

Proposed ASUN Constitutional Amendments

ARTICLE I. NAME.

The name of this organization shall be the University of Nebraska-Lincoln Student Association, hereinafter referred to as the Association.

ARTICLE II. PURPOSES.

The purposes of this organization shall be:

1. to act as the supreme student governing body in the regulation and coordination of all phases of student self-government,
2. to plan and carry out projects of interest to the Student Body and for its benefit,
3. to represent the interests of the students to the faculty, administration, Regents, legislature, and to the general public,
4. to strive for the largest influence of the students in the functioning of the university.

ARTICLE III. MEMBERSHIP.

All regularly enrolled students at the University of Nebraska-Lincoln shall be members of the Association and shall be entitled to take part in all the activities of the Association as hereinafter outlined. A student taking at least one hour course work not including extension and correspondence courses, is regularly enrolled.

The legislative, executive, and judicial organs of the Association shall be as follows and shall have the following powers, insofar as these powers do not conflict with general University regulations established by the Board of Regents.

Section 1. The Executive Board.

A. The Executive Board shall consist of fifteen (15) members with voting privileges. The members shall be chosen by direct apportionment from the colleges of the University of Nebraska-Lincoln, in accordance with Article IV, Section 7 below.

B. In case of a vacancy on the Board, a replacement to fill out the unexpired term shall be elected by the Board from those who have submitted written applications for the position. The replacement shall meet all the regular requirements of the office of member of the Executive Board.

C. To be eligible for election to the Executive Board, a candidate must be a regularly enrolled member of the college he proposes to represent and agree in writing to resign if he should terminate his enrollment in that college during the term of office for which he seeks election.

D. Board members shall take office no more than three weeks after the general election and shall serve for a term of one year.

E. In the period between election and assumption of office the elected members shall serve as a Board-elect with the power to appoint Commissioners-designate, members-designate to Faculty Senate and All-University committees, and other officers-designate as shall be necessary. These officers-designate shall assume their duties upon installation of the new Board.

F. The first meeting of the Board-elect shall be held within a week after the election by the chairperson of the previous Board who shall serve as chairperson of the meeting until the election of a temporary chairperson by the Board-elect.

G. All powers shall remain with the previous Board unless transferred to the Board-elect by action of the previous Board.

H. Any Board member will be removed by the Chair-person upon three unexcused absences. The Board member may appeal the decision to the Student Court.

I. Impeachment. Any member of the Board, any Justice of the Student Court, or any other officer of the Association may be impeached by a 2/3 majority secret ballot vote of the entire voting membership of the Executive Board. The Board shall have the authority, by vote of a simple majority of the members present and voting, to appoint prosecutors for impeachment proceedings. A member may be impeached for malfeasance of office and in all instances of impeachment the individual shall be guaranteed due process of law including the right to a hearing and defense counsel. (Refer to Student Court, Section 8-F.)

J. Recall. A Board member is subject to recall by petition of members of the Association according to the procedures outlined in Article IV.

K. Powers and Duties of the Executive Board. The Executive Board shall have the following powers and duties:

1. Resolutions. The Board shall have the power to adopt, in the name of the Association, resolutions on public issues by simple majority vote of those members of the Board present and voting.

2. Rules of Procedure. a. The Board shall have the power to determine its own rules of procedure by a simple majority vote of those members of the Board present and voting. b. Rules of Procedure may be repealed by a simple majority vote of those members of the Board present and voting.

3. By-laws. a. The Board shall have the power to adopt by-laws by a 2/3 majority vote of the entire voting membership of the Board. b. All by-laws shall become permanent regulations of the Association and may be repealed only by a two-thirds (2/3) majority vote of the entire voting membership of the Board.

4. Other Officers. a. The Board shall have the power to elect such officers as necessary and make such appointments as necessary by a simple majority vote of those members present and voting, unless otherwise provided in this Constitution or in the by-laws of the Association. b. Any person appointed by the Board to such positions may be recalled by a simple majority vote of the entire voting membership of the Executive Board upon one week's notice to the individual that such a vote will be taken, unless otherwise provided in this Constitution or in the by-laws of the Association.

5. Other legislation. The Board shall have the power to enact all other kinds of legislation by a simple majority vote of those members of the Board present and voting, except as noted elsewhere in this Constitution.

6. Chairperson, Director of Records. The Board shall elect from within its membership a Chairperson and a Director of Records by majority vote of the entire voting membership of the Board.

7. Removal of Chairperson, Director of Records. Any member of the Board may call for the removal of the Chairperson or Director of Records at any meeting. After the officer is notified of this call the matter shall be voted on at the next regular meeting of the Board. A 2/3 vote of the entire voting membership of the Board is necessary to remove a Chairperson or Director of Records.

8. Special Session. The Board shall have the authority to call itself into session on twenty-four (24) hours' notice by a petition signed by at least one-fifth (1/5) of the entire voting membership of the Board and deposited with the Chairperson or in his absence the Director of Records, or by a vote to this effect by one-fifth (1/5) of the entire voting membership of the Board or by a petition signed by one hundred (100) members of the Association and deposited with the Director of Records. The official with whom the petition is deposited will notify all members of the Board of the special meeting unless physically impossible.

9. New Student Organizations. The Board shall have the power to establish in its by-laws procedures for the recognition of new student organizations and approval of their constitutions.

10. The Board shall have the power to enact, alter, or amend regulations pertaining to all student organizations.

11. Committee Appointments. The Board shall have the power to appoint all student representatives to Faculty Senate and All-University committees, or to delegate that authority to other campus organizations. The Board shall establish in its by-laws the procedure for the appointment of students to these Faculty Senate and All-University committees and procedures for recall and replacement of all appointees.

12. The Board shall have the power to sponsor, authorize, or regulate elections, rallies, assemblies, town hall meetings, and convocations of students and student migrations.

13. The Board shall hold open hearings at least twice a semester in an effort to establish communication between Board and students.

14. The Board shall have the power to establish such permanent or ad hoc legislative or investigative committees as it sees fit, providing that permanent committees be included in the by-laws.

15. The Board shall have the power to establish in its by-laws commissions to develop and maintain programs of interest and value to the student community, to appoint commissioners by a simple majority vote of the members of the Board present and voting, and to coordinate the programs of the commissions.

a. Commissioners shall be required to make reports at a regular meeting of the Board at least twice a semester. b. A member of the Executive Board may not serve as a commissioner.

16. The Board shall have the power to prosecute student organizations or individual students before the Student Court for violation of duly-enacted legislation of the Executive Board.

17. The Board shall have the power to serve as liaison between students and faculty, between students and the Board of Regents and/or their representatives, between students and the state legislature, and between students and the general public at such times as the general welfare of the students and/or the University shall require such service.

18. The Board shall have the power to exercise any other powers necessary for the general welfare of the students.

19. The Board shall have the power to enact such legislation as may be necessary for the execution of the powers granted in this Article.

Regular meetings of the Board shall be held once each week during the regular academic year on a day to be decided by legislative act of the Board. All meetings of the Board shall be open except on specific and written request to the contrary by two-thirds (2/3) of all the elected members. No official business may be conducted in closed session. Provision shall be made in the agenda of every meeting for students to present proposals or grievances through a Board member. The procedures outlined in *Roberts' Rules of Order* latest edition shall be followed at all meetings unless they contradict a by-law of the Board or this constitution.

SECTION 2. THE CHAIRPERSON

A. The Board shall elect a chairperson from among its membership by a majority vote of its entire voting membership. B. The chairperson shall be chosen at the first official meeting of the Board and may serve for a term of one year. No person shall serve as chairperson for more than two years.

C. The chairperson may be removed as outlined in Article IV, Section 1, K, 7.

D. The chairperson shall have the following powers and duties:

1. To chair all meetings of the Board

2. To set the agenda for meetings.

3. To call special meetings of the Board upon 24 hours notice, and contact all members unless physically impossible.

4. To remove by decree any member of the Board upon three unexcused absences.

5. To establish a student round-table composed of student leaders to meet regularly and discuss issues of importance to students.

6. To represent the Association in a ceremonial capacity and to state student opinion before public and official assemblies and in correspondence.

7. To be responsible for the filling of all committee positions.

8. To appoint the Director of the Electoral Commission subject to approval of the Board.

9. To delegate any of the above powers and duties if necessary.

SECTION 3. TEMPORARY CHAIRPERSON

A. The Board-elect shall elect a temporary chairperson from among its membership by a majority vote of its entire voting membership.

B. The temporary chairperson shall be elected at the first official meeting of the Board-elect and shall serve until election of a chairperson at the first official meeting of the Board.

C. The temporary chairperson is eligible to run for the post of chairperson.

D. The temporary chairperson shall have all the powers and duties with respect to the Board-elect that the chairperson has to the Board.

SECTION 4. THE DIRECTOR OF RECORDS

A. The Board shall elect a Director of Records from among its membership by a majority vote of its total voting membership.

B. The Director of Records shall be chosen at the first official meeting of the Board and may serve for a term of one year.

C. The Director of Records may be removed as outlined in Article IV, Section 1, K, 7.

D. The Director of Records shall be responsible to the Board for the maintenance of all minutes, legislation, decrees, correspondence, and for maintaining a current list of 100 days. All records of official action of the Board shall be open to public inspection.

E. The Director of Records may appoint, with the approval of the Board, such offices as he sees fit for performance of his duties.

SECTION 5. THE TEMPORARY DIRECTOR OF RECORDS

A. The Board-elect shall elect a temporary Director of Records from among its membership by a majority vote of its total voting membership.

B. The temporary Director of Records shall be elected at the first official meeting of the Board-elect and shall serve until election of a Director of Records at the first official meeting of the Board.

C. The temporary Director of Records is eligible to run for the post of Director of Records.

D. The temporary Director of Records shall have all the powers and duties with respect to the Board-elect that the Director of Records has to the Board.

SECTION 6. FACULTY ADVISORS

A. The Board shall appoint two faculty advisors to serve as non-voting members of the Board. They shall serve staggered two-year terms and must be voting members of the Faculty Senate.

SECTION 7. THE ELECTORAL COMMISSION

A. Composition. The Electoral Commission shall consist of five Commissioners, two of whom shall be the faculty representatives to the Board, one of whom shall be appointed by the Chairperson of the Board and shall serve as Director, one of whom shall be elected by a majority vote of the Board, one of whom shall be elected by the Student Court from its own membership by a majority vote of that body, the National Convention.

B. Eligibility. To be eligible for appointment to a non-faculty seat on the Electoral Commission, a nominee must be a regularly enrolled student in the University.

C. Term of Office. Student members of the Commission shall be nominated before the third full week of each semester and shall serve for the remainder of the semester.

D. Duties and Powers. The duties of the Electoral Commission shall be:

1. To announce filings and schedule election dates for all elections conducted by the Association.

2. To establish and publicize the dates and procedures for filings and elections, and to issue at the request of candidates advisory opinions as to the legality of proposed methods in election campaigns.

3. To establish polling places and to supervise the balloting at each polling place, either in person or through agents authorized and announced by the Commission one week prior to the elections.

4. To tabulate the ballots, with at least three Commissioners being present and at least one of them being a faculty representative.

5. To seal ballots, tabulations, and computations and deliver them to the senior faculty representative for safekeeping for a thirty day period.

6. To announce the complete results of the election to the press, including the number of votes cast for each candidate, and to be prepared, upon request, to issue a break-down of presidential votes and votes cast on amendments and referenda by colleges.

7. Initiate, by majority vote of all its members, prosecutions in Student Court for infractions of electoral laws or rules.

8. Annul, by a four-fifths (4/5) majority of all its members any election for good cause and to reschedule it within 15 class days.

9. Reapportionment. The Electoral Commission shall reapportion by direct apportionment the representation of the Board among the several colleges of the University according to the enrollment of the current semester. The apportionment shall be completed and the results publicized by the first day of April.

10. Establish at the beginnings of each semester regulations for the conduct of elections.

F. The Commission shall be responsible to the Chairperson of the Board. Decisions of the Electoral Commission shall be subject to review by the Student Court to determine if they are arbitrary or capricious in nature.

SECTION 8. STUDENT COURT

A. Composition. The Student Court shall consist of one Chief Justice and six Associate Justices appointed by the Chairperson of the Board. These appointments will be made with the approval of at least two-thirds (2/3) of the entire voting membership of the Board thirty class days prior to the Spring general election. The Chief Justice shall be at all times be a student in the College of Law.

B. Eligibility. To be eligible for appointment to the Student Court a student nominee must be a regularly enrolled student and an undergraduate with at least a junior standing.

C. Term of Office. All Justices shall serve for one academic year commencing the first day of classes in the fall and terminating the last day of finals the following spring.

D. Vacancies. Vacancies in the Student Court shall be filled within fifteen class days according to the procedures as outlined for selection of original members.

E. Nature of Judicial Function of Student Government. Nothing herein is to be construed as limiting or supplanting any of the rights, privileges, immunities, or obligations of each student under the rules and regulations of the University of Nebraska, the laws and constitutions of the State of Nebraska, and the United States of America, and the "Student in the Academic Community" document, but the provisions herein are to be a process in addition to those rights, privileges, immunities, and obligations.

F. Judicial Powers: The judicial power of the Student Court shall extend to the following controversies:

1. Matters of impeachment.

2. Matters of interpretation of this constitution.

3. Matters of contested elections.

4. Matters concerning organizations when referred to the Court by the University of Nebraska administration, the Executive Board or an individual student.

5. Other matters arising under the by-laws, organic acts, or ordinances of the Board, or the exercise of their powers.

G. Rules. The Student Court shall operate under and be governed by such rules and regulations as the Board shall adopt, except that such rules and regulations shall not infringe upon any of the powers herein granted to the Student Court.

H. Rights of Students and Student Organizations. In addition to the rights, privileges, immunities, and obligations which each member of the U of N-Lincoln SA holds under the rules and regulations of the University of Nebraska Board of Regents, the ordinances of the City of Lincoln, Nebraska and the laws and constitutions of the State of Nebraska and the United States of America, and the Bill of Rights in the "Student in the Academic Community" document, is herein recognized in the Academic Community" document, that:

1. The right of each student and each student organization to local, speedy, and just determination of controversies wholly confined within the community of the University of Nebraska.

2. The right of any student against whom disciplinary action is contemplated by the University of Nebraska to be informed of and receive a hearing concerning alleged conduct on which such contemplation is based.

3. The right of each student through representatives to participate in any process of disciplinary action against any other student, and any process by which controversies arising within student government and organizations are settled.

SECTION 9. STUDENT TRIBUNAL

The charter of the Student Tribunal of the University of Nebraska is hereby recognized as the official statement of authority for that body. The Executive Board of the University of Nebraska-Lincoln Student Association is hereby charged with all duties and empowered with all functions charged to the "Student Council" under the charter of the Student Tribunal. The Board is further charged with the duty of requiring periodical reports from the Student Tribunal, which reports shall reveal to the Board the nature and value of the Student Tribunal's operation to the declarations contained in Subsection E and H of Section 8.

SECTION 10. THE MEMBERS OF THE ASSOCIATION

The members of the Association, acting by petition, shall have the following powers:

A. Initiative. By a petition signed by at least 100 signatures of the regularly enrolled students, to introduce measures to the Board. If after fifteen (15) days, the Board shall not have passed the measure in its original form, another petition in its favor, signed by no fewer than 1,000 regularly-enrolled students, shall require the Electoral Commission to schedule and conduct a referendum on it within 15 class days. Approval of the measure by a majority of the voters at such a referendum shall require the Board to declare it null and void.

B. Referendum. By petition signed by at least 1,000 of the regularly enrolled students, to suspend the enactment of any measure other than the budget passed by the Board, and to require the Electoral Commission to schedule and conduct a referendum on it within 15 class days. Approval of the measure by a majority of the voters at such a referendum shall require the Board to declare it null and void.

C. Recall. 1. By a petition signed by thirty-five (35) percent of all the regularly-enrolled students enrolled in a college to require the Electoral Commission to schedule and conduct within fifteen (15) class days a special election for the Board seat in question in that college by the final apportionment at the general election.

2. Recall Procedure. In all cases of recall, the official recalled shall continue in the powers of his office until the special election and may be a candidate at that election. The special election shall be conducted under rules promulgated by the Electoral Commission and resembling as closely as possible those prescribed in the Constitution for general elections. Candidates elected at the special election shall serve only for the unexpired term of the recalled official.

D. Procedure. In all petitions submitted to the Electoral Commission under the provisions of this Article signatures shall be accompanied by University identification card numbers and shall be validated by the Electoral Commission.

ARTICLE V. AMENDMENT

SECTION 1. PROPOSALS

Proposals for amendment to this Constitution may be originated by:

A. A majority of two thirds (2/3) of all elected members of the Board.

B. A petition submitted to the Board, signed by not less than 1,000 of the regularly-enrolled students of the University. Signatures must be validated by the Electoral Commission.

SECTION 2. RATIFICATION

Proposals for amendment shall be ratified as follows:

A. If submitted on or before the second Monday of November, the proposal shall be voted on by the students at a special referendum to be held by the Electoral Commission on the second Tuesday of December.

B. If submitted after the second Monday of November but before the 27th day preceding the Spring general election, the proposal shall be included on the ballot at that election.

SECTION 3. PUBLICATION

Proposals for amendment must be published in full by the Electoral Commission in the campus newspaper at least three times prior to the election at intervals of at least one week.

SECTION 4. VOTE REQUIRED

The amendment shall be ratified: By a majority affirmative vote with at least twelve (12) percent of the eligible voters voting in favor.

SECTION 5. CONSTITUTION CONVENTION

A. A call for a Constitutional Convention may be originated by:

1. A majority vote of three-fourths (3/4) of all elected members of the Board.

2. A petition submitted to the Board, signed by not less than 12 percent of the regularly-enrolled students of the University of Nebraska. Signatures must be submitted with University identification numbers and shall be validated by the Electoral Commission.

B. The composition of the Convention shall be determined by a 2/3 vote of the entire membership of the Board.

C. The new constitution resulting from the Convention shall be ratified by a majority affirmative vote with at least twelve (12) percent of the eligible voters voting in favor.

ARTICLE VI. TRANSFER OF FUNCTIONS

SECTION 1. GENERAL PROVISIONS

A. Elected Officials. In all years after 1972, the officials elected to offices of the Association at general or special elections shall assume their responsibilities no later than three weeks after their election in accordance with the procedures outlined in Article IV above.

B. Appointed officials. Officers appointed at any time after this constitution shall have taken effect shall assume the responsibilities of their offices after their approval by the Executive Board.

C. All functions formerly delegated to the Association of Students of the University of Nebraska shall be assumed by the appropriate organs of the U of N-Lincoln Student Association.

SECTION 2. PROVISION FOR 1972-73 ACADEMIC YEAR

A. After ratification of this constitution, a special general election shall be held in the fall for an Executive Board under the rules of this constitution with the following exceptions:

1. The Electoral Commission of ASUN shall perform all of the duties of the Electoral Commission of UNSA.

2. The Student Court of ASUN shall serve as the Student Court of UNSA and shall continue in this function until its term of office under the ASUN constitution expires.

B. Officials elected at the fall, 1972 election shall assume office three weeks later, on which date this constitution shall come into full force and effect and all former constitutions and by-laws shall become null and void.

C. The Executive Board elected in fall, 1972, shall serve until the spring general election of 1973, at which time a new Board shall be elected to a full term of one year, which all succeeding Boards shall serve.

D. All qualifications relating to the number of hours required for eligibility for office under the ASUN constitution shall be abolished immediately upon ratification of this constitution in spring of 1972.

ARTICLE VII. BILL OF RIGHTS

The following Article was voted on and passed as amendments to the ASUN constitution, Spring, 1967.

A. In order to affirm and define those conditions essential to the achievement of total education in a democratic society, the Association of Students of the University of Nebraska consider the following rights among those necessary in the development of the student as an individual and as a responsible citizen of that society.

A. Persons have the right to be considered for admission to the University of Nebraska and student organizations of that University, without regard to the applicant's race, national origin, religious creed, or political beliefs.

B. Students have the right to a clear and concise statement of contractual obligations before entering the University of Nebraska.

C. Students have the right to maintain democratic government.

D. Students have the right to equitable participation in University policy-making decisions.

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