms for all members shall begin the Friday before spring finals week and concluded the Thursday before spring finals week of the following year, including the summer break period.
    - d. A minimum of one student, one faculty member and one staff member must be available to serve as active members during the summer break period. If there is a shortage it shall be the duty of the KSU SGA Attorney General, in consultation with the KSU SGA Deputy Attorney General, to appoint summer break board members as necessary to fill vacant positions. These summer break appointments shall not be subject to approval by Student Senate. Beginning the first day of the fall semester, all summer break appointments shall be void and the composition of the Parking Citation Appeals Board shall revert to all original appointments previously approved by Student Senate.
- E. Membership of all judicial boards shall be subject to the approval of Student Senate.
- F. During periods when judicial board members are unavailable or as the need arises, the Dean of Students or designee after consultation with the KSU SGA Attorney General or designee may appoint an ad hoc judicial board. Such ad hoc boards shall be composed of two students and one faculty/staff member, preferably with prior judicial experience.
- G. No member may sit in judgment on a case which they have previously heard as a member of another board.
- H. The Dean of Students or designee and the Judicial Advisor in consultation with the KSU SGA Attorney General shall develop policies for the administration of the judicial program and procedural rules for the conduct of hearings. Such policies are subject to the approval of Student Senate and must be consistent of the Conduct Code.
604. Final decisions of any judicial board may be appealed in accordance with Article V, Section 10 of the KSU SGA By-Laws.
605. No member of the Judicial Branch whose appointment is subject to the approval of Student Senate shall concurrently hold offices within two or more branches of the KSU SGA, unless specifically permitted in the KSU SGA Constitution or By-Laws.

## **Article VII**

### **College and School Councils**

- 701. Legislative and executive powers not reserved by the Constitution and By-Laws for Student Senate and the Student Body President and Vice President shall be vested in the college and school councils.
- 702. Any student enrolled in any college or school, meeting the qualifications outlined in Sections 201 and 202, shall be eligible to be a candidate for election or appointment to any office in their respective college or school.
- 703. Members of each college and school shall elect, in accordance with its charter and the KSU SGA Elections Regulations Code, a body to act as council.
- 704. The duties and powers of the main campus college and school councils shall include the selection of replacement members to Student Senate, as defined in the By-Laws and serve as the chief student advisory council to the Dean of the college or school.
- 705. The charters of the college and school councils may be amended by the college or school councils, in accordance with their charters, subject to approval by majority vote of the Student Senate selected and qualified.



## Article VIII

### Oath of Office

801. The Student Body President, Student Body Vice President, Speaker of the Student Senate, Speaker pro tempore of the Student Senate, Student Senators, KSU SGA officers elected, appointed or approved by the Student Senate (including Cabinet members), KSU SGA Attorney General, KSU SGA Deputy Attorney General, Chancellor and members of Student Tribunal, all other members of judicial boards and Phase II SGA Interns shall take the following oath of office before taking office:

“I do solemnly swear [affirm] that I will faithfully execute the office of [name of office] and will, to the best of my ability, preserve, protect and defend the Constitution of the Kansas State University Student Governing Association.”

802. The oath of office may be administered by any one of the following officers: The incumbent Chancellor or a member of Student Tribunal (in all cases), the Student Body President or Student Body Vice President (in the case of the Executive Branch), the Speaker of the Student Senate or the Speaker pro tempore of the Student Senate (in the case of the Legislative Branch), the KSU SGA Attorney General or the KSU SGA Deputy Attorney General (in the case of the Judicial Branch), the SGA Intern Coordinators (in the case of the SGA Intern Program) or any person authorized by law to administer oaths.

803. At the ~~five~~ *fourth* meeting of Student Senate following the general election, the oath shall be administered to the Student Senators, then to the Student Body President and Student Body Vice President, and then the Speaker of the Student Senate and the Speaker pro tempore of the Student Senate.

**SECTION 803 WAS AMENDED BY BILL 21/22/29 BY A VOTE OF 47-0-4 ON NOVEMBER 4<sup>TH</sup>, 2021  
AND HAS NOT BEEN RATIFIED**

## **Article IX**

### **By-Laws Revisions**

901. Student Senate shall revise the By-Laws to be published with this Constitution in the student handbook and altered and interpreted as time and generation may require. Such revisions shall be constituted by a two-thirds majority vote of the total Student Senate selected and qualified. An official copy of the KSU SGA Constitution and By-Laws shall be made publicly available online and submitted to the editor of the student handbook by the Student Body President.

## **Article X**

### **Constitutional Revisions**

1001. Any member of Student Senate may propose an amendment to this Constitution, which must be approved by three-fourths majority vote of the total Student Senate selected and qualified. The Student Senate shall designate one of the following methods of ratification of the proposed amendment:
- A. Ratification by two-thirds of the college and school councils. The college councils must be notified of the amendment within one regularly scheduled Student Senate meeting. If a college council has not voted on ratification within six regularly scheduled Student Senate meetings after they were notified of the amendment, the amendment shall be referred to the college's caucus in Student Senate to vote on the council's behalf. The caucus must then vote on the ratification of the amendment within two regularly scheduled Student Senate meetings. The caucus must approve by a two-thirds majority in order for them to successfully ratify the amendment. If neither the council nor caucus for a college votes on the amendment within their specified time periods, this shall be considered a vote against the amendment. A statement with the result of the vote of each college council or caucus shall be returned to the Student Senate. Unless otherwise specified, amendments shall become effective when votes are sufficient to ratify the amendment. The ratification or failure of the amendment shall be announced by the Speaker of the Student Senate during the next Student Senate meeting thereafter.
  - B. Ratification by election in which at least one-third of the student body shall vote and two-thirds of those voting shall concur.

## **Article XI**

### **Initiative, Referendum, and Plebiscite**

- 1101. Initiative. The members of the KSU SGA shall have the power to propose legislation and directly to enact or reject such legislation at the polls. This power shall be known as the initiative.
- 1102. Initiative Procedure. An initiative petition shall contain the full text of the measure proposed and, to be valid, shall be signed by five percent of the KSU SGA members. Upon the presentation of such a petition to the Senate, the Senate may enact the proposed legislation within two weeks or place the question of the adoption of the measure on the ballot at a special election held within four weeks or at the next regular election. Regulations may be enacted in the By-Laws to govern the collection and validation of signatures on the initiative petition.
- 1103. Referendum. The Senate, by majority vote, may refer a measure to the members of the KSU SGA to approve or reject. This process shall be known as the referendum.
- 1104. Referendum Procedure. The legislation calling for a referendum shall include the full text of the proposed measure and shall provide that the question of the adoption of the measure be placed on the ballot of a special election held within four weeks or at the next regular election.
- 1105. Passage of legislation by the Initiative and Referendum. Each measure shall be submitted on the ballot by a title which shall be descriptive but not argumentative or prejudicial. The full text of each measure submitted on the ballot shall be available. The veto power of the Student Body President shall not extend to measures initiated by, or referred to, the voters. Any measure submitted to the voters shall become effective when approved by 60 percent of the votes cast thereon.
- 1106. Restrictions on Initiative and Referendum. No measure adopted by the voters under the initiative or referendum provisions above may be repealed or amended within a period of one year unless by a three-fourths vote of all the members of the Student Senate selected and qualified. No measure rejected by the voters under the initiative or referendum provisions above may be passed by the Student Senate within a period of one year unless by a three-fourths vote of all the members of the Student Senate selected and qualified.
- 1107. Plebiscite. The Student Senate may place on the ballot, at a special or regular election, a question upon which the members of the KSU SGA may express their opinion of approval, disapproval, or preference. Such a question shall be known as a plebiscite. The outcome of a plebiscite shall be considered the official expression of student opinion on the issue.

## **Article XII**

### **Student Rights**

1201. The following rights are guaranteed to students:
- A. The right of those employed by the university to join or form unions and enter into collective bargaining.
  - B. The right to petition for changes in curriculum or faculty.
  - C. The right to a fundamentally fair process, including a fair hearing, in all disciplinary matters and to be judged in part or entirely by students, with right of appeal.
  - D. The right to free and timely access to statements of policy which affect students; the university therefore, should publish policies affecting students.
  - E. The right to freedom from unreasonable and unauthorized search, seizure and detention.
  - F. The right to be tried and/or punished no more than once for the same offense, except in cases of violations of university rules.
  - G. The right to exercise full rights as a citizen in forming and participating in campus, local, state, national or international organizations for intellectual, religious, social, political, economic or cultural purposes and to publish and/or disseminate individual views and those of organizations on or off-campus.
  - H. The right to conduct research freely and to publish, discuss and exchange any findings or recommendations, whether individually or in association with local, national or international groups.
  - I. The right to organize and join organizations in their common interests.
  - J. The right of any organization to enjoy registration in all cases, provided they comply with the regulations for registration as stipulated by Student Senate.
  - K. The right of registered organizations to participate freely in off-campus activities, subject only to procedural regulations.
  - L. The right of students and registered organizations to use campus facilities subject to such regulations as are required for scheduling meeting times and places.
  - M. The right of students and registered organizations to invite and hear speakers of their choice on subjects of their choice.
  - N. The right to establish, print and disseminate publications free of any censorship or other pressures designed to control editorial policy, with the selection and removal of editorial staffs reserved solely to the organizations sponsoring those publications. (In cases, however, where a publication enjoys a monopoly of university facilities and finances, the registering authority may properly insist on adequate safeguards in the constitution of the publication to ensure that the requirements for membership be limited to interest, activity and journalistic ability. The staff of the publication shall administer those safeguards, but in any case where a person considers they have been unjustly removed from or unjustly prevented from joining the staff, such person may present a complaint to their board of local jurisdiction.)
1202. The enumeration of certain rights herein shall not be construed as to nullify or limit any other rights possessed by students.

## Article XIII

### Removal From Office

1301. Impeachment. Student Senate, by resolution adopted by majority vote of the total membership of Student Senate selected and qualified, may impeach the Student Body President, the Student Body Vice President, any Cabinet officer, the KSU SGA Attorney General, the KSU SGA Deputy Attorney General, and any member of the Judicial Branch whose appointment is subject to the approval of Student Senate.
- A. An impeachment by Student Senate shall be on the grounds of the following:
1. Misfeasance: The illegal or improper performance of a legal and proper act or duty.
  2. Malfeasance: Misconduct or wrongful act, especially by an elected or appointed official. This includes any violations of the Student Code of Conduct and other laws as defined in the KSU SGA Constitution or By-Laws.
  3. Nonfeasance: Failure to perform an act that is either an official duty or a legal requirement.
- B. Upon impeachment by Student Senate, the Student Tribunal shall try the charges of impeachment. This trial will take place within five class days of the passage of a resolution of impeachment by Student Senate.
- C. Upon conviction by a two-thirds vote of Student Tribunal, the officer is immediately removed from office and may no longer hold any office within the KSU SGA for a period of one year.
1302. Expulsion of Members of the Legislative Branch. Student Senate, by resolution adopted by two-thirds vote of the total membership of Student Senate selected and qualified, may expel the Speaker of the Student Senate, the Speaker pro tempore of the Student Senate, any Student Senate Committee Chair, any Student Senator for misfeasance, malfeasance, or nonfeasance (as specified in this Article) or violations of the Constitution, By-Laws, Statutes or Student Senate Rules.
1303. Within one week of the discovery of the conviction and sentencing of any officer as specified in Section 1301 or 1302 during their term of office, for a felony ~~or~~ or classed misdemeanor, a resolution of impeachment or expulsion of that officer shall be brought before Student Senate.

**SECTION 1303 WAS AMENDED BY BILL 21/22/13 BY A VOTE OF 47-1-1 ON OCTOBER 7<sup>TH</sup>, 2021 AND  
HAS NOT BEEN RATIFIED**