

# **Chadron State College Student Association Constitution**

## **MISSION STATEMENT**

Recognizing that the formation and operation of a genuine representative organization of the student body of Chadron State College is an inherent and essential right of the students of Chadron State College. In order to provide a forum for the expression of student views and interests, to improve student cultural and social welfare, to ensure the continued existence of student's rights in principle and in practice, and to judiciously manage such fiscal responsibilities entrusted, we, the students of Chadron State College, do hereby establish this constitution in accordance with Nebraska State College System Board Policy.

## **ARTICLE I: Structure**

**Section 1.1:** The name of the organization shall be the Student Association of Chadron State College. All students of this college shall be members of the Association by virtue of their enrollment at Chadron State College and shall not be discriminated against on the basis of sex, race, color, national origin, age, religion, disability, sexual orientation, gender identity, or marital status.

**Section 2.1:** The representative governing body of the Student Association shall be known as the Student Government.

## **ARTICLE II: Legislative Branch**

**Section 1:** The Legislative Branch of the Student Association shall be known as Student Senate and shall be composed of senators representing the residence halls, each academic school, and its associated graduate studies program, those representing their class, those representing athletic interests, and those elected at-large who shall act in representation of the entire student body.

1.2: Senators shall be enrolled in at least twelve (12) hours of undergraduate credit, or at least nine (9) hours of graduate credit at Chadron State College.

1.3 Upon being sworn into Student Senate, Senators shall retain full discussion and voting privileges.

1.4 No Senator shall be on academic or disciplinary probation.

**Section 2.1:** The residence halls representation shall be composed of senators elected every fall term by the students of their respective residence halls. Senators must be residents in the hall which they shall represent throughout the duration of their term.

2.2 Andrews Hall may be represented by two senators.

2.3 Edna Wing may be represented by one senator.

2.4 Edna Hall may be represented by one senator.

2.5 Eagle Ridge may be represented by one senator.

2.6 High Rise may be represented by three senators.

2.7 Kent Hall may be represented by two senators.

2.8 Senators elected from the residence halls shall be sworn into office by the Chief Justice of the Constitutional Court and retain office until the day following spring commencement ceremonies.

**Section 3.1:** The academic representation shall be composed of senators elected every spring term by the students of their respective academic school and its associated graduate program.

3.2 Five senators shall be elected from each academic school and its associated graduate studies program.

3.3 The academic schools are separated into the departments of Business, Math, and Science, (BMS), Professional Studies and Applied Science (PSAS), and Liberal Arts. Those majoring in Education shall be allowed to seek election from their endorsement department.

3.4 Students seeking election from an academic school must be majoring within that department.

3.5 Those majoring in Education shall be allowed to seek election from their endorsement department.

3.6 Senators shall be sworn into office by the Chief Justice of the Constitutional Court at the first full meeting of the Senate following the spring election and shall retain office until the subsequent meeting of the following year.

**Section 4.1:** The at-large representation shall be composed of senators elected every spring term by the students of Chadron State College regardless of living arrangements and department affiliation.

4.2 Five at-large senators shall be elected regardless of their department, class, club or other affiliation. At-large senators represent the interests of all Chadron State College students particular attention to those not affiliated to specified senatorial representatives.

4.3 Senators shall be sworn into office by the Chief Justice of the Constitutional Court at the first full meeting of the Senate following the spring election and shall retain office until the subsequent meeting of the following year.

**Section 5.1:** Class representation shall be composed of senators elected by the students of their respective class, regardless of department, residence, or other affiliation. The student must be of the class they are representing.

5.2 One senator may represent the Freshman class, eligible are those who have spent less than one year enrolled in formal education.

5.3 One senator may represent the Sophomore class, eligible are those who have spent greater than one year and less than two complete years enrolled in formal education.

5.4 One senator may represent the Junior class, eligible are those who have spent greater than two years and less than three complete years enrolled in formal education.

5.5 One senator may represent the Senior class, eligible are those who have spent greater than three years and less than four complete years enrolled in formal education.

5.6 One senator may represent those students beyond four years of formal education enrollment whether they are bachelor's degree seeking or graduate degree seeking students.

5.7 Senators shall be sworn into office by the Chief Justice of the Constitutional Court at the first full meeting of the Senate following the spring election and shall retain office until the subsequent meeting of the following year.

5.8 These senators will retain their position as class representative until the time requirements are no longer met.

5.8 Class senators seeking reelection may petition their constituents to claim the succeeding senatorial class position. I.e. Freshman senators may petition to claim the Sophomore seat for the next academic season during the spring election cycle.

**Section 6.1:** The athletics representation shall be composed of senators elected every spring term by the students of Chadron State College regardless of living arrangements, department affiliation, or class association.

6.1 Two female senators and two male senators shall be elected to represent the student athlete population at Chadron State College.

6.2 Senators seeking election must either be active within a Chadron State College sanctioned sport, whether on or off season, or a member of SACC.

6.3 Senators shall be sworn into office by the Chief Justice of the Constitutional Court at the first full meeting of the Senate following the spring election and shall retain office until the subsequent meeting of the following year so long as they remain active with athletics programs and senatorial guidelines.

**Section 7.1:** Student Senators may introduce, for consideration by the Senate, constitutional amendments or Bylaw changes bearing the signatures of (3) senators.

7.2 Senators may submit petitions to the Constitutional Court concerning constitutional questions bearing the signatures of three (3) senators.

**Section 8.1:** A two-thirds majority vote of the Senate is sufficient to revoke official student organization status.

**Section 9.1:** In the event of an electoral tie, the senatorial candidates shall present their qualifications orally at the next full meeting of the Senate. A majority vote of the Senate by roll-call shall be sufficient to decide the election.

**Section 10.1:** The Senate shall adopt rules and regulations for the orderly conduct of business. These shall be entitled Bylaws and shall be published as an appendix to this constitution.

10.2 Bylaws shall be passed by a two-thirds majority vote of the Senate.

10.3 The Senate shall abide by the rules and procedures found in Robert's Rules of Order Newly Revised, whenever they are not contrary to this Constitution and the established Bylaws of the Senate.

### **ARTICLE III: Executive Branch**

**Section 1.1:** The Executive Branch of the Student Association shall be composed of the President of the Student Association, the Vice President of the Student Association, the Vice President of Finance for the Student Association, the Secretary of the Student Senate, the Chair of the Campus Activities Board, the Chief Justice of the Constitutional Court, and the Student Representative to the Nebraska State College System Board of Trustees.

1.2 No member of the Executive Branch may hold any other executive position in the Senate or its various committees unless expressly stated in this constitution.

1.3 Members of the Executive Branch shall serve ex officio unless expressly stated in this constitution.

**Section 2.1:** The President shall serve as the official representative of the student body at all meetings and convocations concerning it and shall voice the position most favorable for the students.

2.2 The President shall be sworn into office by the Chief Justice of the Constitutional Court at the first full meeting of the Senate following the spring election and retain office until the subsequent meeting of the following year.

**Section 3.1:** The President shall appoint students to committees requiring student representation, in the event that positions remain vacant. The appointed representative may appeal their appointment to the Constitutional Court, should the need arise.

3.2 The President may call a special meeting of the Senate and may address the Senate on any issue or concern after recognition by the Presiding Officer of the Senate. Twenty-four (24) hour notice must be given for any special meetings called by the president.

3.3 The President may veto any legislation passed by the Senate. Any veto must be exercised within one week of the passage of the legislation affected. All vetoes must be reported in writing to the Secretary of the Senate. Vetoes must be acknowledged at the next full meeting of the Senate and can be overridden by a two-thirds majority vote of its members.

3.4 The President may submit petitions to the Constitutional Court concerning constitutional questions.

3.5 The President shall act as the Presiding Officer over meetings of the Senate when the Vice President is absent.

**Section 4.1:** The Vice President of the Student Association shall act as the Presiding Officer at all meetings of the Senate.

4.2 The Vice President shall be sworn into office by the Chief Justice of the Constitutional Court at the first full meeting of the Senate following the spring election and retain office until the subsequent meeting of the following year.

4.3 As the Presiding Officer of Senate, the Vice President shall have the authority to investigate, and subsequently prosecute within the Constitutional Court, under his or her signature, any senator or committee member serving as a representative of Student Association.

4.4 The scope of the investigation and prosecution shall include any one or several violations of this Constitution, of any Bylaw of Senate, CAB, AFB, or any other Bylaw to which the representative is subject.

4.5 Nothing in this section shall be construed as to apply to Impeachment proceedings, which shall be heard separate from disciplinary actions, except where a student representative has failed to comply with a court order. Should a representative fail to comply with an order by the Court, the Vice President shall file a motion, asking that the court require the student representative to show good cause to the Court as to why the order was not carried out. If the cause is not adequate, the Court will issue an opinion, recommending that the Student Senate vote to remove such person from their position within the Student Association.

**Section 5.1:** The Vice President shall have voting privileges only in legislation requiring a deciding vote. This does not include constitutional issues, which shall be left up to the Constitutional Court.

**Section 6.1:** The Secretary of the Senate shall be elected from the Senate by a majority vote of its members at the first meeting held after the spring election. The Secretary shall be sworn

into office by the Chief Justice of the Constitutional Court following affirmation by the Senate and retain office until the subsequent meeting of the following year.

6.2 It shall be the duty of the Secretary of the Senate to provide new senators with a contract stating they have access to and are willing to comply with the Constitution and Bylaws of the Senate.

**Section 7.1:** The Vice President of Finance for the Student Association shall act as Treasurer of the Senate.

7.2 The Vice President of Finance shall be elected from the Senate by a majority vote of its members at the first meeting held after the spring election.

7.3 The Vice President of Finance shall be sworn into office by the Chief Justice of the Constitutional Court following affirmation by the Senate and retain office until the subsequent meeting of the following year.

7.4 The Vice President of Finance shall chair the Activity Fee Board.

7.5 The Vice President of Finance shall have the authority to investigate, and subsequently prosecute within the Constitutional Court, under his or her signature, any club receiving money from the Student Activity Fee through the Student Senate, the Campus Activity Board, or Activity Fee Board.

**Section 8.1:** The Student Representative to the Nebraska State College System Board of Trustees shall be appointed by the Governor of Nebraska. The Student Representative shall not resign their office for any other position within the Senate or its various committees.

8.2 The Student Representative to the Nebraska State College System Board of Trustees will be welcome to serve ex officio at meetings of the Student Senate.

#### **ARTICLE IV: Judicial Branch**

**Section 1.1:** The Judicial Branch of the Student Government shall be known as the Constitutional Court and shall be composed of four (4) Student Justices and the Chief Justice. Members of the Court shall be appointed by the President of the Student Association.

1.2 Members of the Court shall be sworn into office by the Chief Justice of the Court following affirmation by the Senate.

1.3 Members of the Court shall serve ex officio.

**Section 2.1:** All court members shall continually maintain a full knowledge of the Constitution and Bylaws of the Senate and shall be responsible for making binding judgments concerning the interpretation of the Constitution.

**Section 3.1:** The court shall receive and consider any legitimate petition outlining a constitutional question, which would serve as the written statement for the petitioners.

3.2 A legitimate petition for review shall bear at minimum the signature of either the Student Association President, the Vice President, the Vice President of Finance, any three senators, any ten members of the student body, or any club president after a quorum of that club has voted in favor of filing such petition. Should a petition be filed bearing the signature of a club president, an original copy of meeting minutes, legitimized by the signature of the club secretary, shall be attached to the petition to show that a meeting was held, there was quorum of the membership present and a majority of those voting, did vote to file said petition.

- 3.3 Any petition, if it does not meet the requirements in this section, may be rejected by the Chief Justice prior to filing, by the assigned justice prior to or after a finding of legitimacy or by the Court en banc at any time throughout the process.
- 3.4 Petitions must be considered and ruled upon within ten (10) school days following official presentation to the Chief Justice.
- 3.5 The Court must undertake to receive a written statement from the respondents.

**Section 4.1:** A simple majority vote shall suffice for all Court decisions.

- 4.2 Court decisions shall be delivered within ten (10) school days of receipt of the question, and must be accompanied by an explanation in forming the decision.
- 4.3 The decision shall also be reported at the next full meeting of the Senate.

**Section 5.1:** The Constitutional Court shall enforce all election procedures.

**Section 6.1:** A referendum shall be held on an issue if a petition is presented bearing the signatures of fifty currently enrolled Chadron State College students..

- 6.2 Referendum petitions must be certified or rejected within two (2) weeks after their presentation to the Chief Justice.
- 6.3 Referendum elections must be conducted within one (1) week after the Court certifies the validity of the petition calling for referendum action.

**Section 7.1:** The Court shall be responsible for the disciplinary actions of the Student Government with a special emphasis on attendance, eligibility, and conduct.

- 7.2 The Constitutional Court shall hear any case properly filed with it, within 10 school days of a finding by a justice that there is a legitimate purpose for bringing the case.
- 7.3 Any judge, assigned to the case by the Chief Justice, may find a legitimate cause and rule on preliminary judicial matters based on the pleadings, or may summon the parties before him or her to conduct a hearing. If no legitimate purpose is found, the case will go no further than that judge, and the case will be dismissed. No ruling by a single justice is final until voted upon by the Court. If a justice's dismissal is overruled by the Court, the initial matter will be set for hearing before the Court, en banc.
- 7.4 The legitimate cause will be found within 5 school days of the petition being filed. All other preliminary matters will be ruled upon within 5 days of the motion being filed. The Court then has 48 hours to review and vote on opinion issued by the preliminary justice.

**Section 8.1:** Any person who has investigative and prosecutorial powers under Article III of this Constitution, may appoint, under their own accord, and uninterested party to the position of special prosecutor should they decide that they personally have a conflict of interest, in an attempt to avoid impropriety or the appearance of impropriety.

- 8.2 Any special prosecutor shall be appointed for a select purpose and the Constitutional Court shall find en banc that the special prosecutor is sufficiently uninterested in the matter for which he or she was appointed. The Court will NOT consider the legitimacy of the investigation itself unless challenged under Section 3 of this article.
- 8.3 A special prosecutor may take on and dismiss their own staff at their own will without interference from the appointing executive or the Constitutional Court.
- 8.4 After a finding, by the preponderance of the evidence, that an accused official or organization did, in fact violate written or known law of this Student Association, or did commit other malfeasance while in office, the Court will review the prayer for relief of the petitioner for reasonableness and completeness. If the Court finds that the prayer for relief is

unreasonable or incomplete, it may alter it to the extent that it will then be reasonable and complete.

**Section 9.1:** The Constitutional Court shall appoint a “Solicitor General”. The full-time CSC student shall be appointed by the Court to this position and subsequently confirmed by the Senate.

9.2 The Solicitor General may serve on the Senate Executive Board and may hold another position within the Student Association so long as the second position does not have any prosecutorial authority.

9.3 The purpose of the Solicitor General will assist any person who seeks his or her assistance in navigating and filing with the Constitutional Court. He or she shall, at the litigant’s request, ethically, and respectfully represent any person or entity who is filing against or has been filed upon by an entity of the Student Association. (i.e. clubs, students-at-large, officials who have had disciplinary or impeachment proceedings against them).

9.4 The Court will not hinder the representation of a Client by the Solicitor General unless representation interferes with the ethical and respectful standards set out for and otherwise expected by the Constitutional Court and an officer thereof.

9.5 The Solicitor General cannot be sanctioned or removed for making good-faith arguments to the Court, in order to represent their clients. The Solicitor General may take part in political activities, so long as they do not affect his or her representation of CSC Students or attempt to undermine the authority or the integrity of the Constitutional Court.

9.6 The Solicitor General will be appointed every semester by a majority vote of the Constitutional Court and confirmed by a majority vote by Senate. The Solicitor General may be removed, by impeachment proceedings. However, the Court may hold the impeachment hearing on their own motion.

9.7 In the event the Solicitor General cannot complete their duties due to personal bias, another the senate will appoint another Solicitor General to represent the entity filing against the senate or filed upon by the senate.

**Section 10.1:** The Constitutional Court shall retain any power to sanction Student Association representatives, clubs and entities in any way that may be deemed just and equitable, including, but not limited to, orders to perform, orders to cease and desist, and suspensions of any amount of funds for any period of time.

10.2 No person or entity of the Student Association shall be tried on unfounded grounds, nor will the same issue be heard twice. A dismissal based on this paragraph can be made by the court at any time after the case has been taken up by the Court up to the time the opinions are issued.

## **ARTICLE V: Advisors**

**Section 1.1:** Three (3) members of the faculty shall be elected to advise the Senate.

**Section 2.1:** The College President or the College President’s designee shall have an open invitation to attend all open meetings of Student Senate.

**Section 3.1:** Advisors shall serve ex officio.

## **ARTICLE VI: Vacancies**

**Section 1.1:** Students appointed to a vacancy in the Senate shall serve to the completion of the original term for that office.

**Section 2.1:** In the event of a vacancy in the office of President, the Vice President shall assume the office.

**Section 3.1:** In the event of a vacancy in the office of Vice President, the President shall nominate a qualified member of the Senate, whose appointment must be confirmed by a two-thirds majority vote of its members.

**Section 4.1:** In the event of a vacancy of the President and Vice President, the Secretary shall serve pro tempore until the Senate elects a new President from within its membership by a two-thirds majority vote.

## **ARTICLE VII: Removal**

**Section 1.1:** Any representative of the Student Association may be subject to removal from office.

1.2 Any student may initiate removal of representatives by submitting a petition to the Chief Justice bearing the signatures of 100 currently enrolled Chadron State College students or the signatures of one third of the senate population.

1.3 A Senator may initiate removal of representatives by submitting a petition to the Chief Justice bearing the signatures of 100 currently enrolled Chadron State College students or the signatures of one third of the senate population.

1.4 The Court shall conduct a hearing at which time a defense shall be heard from the Representative who may be aided by the Solicitor General.

1.5 Following the court hearing, a two-thirds majority vote of the Student Senate is required to remove the representative. The representative may not retain their position for 16 academic weeks.

1.6 Impeachment proceedings are grounds for removal under the same statutes found in this article.

**Section 2.1:** Any Justice of the Court may be subject to removal.

2.2 Any student may initiate removal by submitting a petition to the Executive Branch bearing the signatures of 100 currently enrolled Chadron State College students or the signatures of one third of the senate population.

2.3 A Senator may initiate removal by submitting a petition to the Executive Branch bearing the signatures of 100 currently enrolled Chadron State College students or the signatures of one third of the senate population.

2.4 The Executive Branch shall conduct a hearing at which time a defense shall be heard from the Senator.

**Section 3.1:** Petitions must be considered and ruled upon within ten (10) school days following the hearing.

3.2 Upon certification, the petition shall be submitted to the Senate. A two-thirds majority vote of its members shall be sufficient for removal from office.



**Section 4.1:** A recallable offense may be constituted by academic probation, disciplinary probation, failure to carry out constitutionally prescribed duties, malfeasance in office, failure to adequately represent the constituents or students as a whole, conviction of any felony during the term of office, or any other indications of improprieties in fulfilling official responsibilities.

## **ARTICLE VIII: Committees and Relations**

**Section 1.1:** To provide the campus with diverse programs that are cultural, social, educational, and recreational in nature through the efforts of students who actively plan, implement, and evaluate programs, the Senate shall establish a Campus Activities Board.

**Section 2.1:** To direct the allocation and use of Student Activity funds and to oversee student organization status in accordance with Nebraska State College System Board Policy, the Senate shall establish an Activity Fee Board.

2.2 At the beginning of each semester, the Activity Fee Board shall come before Student Senate to request funding. In this request, they must include an itemized budget for all events planned for the semester. Additionally, this itemized budget may include a request for a reasonable amount of funding for unforeseen events and expenditures. At the end of each semester, any unused funding from this request shall return to the unallocated funds of the Student Senate.

**Section 3.1:** In any given year, a fifty percent minimum of Student Activity funds, after budget considerations and allocations, shall be maintained in reserve.

3.2 The Vice President of Finance for the Student Association's report shall state the balance of the reserve as an "Undisclosed Amount". The total balance of the account shall be verbally presented at the Senate meeting in which the request for an allocation is presented.

3.3 Written requests on funds held in reserve shall be submitted to the Senate at least one week before action is taken.

3.4 Allocations made from the reserve must be approved by a two-thirds majority of the Senate.

**Section 4.1:** Executive officers of the Student Association shall convene monthly to provide direction within the Association, ensure communication, resolve potential issues, and to remain current on issues affecting the students.

**Section 5.1:** The Senate and its standing committees shall meet once per semester in General Assembly. The fall Assembly shall occur within two weeks of homecoming activities. The spring Assembly shall occur within two weeks of midterm break.

5.2 The President shall serve as Presiding Officer of the General Assembly.

## **ARTICLE IX: Definitions**

**Section 1.1:** Unless otherwise stated in this constitution, a vote of those composing a quorum shall be binding.

**Section 2.1:** A "simple majority" shall mean greater than half of the eligible members present at the time of the vote.

**Section 3.1:** A “two-thirds majority” shall mean two-thirds or greater of eligible members present at the time of the vote.

**Section 4.1:** Ex officio status shall confer full discussion privileges but does not confer voting privileges in Senate and standing committees.

**Section 5.1:** En banc status refers to the act of a group of officials presiding over and hearing a case.

**Section 6.1:** Currently enrolled students are those who take any number of credit hours offered by CSC, whether part-time or full-time

### **ARTICLE X: Amendments**

**Section 1:** This Constitution may be amended by a majority vote of the Senate and a majority vote of those voting at the next student election.

1.2 A proposed amendment may also be adopted by approval of a two-thirds majority vote of those voting in a referendum election conducted under the rules for such an election.

**Section 2.1:** Each proposed amendment must be voted on separately.

**Section 3.1:** Previous dated versions of the constitution shall be filed to show the changes and amendments over time.

### **ARTICLE XI: Supremacy Clause**

**Section 1.1:** This Constitution supersedes any other Student Association Constitution in existence. It shall become effective upon its ratification by a majority of the students voting in the election at which it is presented and by the President of Chadron State College.

**Amended and Ratified: September 16, 2024**

#### **Presiding Officials:**

**President Colton Brienza, VP Raquel Moore, VP of Finance Elijah Huntington, Secretary Kaylea Geiser, Chief Justice Tianna Martin**

**Committee Members: Sean Graff, Samantha Hill, Eva McConnell, Dawson Ohrt, Piper Ryschon, Conner Schwend, and Reese Vinvzant.**

## **Chadron State College Student Senate Bylaws**

### **I. AGENDA:**

A. The meeting will follow the agenda brought forth by the Student Senate Executive Branch.

- B. A tentative agenda shall be sent forth at least two (2) school days prior to the Student Senate meeting. A finalized agenda shall be sent forth prior to or at the Student Senate meeting.

## **II. ATTENDANCE:**

### **A. Absences:**

1. Excused absences will include the following: family obligations, illness, CSC functions (excluding intramurals or social events), employment-related absences, and religious services.
2. Regular and/or weekly absences shall not constitute an excused absence.
3. Other absences may be excused by good cause shown to the Chief Justice. Such question may be referred to the full Court upon the Chief Justice's discretion; or by filed petition.
4. Any absence for reasons not listed above shall be considered unexcused.

### **B. Tardiness:**

1. Two instances of tardiness will equal one (1) unexcused absence. If a Senator is not present when his/her name is called, he/she will count as a tardy.
2. Advisors shall be exempt from tardiness.
3. Tardiness caused by events covered under Section A, #1 of this bylaw shall be excused accordingly.

### **C. Absenteeism and Removal:**

1. The Chief Justice must be informed prior to the meeting that will be missed. Failure to do so will constitute an unexcused absence or tardy, unless good cause can be shown to the Chief Justice that contact could not be made prior.
2. Upon the first unexcused absence, the Vice President of the Student Association shall file a request with the Constitutional Court to order the offending senator to comply with the attendance bylaw.
3. Upon the second or subsequent unexcused absence the Vice President shall file a motion for the offending senator to show cause to the Constitutional Court why they violated the bylaw. Absent good cause to the contrary, recommendation for removal shall be made by the Court.
4. Failure to respond to the Court shall result in summary judgment and a granted request of the Vice President.
5. A two-thirds vote of the Senate will be necessary to remove the Senator from the Student Senate.

## **III. VOTING AND QUORUM:**

- A. Quorum shall constitute 50% of sitting senators plus one senator.
- B. A simple majority vote shall be at least 50% of the votes plus one vote of the senators voting in a quorum.
- C. The Vice President of the Student Association shall cast one vote in the event of a tie of the quorum.
- D. A quorum is required to call a meeting to order and vote on matters within the meeting of the Student Senate, with the exception of adjournment of the meeting.

## **IV. CORRESPONDENCE:**

- A. Information directed to student organizations shall be sent to the applicable student representation as well as the college employee advisor to the organization.
- B. The correspondence of the Student Senate shall be maintained by the Secretary of the Student Senate who shall have the following responsibilities:

1. Recording and distributing accurate minutes of the full Senate prior to the next Student Senate meeting. Copies and materials may be available.
2. Preparation and timely distribution of correspondence mandated by the Executive Branch.
3. Recording and delivering other correspondence from the Senate;
4. Organizing and maintaining the minutes and agenda;
5. Organizing the preparation of name tags and name plates.
6. Keeping the files and records of the Senate accurate and up-to-date;
7. Maintaining an adequate supply of office supplies; and moderating the use and distribution of these materials.

#### **V. ENCUMBRANCE AND DISBURSEMENT OF FUNDS:**

- A. Any disbursement of funds from the accounts of the Student Senate should be made only under the signature of the Treasurer of the Student Senate.
  1. In the event of the Treasurer's absence, the signature of the President of the Student Senate will suffice.
  2. With the exception of the Executive Board members, no member of the Student Senate can sign checks or purchase order requests without direct authorization from the Senate Executive Board.
  3. Any bank signature cards shall contain the signature of the Senate Treasurer and/or the President of the Student Association.
- B. Certain levels of expenditures require approval of either the Executive Board or the entire Student Senate.
  1. Any expenditure of Student Senate funds less than or equal to \$100.00 must have the prior approval of the Senate Executive Board.
  2. Any expenditure of Student Senate funds in excess of \$100.00 must have the prior approval of the Student Senate during a regular or special meeting.
  3. The Senate Executive Board shall approve no more than \$250.00 worth of expenditures between regularly scheduled meetings. In case of the necessity of expenditure over the \$250.00 total, the Executive Board must call for a special meeting and/or an online vote to approve said expenditure.
  4. When financial requests are presented, a voice vote shall be necessary for amounts equal to or less than one-thousand dollars (\$1000.00). To vote on a voice vote, there must be a quorum present.
  5. A vote shall be taken by roll call when the amount requested exceeds one thousand dollars (\$1000). To vote on a roll call vote, there must be a quorum present.
- C. The Senate Treasurer will present, as a part of the agenda of each regular Student Senate meeting, a list of the allocations made since the beginning of the last full meeting and the amount remaining in projected unallocated funds. This report shall be a part of the regular Treasurer's Report and will be filed as part of the approval of such a report at each meeting.
- D. Invoices to be paid with Student Activity funds shall be provided concurrently to the appropriate college employee and the Vice President of Finance for the Student Association. The Vice President of Finance shall maintain records independent from the college employee. The independent records will be compared quarterly, and prior to each meeting of the General Assembly. The independent records will

be compared prior to each meeting of the General Assembly, near the end of the Fall and Spring semesters, and as needed.

**VI. EXECUTIVE OFFICERS:**

- A. The Student Association President is assigned responsibilities in the Constitution. Other specific responsibilities include:
  - 1. Informing students of campus and State College policies or proposed policies which will directly affect the student body.
  - 2. Conduct meetings of the Executive Branch.
  - 3. Acting as a liaison between administration and the Student Association.
- B. The Vice President of the Student Association is assigned responsibilities in the Constitution. Other specific responsibilities include:
  - 1. The preparation of the tentative and finalized agendas put forth by the Executive Branch.
  - 2. Disbursement of the tentative and finalized agendas to all Senators, advisors, and Executive Branch members.
- C. Vice President of Finance or Treasurer:
  - 1. Serve as the Chief Financial Officer for Student Senate and report to Senate.
  - 2. Co-Chair of the Activity Fee Board.
  - 3. Maintaining an accurate bookkeeping system of all Student Association financial matters.
  - 4. Handling all Student Association accounts in a timely manner.
  - 5. Disbursing funds as directed by the Senate Executive Board or the Student Senate.
  - 6. Preparing and distributing an accurate statement of the Student Association's financial position at each full Senate meeting.
  - 7. Submitting in writing a complete financial report to the Student Senate at the last regular business meeting of the semester stating all allocations of said term.
  - 8. Reviewing all accounts held by organizations of the Student Association.
- D. The Executive Branch of the Student Association, with the exception of the Student Trustee, shall be subject to the attendance policy outlined in these bylaws.

**VII. CONSTITUTIONAL COURT:** The Constitutional Court is assigned responsibilities in the Constitution. Other specific responsibilities of the Court include:

- A. Organizing and conducting other student elections as directed by the Student Senate (such as Homecoming King and Queen);
- B. Keeping an accurate and up-to-date copy of the Student Association Constitution and the Student Senate Bylaws; and providing current printed copies as needed;
- C. Advising the Presiding officer of the Senate on organizational and constitutional matters;
- D. Monitoring attendance at all meetings and informing the Senate of possible violations and resulting expulsions.
- E. Keeping the records that pertain to office hours in the Senate Log Book.
- F. Keeping the records that pertain to unexcused or excused absences and/or tardies of Senate meetings.

**VIII. STUDENT SENATE COMMITTEES:**

- A. Funding for Standing Committees shall be established through committee bylaws and approved by Senate.

- B. Records of Senate committees, including reports and minutes, shall be delivered to the Secretary of the Student Association who will distribute to the Senate and archive the records in a timely manner.
- C. The Vice President of the Student Association, or his or her designee(s), will audit the scope of responsibilities of committees each year by the time of the Fall General Assembly. Recommendations for ad hoc committees will be made to the Senate as the need arises.
- D. Members of a committee may be appointed from the student body at large unless otherwise stated in that committee's bylaws.
- E. The chairman of each Senate Committee, or his or her designee, shall report on committee activities at each full Senate meeting.
- F. Each Senator shall serve on at least two committees, being either a subcommittee of the Student Senate or a Presidential Committee as a student representative. The Executive Board, upon the approval of Student Senate, has the right to increase the number of committees each Senator is required to sit on per semester to reflect the needs of the Student Association.
- G. The Student Senate shall have the sole authority to create standing committees and legislate the bylaws of said committees. The authority of Senate standing and ad hoc committees shall not exceed that of the Senate and will be governed by and through the bylaws established for that committee.
- H. President of the Student Association shall have the authority to create ad hoc committees. Such committees shall carry no more authority than the President and said authority shall be regulated by the Student Association President.

#### **IX. STUDENT SENATE OFFICE:**

- A. All materials, files, records, correspondence, etc. in the Senate Office is confidential, unless the material is designated public information. Senators shall respect this confidentiality at all times. Disregard of confidentiality may result in expulsion from the Senate.
- B. The office telephone is limited to Senate business only.
- C. Student Senate business has priority to all other organizations in the office.
- D. All Executive Board members will be issued a key to the Senate Office. They will be responsible for the use of the key and its return at the end of their term.
- E. The Student Senate Office shall be used for official use of the Student Government and its related organizations. The office is not to be used for personal and/or frivolous reasons and/or activities. Allowing for personal and/or frivolous use will result in appropriate disciplinary measures brought forth by the Constitutional Court, the Administration, and/or the President of the Student Association against the key holder.

#### **X. COLLEGE RESOURCES:**

- A. College resources may be available to student organizations at a free or reduced rate at the discretion of the College including, but not limited to, copiers, computers, mail, email, postal services, building use, and state cars. College resources shall only be made available to the student organization if the organization has available allocations to cover the applicable resource cost from the Student Activity Fees, which are in the College accounts, or outside bank accounts. Use of any College resources must be in accordance with College policies.

## **XI. ELECTION PROCEDURES:**

- A. Election procedures shall be outlined in the Court Rules.

## **XII. EXECUTIVE SESSION:**

- A. Executive Session will refer to any meeting or portion of a meeting at which the proceedings are private. Executive Session can be called at any time by the President of the Student Senate. The Vice-President of the Student Senate can call Executive Session at any time with written or verbal consent from the President. In the event that both the President and Vice President are absent, the Treasurer, Secretary, and Chief Justice may call Executive Session with written or verbal consent from both the President and the Vice President.

## **XIII. AMENDMENTS:**

- A. Any Constitutional change or Bylaw change must be brought to the full attention of the Senate at least one (1) week prior to the actual vote. This shall be constituted as the “first reading” and must be in written/typed form. After the “first reading,” the proposed change must be emailed to all sitting Senators and Executives.
- B. “After the “first reading,” the proposed change will be given a bill number by the Secretary and be sent to the rest of the Student Government within two (2) academic days. If the Secretary is absent from the meeting, the responsibility falls on the Vice President.”
  - a. “Bills will be labeled as SB for Senate Bylaw or CA for Constitutional Amendment, followed by the academic year and the bill number beginning at one (1) with bill numbers being reset each academic year.”
- C. “Once a Constitutional Amendment or Bylaw Revision has received a bill number, it may be amended at the adoption meeting by the parties who brought it forward.”

**Updated and Changed: February 14, 2022**

### **Presiding Officials:**

**President Isioma Akwanamnye, VP Abby Klammer, VP of Finance Colton Brienza, Secretary Laura Clay, Chief Justice Nathan Cronin, Student Trustee Ruth Mencia**

### **Committee Members:**

**Laura Clay, Makenna Metzler, Sullivan Jones, Bryan Zutavern, Natalie Boyd**

## **Chadron State College Campus Activity Board Bylaws**

- I. This board shall be known as the Campus Activity Board herein referred to as CAB.
- II. Membership:
  - A. Organization Membership

- i. Shall be composed of one representative from a recognized organization: who shall represent up to three (3) organizations who has been elected from the organization and shall be a currently enrolled student at Chadron State College.

#### B. Independent Membership

- i. Open to any student who wished to be an active member. Shall be allocated on a first come first serve basis.
- ii. May not be comprised of more than fifteen percent (15%) of the total regular membership

### III. Meetings and Attendance

#### A. Meetings

- i. Regular meetings shall be held every Monday at 5:00 pm in the Student Center Scottsbluff room, and shall be open to the public. CAB Executive board may cancel or move meetings at their discretion provided with 24-hour notice.
- ii. All regular meetings should be recorded in written format.

#### B. Attendance

- i. Attendance is mandatory for all meetings.
- ii. In the event of an absence the representative from that organization is responsible for finding a replacement. If a replacement cannot be found, a written request for an excused absence, stating the reason for absence, and signed by the organization advisor must be received by a CAB executive member prior to the meeting that is missed.
- iii. Absences excused under Student Senate bylaws will be considered excused absences for organizations. CAB executive board may find other absences excusable upon their discretion
- iv. Organizations of record will receive warning of first (1<sup>st</sup>) unexcused absence. The following, second and third (2<sup>nd</sup> & 3<sup>rd</sup>) unexcused absence will result in a referral to Senate for a 10% cut from their remaining budget. Upon the fourth (4<sup>th</sup>) unexcused absence the organization will be referred to AFB for suspension of funding. For fifth (5<sup>th</sup>) absent see IV.

### IV. Inactive Organization Policy

- A. CAB will make a recommendation to the VP of Enrollment Management, Marketing & Student Services to declare an organization inactive after five (5) unexcused absences. After approval from the VP of Enrollment Management, Market & Student Service, organizations will be noticed of inactive status. An inactive status means the organization is no longer recognized by CAB.
- B. Organization representative, president and advisor of record will be notified of inactive organization status.
- C. Organization advisor and president may appeal inactive organization status to the CAB executive board via written notice to the CAB Chair within 5 five (5) school days of notice of inactive organization status.
- D. Inactive organization funds will be returned to the student activity fee general fund upon finalization of appeal by CAB executive board or after 5 five (5) days after notice is sent and no notice of appeal is received by CAB Chair.
- E. If, on appeal, the CAB executive board finds that any unexcused absences are, in fact, excused the Vice Chair of Records will correct the attendance records, not including



meeting minutes, and make a recommendation to the Senate, that the organizations finance to be reinstated to reflect the correct attendance.

- F. If no appeal is received by CAB Chair after the 5 5 five (5) day time period, the organization will be dissolved and required to resubmit new organization packet to be recognized as active again.
- G. Upon an inactive organization status being affirmed by CAB executive board and said organization's funds being returned to student activity fee general fund the organization will be dissolved for all purposes of student association. Organization president and advisor of record will be notified of disposition and records of organization shall be maintained in accordance with bylaws.

V. Voting

- A. Decisions shall be made by a simple majority vote of CAB members composing a quorum except where otherwise stated.
- B. When financial requests are presented, voice vote may be taken for amount equal to or less than one thousand dollars (\$1000).
- C. Votes shall be taken by roll call vote when the amount requested exceeds one thousand dollars (\$1000).
- D. In the event of a split vote, the CAB Chair shall cast a vote to break the tie.

VI. Executive Board

- A. The executive board shall be composed of the Chair, Vice Chair of Programming, Vice Chair of Records, Vice Chair of Finance, Vice Chair of Relations, and Student Trustee (in ex-officio capacity). Executive Board members' duties shall be prescribed herein.
- B. The CAB Chair shall:
  - i. Manage CAB and its executive board.
  - ii. Call emergency meeting of the executive board to conduct urgent business at his or her discretion;
  - iii. Serve on the homecoming committee and scholastics day committee. Delignate at their discretion
  - iv. Coordinate community activities and other events throughout the year.
  - v. Serve on the Student Senate Executive Board.
  - vi. Have the discretion to veto a decision made by the CAB.
    - a. Veto may be overridden by a two-thirds majority vote of CAB membership.
  - vii. Delegate their duties as they see fit in a responsible manner.
- C. The Vice Chair of Programming shall:
  - i. Coordinate events.
  - ii. Oversee coordination of all CAB events.
  - iii. Other duties as delegated by the CAB Chair.
- D. Vice Chair of Records shall:
  - i. Take roll call at all CAB meetings.
  - ii. Attach updated organization attendance to all CAB meeting minutes.
  - iii. Provide an agenda to CAB representatives, executive board, and advisors prior to any CAB meeting.
  - iv. Keep record of meeting minutes.
  - v. Disperse meeting minutes to Student Senate Vice President, CAB Executives, advisors, and representatives within 3 school days of the meeting.

- vi. Notify organizations in accordance with Section IIB, Attendance, of these by-laws.
- E. Vice Chair of Finance shall:
- i. Keep record of CAB Finances.
  - ii. Keep record of organization's finances.
  - iii. Serve as Executive Co-Chair to the Activity Fee Board.
  - iv. Disburse organization off campus account statements to CAB representative or organization president in a timely manner.
  - v. Report any suspected financial misconduct to the Senate's Vice President of Finance.
- F. Vice Chair of Relations shall:
- i. Maintain public relations with Chadron State College departments.
  - ii. Maintain public relations with the community and surrounding communities.
  - iii. Update CAB social media sites as CAB and other organizations events demand.
  - iv. Oversee and assist with the marketing and promotion of CAB events.
- G. Executive board members shall adhere to attendance policy mandated in the CAB by-laws.
- H. If for any reason the acting CAB Chair should be unable to discharge his/her duties the Vice Chair of Programming, followed by the Vice Chair of Records, Vice Chair of Finance, then Vice Chair of Relations, respectively, shall presume the duties and the powers of the Chair.
- VII. Faculty Advisors
- A. Three (3) employees of Chadron State College shall advise the CAB.
- B. CAB advisors shall:
- i. Attend all meetings of the CAB and its Executive.
  - ii. Attend events to ensure security.
  - iii. Act as a guide and mentor to students.
  - iv. Ensure all bills are paid in a timely manner, to keep the CAB in good financial standing.
- C. Should any member feel an advisor is not doing their duty, said member shall make a report to the CAB Executive Board to be further evaluated.
- VIII. Elections and Executive Vacancies
- A. Executive vacancies; except the Chair
- i. Upon a vacancy of a CAB Executive any interested person with one or more semester of CAB experience may be nominated for the position at the next regular meeting.
  - ii. After a motion and a vote to close nominations a ballot vote shall be taken of all CAB representative in attendance.
  - iii. A majority vote of the CAB suffices to approve the nominee of the position.
  - iv. Once approved by the CAB, the acting Chair shall pass the nominees name to the Senate for a confirmation vote.
- B. CAB Chair vacancy
- i. In the event of a vacancy of the CAB chair, the Vice President of Programming shall assume the office of Chair regardless of their level of experience.
  - ii. At the time the Vice Chair of Programming assumes the responsibilities of the vacant Chair position, the Vice Chair of Programming position shall be filled pursuant to the section VII A of these by-laws.

- iii. In the event that the office of Chair and Vice Chair of Programming both become vacant, the Vice Chair of Records shall preside over the meeting until a new Chair and Vice Chair of Programming are elected.
- C. General Elections
  - i. Nominations for CAB Executive board shall be open the first meeting in April and close when CAB representative feel there is a sufficient number of nominees, but no later than the second to last meeting of the academic year.
  - ii. Upon the closing of nominations, the acting Chair shall conduct a ballot vote of the CAB representatives. The nominee receiving the most votes shall be elected to his/her respective positions.
  - iii. Upon election by the CAB to an executive position, the elected persons will be sent to Senate for confirmation vote.
- IX. Removal from Office
  - A. Resignation of any CAB executive shall be accepted when presented to the CAB executive board in writing. It is recommended that the executive board be advised two weeks prior to the effective date of the resignation.
  - B. Impeachments
    - i. A CAB representative or executive may be impeached for violation of these by-laws or other conduct unbecoming of his/her position.
    - ii. Impeachment proceedings may be initiated by the CAB executive board with a motion to impeach the member of executive, citing the by-law violated and the date of violation.
    - iii. Upon a majority vote of the CAB executive board, the accused shall be granted one week to present a defense to the CAB executive board.
    - iv. After the defense is heard, upon a two-thirds majority vote the CAB Chair shall initiate proceedings with the Constitutional Court. If the CAB Chair is the accused, he/she shall recuse themselves from discussion and vote on the matter.
    - v. Upon a ruling by the Constitutional Court and a vote of the Senate, should an accused executive be removed, that positional shall be filled pursuant to section VII A of these by-laws.
    - vi. Upon a ruling by the constitutional court and a vote by the Senate, should an accused representative be removed, that representative shall be barred from attending CAB meetings, the organization president and advisor shall be notified by the CAB Chair, and the organization shall be responsible for replacing its representative at CAB meetings.

**Updated and Changed: February 14, 2022**

**Presiding Officials:**

**President Isioma Akwanamnye, VP Abby Klammer, VP of Finance Colton Brienza,  
Secretary Laura Clay, Chief Justice Nathan Cronin, Student Trustee Ruth Mencia**

**Committee Members:**

**Laura Clay, Makenna Metzler, Sullivan Jones, Bryan Zutavern, Natalie Boyd**

**Chadron State College**

## Activity Fee Board Bylaws

1. This board shall be known as the Activity Fee Board.
2. Mission Statement:
  - a. To submit a recommendation of a budget from the Chadron State College's Student Activity Fee Fund, in order to fund the various Chadron State College clubs and the Office of Student Activities in a fair and unbiased manner.
3. Purpose:
  - a. Recommend a budget allocation for the college's clubs.
4. Membership:
  - a. There shall be 12 members of this board, and this board shall consist of:
    - i. Two ex-officio (non-voting) members, who shall act as co-chairs.
      1. Vice President of Finance of the Student Senate.
      2. Vice Chair of Finance of the Campus Activity Board
    - ii. 9 voting members
      1. Three from the Student Senate
      2. Three from the Campus Activity Board
      3. Three from the student body at-large, who meet the same academic requirements as the members of the Student Senate.
    - iii. One Advisor who is an ex-officio member
5. Determination of Members:
  - a. Of the members who represent both the Student Senate and the Campus Activities Board, Activity Fee Board members shall be determined by, a nomination and voting system as normal for each of the bodies.
  - b. The at-large members shall be determined by a vote of the six previously appointed voting members of the Student Senate and the Campus Activity Board, following an application or an appointment process.
    - i. The first attempt shall consist of an application open to the student body developed by the Student Senate.
    - ii. If there are fewer than three applicants, then the current members shall appoint at-large members pending the acceptance of the nominees.
  - c. The term shall last from acceptance to the board until the determination of the board the following year. Pending meeting the academic requirements, and reacceptance to the board, the board members shall have unlimited terms.
    - i. If a member is appointed in the middle of a term, that member must be provided with all previous minutes from the AFB meetings of that current year in a timely manner.
  - d. One of the eleven student members shall designated the duty as Secretary and record the minutes, which shall be sent to the co-chairs after every meeting.
    - i. All meetings should be recorded in both written and audio format; additionally, these recordings must be backed up on the Senate computer for future reference.
  - e. The advisor shall be a current Student Senate advisor.
  - f. If all Student Senate advisors decline the position, then the board's advisor shall be chosen in a manner determined by the Student Senate.
  - g. Voting members shall consist of no more than two members from the same club.  
(Amended)
6. Meetings:

a. The meeting dates and times shall be determined as necessary by the Activity Fee Board.

b. In order to promote transparency and accountability, the budget hearings and subsequent appeals conducted by the Activity Fee Board, not including committee deliberations, shall be open to the public. Observers shall not participate with the proceedings and shall remain silent unless a time for public comment has been arranged.

c. AFB should hear and rule on a legitimate request for funds by the end of their next meeting. The AFB recommendation should be stated at the next Senate meeting.

#### 7. Decisions:

a. Votes shall require a simple majority.

b. Votes shall require a quorum of seven members.

c. Decisions involving requests of \$5,000 or more shall require all members to be present.

d. Any member of the AFB shall abstain from voting and lobbying for a club of which they are a member.

#### 8. Budget Allocation:

a. Process:

i. Request and submission of budget packets;

ii. Budget hearings;

iii. Preliminary allocations;

iv. Appeals;

aa. Should a club wish to appeal their budget allocation, they must submit a formal letter to Student Senate along with a signed petition including the club president's, advisor's, and treasurer's signatures. Student Senate and AFB will hold an appeals hearing within seven business days.

v. Submission of final proposed budgets to the Student Senate for approval.

b. Other rules governing proceedings:

i. Correspondence with clubs will be at the discretion of the Activity Fee Board;

ii. Club advisors and presidents will be notified within one (1) week by email of the committee's decision;

iii. Clubs to receive money must be clubs approved by the Campus Activity Board.

iv. Affiliated student organizations that have exhausted previously allocated funds may submit additional event-funding requests to the CAB. Requests shall be accompanied by a bid or itemized budget.

v. In the event a club sponsors an event independently and needs additional funding, the must submit an itemized budget to AFB. AFB will review the club's request and submit a recommendation to Student Senate for consideration.

vi. A club may appeal AFB's recommendation to Student Senate should their request be denied or altered.

vii. In the event a club does not submit an itemized budget for AFB to review, the committee reserves the right to return the budget request back to the club for revision and a ten percent financial penalty will be applied due to the club's failure to comply with AFB guidelines.

a. No member of the AFB shall lobby or otherwise discuss matter which may come before the AFB outside of the official deliberations of AFB.

b. AFB members may discuss budget packets amongst each other in accordance with these bylaws, so long as (1) no non-AFB member

becomes privy to the information being discussed and (2) the communication does not result in lobbying for or against any organization

- c. This section does not apply when the AFB member is assisting a club of which they are a member, prior to the due date of budget packets, or after the finalization of the club's appeal.

viii. Any AFB member with any real or perceived bias against a club, of which they are not a member, shall abstain from voting regarding said club. Real or perceived bias shall be determined by the co-chairs of AFB. When the co-chairs disagree, the AFB advisor shall vote to break the tie. The decision of the AFB co-chairs shall stand, unless found clearly erroneous by the Constitutional Court

ix. Any violation of the Bylaws the Activity Fee Board shall be an impeachable offense.

- a. The motion to remove an AFB member from the Board, shall include the date, accused member's name, and the provision(s) of the Student Association bylaws or Constitution which the member is accused of violating.
- b. Upon majority vote of the AFB quorum, not including the accused, and the approval of one or both of the co-chairs, one or both of the co-chairs shall begin impeachment proceedings against the accused member on behalf of the AFB.
- c. Should the Constitutional Court find in favor of the AFB, they shall issue an opinion to the Student Association Senate, recommending the removal of the member from the AFB. Other recommendations shall be made in accordance with the Court Rules.

#### 9. Clubs Assistance Entities:

- a. The sole non-club body to receive money from the Activity Fee Board shall be the Office of Student Activities. The money received by this body shall be used for the student body or for clubs.
- b. The Office of Student Activities must be allocated \$3,000 every academic year in the Student Activity Fee Fund budget.
- c. If the money is exhausted in an academic year, then the Office of Student Activities shall approach Student Senate for further allocation.

#### 10. Guidelines:

- a. Budget packets contents shall be determined by the Activity Fee Board, but the following are recommendations for inclusion.
  - i. Number of members in the previous year;
  - ii. Number of members in the current year;
  - iii. Money allocated in previous year;
  - iv. Money requested;
  - v. List of top events from both previous and current year.
- b. Club Advisors
  - i. A club advisor is not required to be present during club travel or activities; however, it is highly recommended.
  - ii. In the absence of a club advisor, should a club or its members be cited for criminal activity, or violate CSC Code of Conduct, it is mandatory for AFB to evaluate and recommend punishment to Senate on a case-by-case basis.
- c. AFB bylaws must be reviewed every two (2) years by a Senate committee.

## 11. Monetary Guidelines

### a. Insurance

i. Allocations for insurance shall be considered on the club status but not for individual members.

### b. Reimbursements

i. Reimbursement will only be considered for fuel.

ii. Reimbursements for fuel must be submitted to the Vice President of Finance for Senate or Vice Chair of Finance for CAB.

### c. Fundraising

i. Money allocated from the Student Activity Fee account may be used as cede money for fundraisers. At the conclusion of the specified fundraiser the original amount allocated to the club must be returned to the Student Activity Fee account.

ii. In the event of a loss, the club does not have to repay the lost money; they have to repay the Student Activity Fee account with the profit made from the fundraiser.

iii. Fundraisers must follow the guidelines in Nebraska State Board policy 3300.

12. All rules and proceedings not included in these by-laws shall be governed by the Student Association Constitution.

## 13. Attendance

- a. Upon request of the AFB chairs, a club representative must attend AFB and Senate meetings when a request for funds is submitted.
- b. Upon request of the AFB chairs, a non-organization representative must attend AFB and Senate meetings when a request for funds is submitted.
- c. Failure to attend when requested may result in a modification or revocation of requested funds at the discretion of the AFB board.

**Updated and Changed: November 22, 2021**

### **Presiding Officials:**

**President Isioma Akwanamnye, VP Abby Klammer, VP of Finance Isna Patel, Secretary Laura Clay, Chief Justice Nathan Cronin, Student Trustee Ruth Mencia**

### **Committee Members:**

**Laura Clay, Makenna Metzler, Sullivan Jones, Bryan Zutavern**

## **Chadron State College Campus Improvement Committee Bylaws**

1. This committee shall be known as Campus Improvement Committee
2. Mission Statement is to correlate student opinions on campus life and facilities and recommend plans of action to carry out student ideas for improvement.
3. Purpose is to recommend plans of action to better campus life and facilities.
4. Membership:
  - a. This committee shall consist of:

- i. All dorm representatives
    - ii. At least one Student Senate member
    - iii. At least one CAB Member
    - iv. At least one at-large member
  - b. Members of this committee shall be appointed by committee chair.
- 5. Committee Leadership:
  - a. There shall be a position of Committee Chair Person. This position is filled by:
    - i. Appointment by Student Senate President
      - 1. The duties of Committee Chair Person involve:
        - a. Organizing and facilitating committee meetings
        - b. Creating an agenda for each meeting and distributing it amongst committee members in a timely manner
        - c. Act as committee spokesperson to other student government bodies and outside entities
        - d. Make appointments to the committee when necessary
    - b. There shall be a position of Committee Secretary. This position is filled by:
      - i. A committee member voted in by the committee
        - 1. The duties of Committee Secretary involve:
          - a. Submit minutes after meetings in a timely manner to the Committee Chair.
- 6. Meetings:
  - a. The meeting date will be biweekly and time shall be determined as necessary by the Campus Improvement Committee
  - b. Quorum:
    - i. Quorum is 50% of membership plus 1 (one)
    - ii. Quorum must be present for any voting matter or official business to be transacted
    - iii. Without quorum, the committee may still convene and discuss, but may not take action
  - c. Voting:
    - i. All votes will be roll call votes for committee decisions
    - ii. Chair is an ex-officio member and will only cast a vote in the event of a tie.
- 7. Committee Powers:
  - a. The Campus Improvement Committee has the power to act on any matter that does not require allocation of funds.
    - i. The power to act means the Committee may take any steps necessary to carry out the plan of action it created for improvement of campus
    - ii. For plans that require allocation of funds, the Committee may take all steps needed to fully research the improvement project and coordinate with the appropriate administration staff to facilitate detailed research in order to make an appropriate recommendation to Student Senate.
  - b. The Campus Improvement Committee has the power to create ad hoc sub committees.



- i. Ad hoc sub committee can be created by the Chair or by vote of the committee. This ad hoc sub committee will only have reporting powers.
- ii. Membership would include at least one member of Campus Improvement Committee. If outside people are recommended for membership, the committee must approve them.

## **Chadron State College Student Health and Well-being Committee Bylaws**

- I. This committee shall be known as the Student Health and Well-Being committee and shall be a standing committee of Student Senate
- II. This committee's mission statement is to promote physical and mental health in all students on and off campus by providing events and initiatives, as well as assisting with current campus initiatives that promote and address student health and issues of substance.
- III. This committee's purpose is to foster physical and mental health throughout campus facilities.
- IV. Membership
  - a. Attendance
    - i. Excused absences will include the following:
      - 1. Emergency in the member's immediate family
      - 2. Illness
      - 3. Work Related Emergency
      - 4. CSC functions excluding intramurals and social events
    - ii. Unexcused absences
      - 1. Failure to inform The Committee Chair that a meeting will be missed will result in an unexcused absence as long as the reason given does not fall into the exceptions stated in Membership section a, subsection i, one through four.
      - 2. Must be informed prior to the meeting that will be missed.
      - 3. Unexcused absences will be subject to review by the Court.
    - iii. Removal
      - 1. At the time of the member's second unexcused absence, he or she will be notified verbally and nonverbally by the Committee Chair and at the next full committee meeting the committee will hold a vote to remove the committee member.
  - b. This committee shall consist of:
    - i. At least 7 members
      - 1. At least 5 Student Senate members
      - 2. At least 1 at large member
      - 3. A member of the Student Senate Executive Board acting as ex-officio
- V. Committee Leadership:
  - a. There shall be a position of the Committee Chair, which shall be appointed by the Student Senate President.
    - i. Duties of Committee Chair:

1. Organizing and facilitating committee meetings
  2. Creating an agenda for committee meetings and distributing it in a timely matter
  3. Act as committee spokesperson for Student Senate and other outside entities
  4. Make appointments to the committee when necessary
- b. There shall be a position of Secretary.
    - i. This position is filled by:
      1. A committee member voted on by the committee.
    - ii. Secretary is in charge of submitting committee meeting minutes to the Committee Chair in a timely manner.
- VI. Meetings
- a. Meetings shall be at least once a month. Date and time shall be determined as necessary by the Committee Chair.
  - b. Quorum shall be:
    - i. 50% of voting membership plus one member.
    - ii. Without quorum committee may still convene and discuss, but may not take action.
  - c. Voting
    - i. All votes will be roll-call votes for committee decisions.
    - ii. In the event of a tie in voting, this committee will present the issue to Student Senate at the earliest convened meeting to let the whole of Senate vote on the matter. Members of the committee must be present at this Student Senate meeting to present their views on the topic.
  - d. All meetings held by this committee will be considered open to the public.
  - e. The committee chair shall present the committee's meeting minutes to Student Senate as a whole at the last Student Senate meeting of the semester. The report shall consist of what the committee has accomplished throughout the semester.
- VII. Committee Powers
- a. Student Health and Well-Being Committee has the power to act on any matter that does not require allocation of funds.
    - i. The power to act means the committee may take any steps necessary to carry out the plan of action needed for student health and well-being on campus.
    - ii. For plans that require the allocation of funds, the committee may take all steps necessary to fully research the health and well-being project and coordinate with appropriate. Administration staff to facilitate detailed research in order to make an appropriate recommendation to Student Senate.
  - b. This committee shall discuss, organize, or co-sponsor two events, one per semester, to promote student wellbeing and health for the upcoming year.
  - c. This committee shall research and report back to Senate any issues that are committed to this committee during Student Senate meetings

**Chadron State College**  
**Bylaw Revision Committee Bylaws**

- I. This Committee shall be known as the Bylaw Revision Committee and shall be a standing committee of Student Senate.
- II. This committee's mission statement is to review, revise and update the Constitution and other appropriate documents of the Student Association.
- III. Purpose
  - a. This Committee may recommend, for consideration by the Student Senate, Bylaw and Constitutional Amendments.
- IV. Membership
  - a. The Secretary of the Student Association shall chair the Committee and serve ex officio.
  - b. There shall be a minimum of three (3) voting members which shall consist of any Senator of the Student Senate.
- V. Attendance
  - a. Attendance is mandatory.
    - i. Excused absences will include the following:
      - a) Emergency in the member's immediate family
      - b) Illness
      - c) Work Related Emergency
      - d) CSC functions excluding intramurals and social events
    - ii. Unexcused absences
      - a) Failure to inform The Committee Chair that a meeting will be missed will result in an unexcused absence as long as the reason given does not fall into the exceptions stated in Membership section a, subsection i, one through four.
      - b) Must be informed prior to the meeting that will be missed.
      - c) Unexcused absences will be subject to review by the Court.
    - iii. Removal
      - a) At the time of the member's second unexcused absence, he or she will be notified verbally and nonverbally by the Committee Chair and at the next full committee meeting, the committee will hold a vote to remove the committee member.
- VI. Meetings
  - a. Meetings shall be held bi-weekly or as needed.
  - b. Date and time shall be determined by the chair.
    - i. The chair may call a special meeting provided a twenty-four (24) hour notice is given.
- VII. Voting and Quorum
  - a. Quorum shall constitute at least three (3) members.
  - b. At least three (3) and a majority of votes is required to recommend an amendment to Student Senate
- VIII. Committee Powers
  - a. This committee may introduce, review, and recommend, for the approval of Student Senate, Bylaw and Constitutional amendments.

**Updated and Changed: October 31<sup>st</sup>, 2022**

**Presiding Officials:**

**President Olivia Bryant, VP Ella O'Brien, VP of Finance Colton Brienza, Secretary Aubree Quast, Chief Justice Megan Hodgson, Student Trustee Sullivan Jones**

**Committee Members:**

**Cody Kronhofman, Molly Langhorst, Tianna Martin, Aubree Quast**

**Chadron State College  
Constitutional Court Rules**

**Chapter 1. Court Structure**

§1-101

The Constitutional Court of the Chadron State Student Association may be referred to as “The Court”.

§1-102

The Court will consist of the proper number of Student Justices and a Chief Justice as provided for in the Chadron State College Student Association Constitution.

§1-103

The term “justice” means any Student or Chief Justice serving on the court.

§1-201

Hearings shall be held in a room that easily accessible for the public to view the hearing as designated by the conferencing office.

§1-202

The respondent and the petitioner may each select representatives to present filings, statements, evidence and arguments to the Court.

§1-301

The subject matter jurisdiction of this Court is determined by the Chadron State College (CSC) Student Association Constitution and will consist of (a) interpretation of the previously named constitution, (b) answering questions of constitutionality of the actions of governing bodies of the Student Association, (c) enforcing and carrying out all election procedures, and/or (d) disciplinary actions and corrective orders in accordance with any governing document of the Student Association.

§1-302

The personal adjudication authority of this Court extends to (a) CSC Student Senate, (b) Chadron State College Student Senator(s), (c) the Student Association Executive Board, (d) any member of the Student Association Executive Board, (e) the CSC Campus Activity Board (CAB), (f) the executive board of CAB, (g) any member of the CAB executive board, (h) the Activity Fee

Board, (i) any member of AFB, (j) any other subsidiary committee created by Student Senate or subsidiary thereof, (k) and member of such committee or subcommittee as described in subsection (j) of this rule, (l) students petitioning for election to a constitutionally prescribed position within the CSC Student Government, and/or (m) any de facto member of a campaign for office under subsection (l) of this rule and/or (n) any student who submits to the jurisdiction of this court by initiating proceedings with the Court.

§1-303

The sanctioning jurisdiction of this Court will extend to any person or organization over which this court has personal jurisdiction in that student's or organization's official capacity.

§1-401

Court Rules will be considered bylaws for purposes before Senate.

§1-402

Any and all change made to these rules should be passed by two-thirds of Student Senate.

§1-403

The Court Rules, once adopted by Student Senate, shall supersede any and all other bylaws enacted, and must only be in agreement with the Student Association Constitution.

§1-501

Should the Chief Justice recuse himself/herself, the most senior Student Justice will preside over hearings and perform all other duties assigned to the Chief Justice and a Temporary Justice will be appointed to the Court in accordance with this chapter.

§1-502

Should the Chief Justice resign his/her position on the Court, the most senior Student Justice will take on all duties of Chief Justice in accordance with these rules and the CSC Student Association Constitution until a new Chief Justice can be appointed and confirmed.

§1-503

A Student Justice may be appointed to fill a vacant Chief Justice position, by the Student Association president, at which time a new Student Justice will be appointed.

§1-601

The Court reserves the right to appoint any member of the student body at-large to fill a vacant seat for the sooner of: (a) the conclusion of the matter in which they were selected to hear of (b) the appointment of a justice properly appointed by the President of Student Senate, confirmed by Student Senate and sworn in by the acting Chief Justice.

§1-601.01

A justice who serves as a Temporary Justice and vacates their seat on the court pursuant to §7-501 shall not be barred from filling another vacant seat as a Temporary or Student Justice.

§1-602

The Court reserves the right to appoint any member of the student body to replace a recused justice for the duration of any single matter. A Temporary Justice may only hear the cases that are assigned to them, not all cases received by the Court during their tenure.

§1-603

A Temporary Justice must show that no conflict of interest is present between themselves and any party in the matter in which they are chosen for. Temporary Justice applicants must turn a resume in to the Court and there must be a majority of the remaining justices which vote the applicant on.

§1-604

Once the vote of the Court is complete, the acting Chief Justice will notify the chosen applicant and that applicant will be granted all rights of a Student Justice in accordance with the rules of

this Court and the CSC Student Association Constitution upon being sworn in by the acting Chief Justice as a “Temporary Justice.”

§1-605

Once the temporary justice is notified of their temporary appointment to the Constitutional Court, this begins the time of their appointment running for purposes of §1-601.

## **Chapter 2. Filing Matters before the Court**

§2-101

All documents shall be filed in the format of the corresponding filing. All filings allowed in the Court are found attached to these rules.

§2-101.01

If the petitioner or respondent consists of an organization (i.e. CSC Student Senate, CSC CAB, the campaign of a particular candidate) that organization should be named in the title, followed by “et al.”

§2-101.02

If a campaign is the petitioner or respondent, the title of the case should read the first and last names of the person who is running for office, followed by, “Campaign, et al.”

§2-102

The first signature on the form should be the first person who is listed in the “comes now” line. This person will represent their side of the issue should a hearing be required.

§2-103

Should the person be representing him/herself, *pro se* the “comes now” paragraph should be altered to read, “Comes now, XXX, *pro se*, as the XXX”

§2-104

The petitioners shall submit a petition with at least the number of signatures required by the Student Association Constitution. Next to or under each signature line shall be the printed or typed name of the person who signed the corresponding line. The signature pages are found attached to these rules.

§2-104.02

The person(s) which sign the forms as representatives will not automatically be counted as a “petitioner” for the purpose of the required number of signatures required to grant review of a case by this court, but the representative may sign the proper “signature page” and be counted in the number of signatures required to grant such review.

§2-105

Upon receiving the initiating document, the Chief Justice will complete the correct case number at the top of the first page.

§2-105.01

All subsequent filings in this case shall be marked at the top of the page with the same case number before the filing will be accepted by the Court.

§2-106

Articles of impeachment will be number “AI” followed by a space, the last two digits of the current academic year, dash, and the numeric position in which the articles were filed.

§2-107

In Re petitions will be numbered “IR” followed by a space, the last two digits of the current academic year, dash, and the numeric position in which the petition is filed.

§2-108

Petitions for Review will be numbered “PR” followed by a space, the last two digits of the current academic year, dash, and the number position in which the position is filed.

§2-201

Once the petition is filed with the Chief Justice, the Chief Justice will assign a preliminary justice who will then serve a copy of the petition upon the respondent.

§2-202

Once the petition has been served, the respondent shall file a response to the claims within two (2) academic days of the day after the service. The Response to the Petition shall be filed with the preliminary justice.

§2.-202.1

After the preliminary justice has received the petition, he or she may begin to determine causes prescribed in the Constitution and these rules

§2-203

If the respondent does not reply within the two academic days, the Court may enter a default judgment for the petitioners.

§2-204

Once the preliminary justice has received all relevant filings and is satisfied to set the matter to a hearing of law or fact before the Court, the justice shall work with the Chief Justice to set such hearing.

§2-205

After both parties have prepared their briefs, the Chief Justice will inform the parties of the set time and date of the hearing. The correspondence will also include whether there will be a (a) hearing of fact, (b) hearing of law, (c) default judgment, or (d) open hearing. If there is a hearing of law, the aforementioned letter may require argumentative/supplemental briefs to be filed.

§2-206

A preliminary justice may, at his or her discretion, call for additional briefs and conduct hearings of preliminary matters. He or she shall also set a “drop dead” date by which all preliminary motions, including motions in *limine* and amicus briefs must be filed.

§2-206.01

Deadlines for preliminary matters will be set in a timely fashion, which provides the preliminary justice adequate time to consider all filings.

§2-301

It shall be the duties of the Chief Justice to update and keep current the forms, rules and constitution on the CSC webpage.

### **Chapter 3. Hearings of Fact**

§3-101

At the hearing, the petitioners and respondents will be allowed to call witnesses and present evidence to the Court.

§3-201

Unless otherwise directed by the Court, the petitioners and respondents, respectively, shall present their opening statements, then, respectively, present their cases at large, followed by the petitioner’s rebuttal evidence and finally, closing arguments.

§3-202

The Chief Justice shall preside over the hearing and rule on any objections unless otherwise stated in these rules.

§3-202.01

An objection made to a justice's question will be either "sustained" or "overruled" by a roll-call vote of the justices. The roll-call should be made by the Chief Justice.

§3-203

All witnesses may be directly examined by the calling representative, cross examined by one of the opposing representatives, redirected by calling representative, re-crossed by opposing representative, and examined by justices of the Court, respectively.

§3-203.01

Justices are urged to not examine witnesses as if they are hostile to the Court, but are able to, at their discretion.

§3-203.02

The following objections will be recognized by the Court: (a) argumentative, (b) irrelevant, (c) hearsay, (d) beyond the scope of (I) cross examination, (II) re-direct examination, (e) vague question, (f) compound question, (g) counsel is testifying, (h) lack of personal knowledge, (i) leading question, (j) speculative, or (k) motions *in limine*.

§3-204

After all evidence and arguments have been presented, justices will retire to the Senate Office to deliberate.

§3-301

Representatives may "appeal" the ruling of an objection by stating that intention and asking for an appeal prior to the next question being asked, or the statement being continued.

§3-301.01

The petitioner and the respondent may appeal as many times as they feel necessary until they have received three affirmed appeals. At the time that they receive three affirmed appeals, the Court will no longer grant appeals to that party.

§3-302

When a party requests an appeal the presiding justice will perform a "roll-call" vote of the justices. When a justice's name is called, that justice should reply, (a) "affirmed," to uphold the ruling of the presiding justice or (b) "reversed," to reverse the ruling of the presiding justice, or (c) "chambers," which requests the justices remove themselves from the proceeding to discuss the objection.

§3-303

Should the four Student Justices reach a majority of "affirmed," the presiding justice will announce such ruling and allow questioning to continue. Should the four Student Justices reach a majority of "reversed," the presiding justice shall announce the reversal of the ruling and allow questioning to continue accordingly.

§3-304

If the four Justices are split equally and no majority is reached, the ruling stands, but is not counted as affirmed for purposes of §3-301.01.

§3-305

When one justice calls for "chambers" the roll-call will continue until another announces "chambers." Should only one justice call for "chambers," the presiding justice will read off the name of the first justice who called for chambers and at that time the justice must announce "affirmed," or "reversed"

§3-306

Upon two justices calling for chambers, the presiding justice will announce a recess to those present in court. The justices will then retire the chambers and discuss the decision.



§3-307

Once a decision has been reached on the appeal. The presiding justice will then call the Court back to order and roll-call vote in accordance with §§3-302 and 3-303.

**Chapter 4. Hearings of Law**

§4-101

During a hearing of law, respondents will have 30 minutes to present their arguments to the Court in accordance with their previously filed briefs.

§4-102

During the oral arguments, justices will be allowed to ask questions of the representatives with regards to their arguments.

§4-103

No objections shall be entertained from the opposing party.

§4-201

The petitioner may reserve time for rebuttal, either (a) remaining time after oral arguments or (b) a specified time which the Chief Justice will deduct from the time allotted for the oral argument.

§4-202

The Chief Justice shall serve as the official time keeper.

§4-301

After all arguments have concluded, the Court will retired and deliberate privately prior to delivering an opinion.

**Chapter 5. Opinions**

§5-101

Opinions will be written with regards to the findings of the Court.

§5-102

The Chief Justice will be responsible for assigning the authoring of the Opinion of the Court.

§5-103

All justices are entitled to sign the Opinion of the Court, dissent, concur, or concur in part and dissent in part, and write on their jurisprudence.

§5-201

The Opinion of the court shall be read aloud at the next meeting of the Student Senate. All other writings, outlined in §5-103, connected with the case, may be read aloud at the same senate meeting by authoring justice or the justice may waive their right to read their opinion aloud.

§5-202

At the time that the Opinion of the Court is read aloud to Student Senate, all writings in connection with the case will be considered “published” and available to the public, unless stated otherwise within the rules of this court.

§5-301

If the Chief Justice deems necessary, after a hearing is held in accordance with Chapters Three and Four of the rules of this court, the Court will hold a publishing

proceeding and announce its decision prior to the next meeting of Student Senate.

§5-301.01

Any justice may call to vote for a publishing proceeding. At the time of this call the presiding justice will roll-call the names of the justices in which the justices will vote,

(a) “yes”, or (b) “no,” to holding a publishing hearing on the matter at hand.

§5-302

Once a decision is reached, the opinions will be prepared immediately. After the Opinion of the Court and all other writings are completed and ready for publishing, the Chief Justice will contact the representatives from each side and set a publishing proceeding as soon as possible.

§5-303

Once the Opinion of the Court is read aloud at the publishing proceeding, it will be considered “published” and available to the public.

§5-304

The opinion of the Court shall be read aloud at the publishing proceedings by the authoring justice. Any writing pursuant to § 5-103 may also be read aloud by the respective authoring justice(s), or these readings may be waived.

§5-305

Should a temporary justice be chosen to author an opinion, their appointment should continue through the publishing of the opinion.

## **Chapter 6. Disciplinary Action**

§6-101

When disciplinary actions are brought upon a student government official a hearing will be scheduled and held in accordance with the Student Association Constitution and (a) Section 3 or (b) Section 4 of the rules of this court.

§6-102

The Court reserves the right to issue any corrective action it feels best to correct the issue, including, but not limited to any one or any combination of the following: (a) suspension of voting rights in the respondent’s respective organization with the requirement to attend, (b) suspension from the respondent’s respective organization, (c) recommendation of impeachment to Student Senate, (d) a writ of mandamus, (e) injunction stopping a one-time action, and/or (f) a cease and desist order for things that continually occur, or (g) in cases of campaign misconduct, disqualify a (i) candidate, and/or (ii) member of the campaign party, and/or (iii) the entire campaign party, including the candidate.

§6-201

All disciplinary action cases must be proved by clear and convincing evidence to the Court.

§6-301

No recommendation for removal will be given to Senate on any disciplinary action not originally filed in accordance with the Constitutional provision regarding impeachment of officials unless the respondent fails to comply with an order of the Court.

§6-302

In matters of impeachment, the respondent may have one person represent them at their defense hearing after that person files that they are representing said official, or if an official facing impeachment so chooses, may respond *pro se*, but must specify such when filing the response to the articles.

§6-302.01

In cases of impeachment, if the respondent is able to take part in their own defense, they shall do so with their representative if they chose to have one.

§6-303

Unless otherwise stated in a Senate committee's by-laws, that organization may initiate impeachment proceedings by a two-thirds majority vote of that organization at which time the presiding officer of that organization, if constitutionally permitted, will initiate impeachment proceedings, including the gathering of authorized signatures.

§6-303.01

The motion to remove shall include the name of accused, by-laws or by-law provisions violated and the date(s) of the alleged violation.

§6-303.02

The minutes for the meeting in which the motion referred to in 6-303.01 of this chapter shall be attached to the petition filed with the Court.

§6-304

The Chairperson of any Senate committee may request the assistance of the Student Senate Vice President.

§6-401

A violation of committee by-law(s) shall result in an opinion of the court to the Student Senate, recommending the removal of the accused from the respective committee.

§6-402

When considering recommending the removal from other student government entities, the Court shall call for the view of the presiding officers of the entity of which the accused is a member. The Court shall consider this sanction, only in an action in which the violation of the committee by-law(s) is also a dereliction of duties of another government office held by the accused.

§6-403

When considering barring the accused from holding any other office within the student government, the Constitutional Court shall call for the views of the Student Association Executive Board and the CAB Executive Board. This sanction shall only be considered for (a) outrageous conduct (b) conduct which would undermine the legitimacy or integrity of the student government, or (c) where the Student Senate or committee by-laws specifically state.

§6-501

The Court shall give appropriate weight to a committee's ability to regulate itself and for Senate to regulate its committees.

## **Chapter 7. Judicial Ethics**

§7-101

All justices shall maintain a professional demeanor at all times in court and in chambers.

§7-201

The justices shall not comment on any cases before the Court or that may come before the Court in the future, with the exception of advisory opinions.

§7-201.01

No justice shall lobby any other student government official on any matter nor shall any justice comment or publicly make their beliefs known about any matter which is currently or may come before the Senate or any of its committees.

§7-201.02

A justice may make a correction to misstated facts so long as those facts are not relevant to a case before the court and are well known to be true.

§7-201.03

A justice may comment on the matter before the Student Senate or committee thereof if that organization invites that opinion of the justice and the opinion is limited to the functionality and the efficiency of the Court and its proceedings.

§7-202

No justice shall issue a press release, opinion article, letter to the editor, or any other form of mass-media communication with regards to the Court or opinion of that justice.

§7-203

A four-to-one majority vote of the Court, will suffice for a press release from the court.

§7-301

Each justice reserves the right to be the sole power to determine their conflict of interest or widely perceived conflict of interest with a case. Should a justice feel any indication at all that they are unable to render a fair verdict for any reason, the justice must recuse themselves of the case immediately after petitions are filed or immediately after the justices determines there is a conflict.

§7-401

All parties present in the hearing room will conduct themselves in a similar fashion as if they were within a court of law.

§7-402

The Chief Justice reserves the right to establish more specific rules regarding conduct of parties and onlookers during hearings and adjourn the proceedings or announce a recess should proper conduct not be followed by any party.

§7-403

Lying to the Court will not be tolerated, and may result in: (a) a summary judgment, (b) dismissal without prejudice, (c) dismissal with prejudice, (d) lack of credibility of witness or representative, and/or (e) impeachment proceedings being initiated.

§7-501

Any of the following may be grounds to take disciplinary action, which may include removal of office, against any justice: (a) conviction of any drug offense while in office, (b) conviction of any

violent or sexual crime while in office, (c) two or more alcohol offenses by (i) on-campus authorities or (ii) law enforcement, (d) a grade-point average below 3.0 on a 4.0 scale, (e) any other misconduct unbecoming of a justice of this Court, and/or (f) failure to recuse him/herself in an obvious case of biased or conflict of interest.

§7-601

No Chief Justice or Student Justice of this Court will serve in any other capacity on, (a) the Student Association Executive Board, (b) Student Senate, (c) the executive Board of the Campus Activity Board, (d) the Activity Fee Board, (e) any other committee or subcommittee recognized as a subsidiary of Student Senate, unless otherwise stated in these rules.

## **Chapter 8. Election Procedures**

§8-101

The Court shall oversee all student government elections.

§8-102

The Court may, at its discretion, appoint an election commissioner which shall be sufficiently unbiased and chosen by a majority vote of the Court.

§8-103

Where no election commissioner is appointed, the chief justice shall serve as election commissioner for purposes of this chapter.

§8-201

Four weeks prior to spring election proceedings, student petitions for appointment to any non-executive Senatorial position will be temporarily held from consideration by the senate until after elections have occurred.

§8-202

After the election commissioner has collected the petitions, petitions must be approved by the Court *en banc*.

§8-203

When approving election petitions, a temporary justice must only be appointed if the justice, which has a conflict, could cast a deciding vote in the matter.

§8-203.01

Regardless of determining the validity, once it is determined that the petitioner must appear before the Court, the Court must rule on the petition *en banc*, and a temporary justice must be appointed to fill any vacant seats.

§8-301

If senatorial positions are still available after Student Senate elections, the previously acquired petitions will be eligible for consideration by the Student Senate.

§8-401

In the event of a paper ballot, no campaigning will take place within 100 feet of any polling location while the polls are open.

§8-402

The use of unsolicited mass email for campaigning purposes is also prohibited.

§8-501

The Court shall print and post (a) election guidelines, (b) petitions, and (c) election dates.

§8-502

The material in § 8-501 shall be posted in (a) each academic department, (b) each residence hall, and (c) in the Student Center.

§8-503

Failure to turn the petition to the Election Commissioner prior to the “petition deadline” shall result in disqualification from the election in which they are petitioning to be involved in.

§8-504

One “active-student” printout should be obtained from the Computer Center to be used to verify petitions from candidates and to validate eligibility of electors at the polls in the event of a paper ballot.

§8-504.01

The petitions from § 8-504 will be destroyed after the elections are held.

§8-505

The Court will prepare guidelines and give them out at a meeting of the candidates that are composed of the basics of each office.

§8-601

Should the email voting not be accessible, paper ballots and polling stations will be used.  
§8-602

Poll workers may be assigned from other unaffiliated organizations to assist with the elections.  
§8-603

There must be at least one person working at the polls at all times.  
§8-604

The polling stations will be open for two consecutive days, with hours to be determined by the Court with approval from the Conferencing.  
§8-605

The Court will place signs around campus that will designate polling places.  
§8-606

If email-polling is unavailable, no fewer than 500 paper ballots will be made available.  
§8-607

The ballots are to be counted immediately after the polls close. The Chief Justice may appoint persons to assist the count. One faculty advisor shall be present while the ballots are being counted.  
§8-607.01

Persons may be pulled from the at-large student body to count ballots so long as they are sworn to keep the proceedings of such classified and report only to the Court, except to report misconduct by (a) a candidate, (b) person campaigning for a candidate, and/or (c) an election official.  
§8-608

No candidate may assist in counting the ballots.  
§8-609

Any candidate or member of campaign party found loitering near or campaigning near the polls, in the event of a paper ballot, will be disqualified from the race.  
§8-701

Constitutional amendments will be typed and presented to Senate for approval. Once approved by two-thirds of senate the amendment may be placed on the ballot.  
§8-801

The names of the winning candidates will be posted (a) on the student center bulletin board, (b) in each of the resident's halls, (c) and all of the academic departments.  
§8-802

The election results shall be sent to The Eagle newspaper in conjunction with the office of public relations.  
§8-803

The petitions of the newly elected senators will be filed in the senate office after elections.  
§8-804

A summary of the election, including the number of voters, and the number of ballots cast on each issue shall be made available to The Eagle newspaper and to each candidate.  
§8-804.01

The results of all past elections will be made available to the public upon request, including the vote count for each candidate if the information is available.  
§8-805

Election results will be held in a locked ballot box in the Senate office for two weeks following the election in case a recount is necessary.  
§8-805.01

The election results in § 8-805 will remain confidential but available for a recount.

§8-901

An email shall be sent to the official CSC email of each newly elected official to alert them to the first meeting they are expected to attend. The letter will be signed by the Chief Justice.

§8-902

An email, signed by the Chief Justice, will be sent to the official CSC email of each losing candidate to inform them of their loss.

§8-1001

Libel and/or slander will not be tolerated by candidates or campaign party members.

§8-1002

The petitioner bears the burden of proving that the statements in question were in fact said.

§8-1003

Once the petitioner has proven by the preponderance of the evidence that the statements were in fact made, the burden of proof shifts to the respondent to prove that the statements were true.

## Chapter 9. Definitions

§9-101

A hearing of fact shall mean a hearing where the facts of the incident are in dispute and evidence must be presented to determine what actually happened.

§9-102

A hearing of law shall mean a proceeding where no facts are being disputed and the suit is being brought for an interpretation of: (a) the CSC Student Association Constitution, (b) bylaws or (c) other governing document.

§9-103

An open hearing shall mean a hearing, open to the public, where they may come and voice their concerns in an orderly fashion. Open hearings shall be held from a set time to another set time in which all justices and the petitioner shall be present to hear arguments and respond.

§9-104

A representative shall mean any member of the CSC student body called upon or volunteering to represent a petitioner or respondent before the Constitutional Court. The representative may conduct all examinations, object and make statements, arguments, and file papers with the Court. §9-201

A review of a matter, *en banc*, shall mean the Court reviews the matter as a whole, with five sitting judges reviewing the presented material.

§9-202

The Doctrine of *Stare Decisis* shall refer to the use of precedent and the decisions of the Court in past matters to assist in deciding current matters, and the idea that the Court is compelled to uphold the previous decisions of the Court.

§9-301

A sustained objection shall mean that the question or the statement being objected to is found out of order.

§9-302

An overruled objection shall mean that the question or statement objected to is not out of order and the speaker may continue.

§9-303

An argumentative question or statement is one that presents unfair prejudice, unnecessarily rudeness, or is unruly to the point of being demeaning.

§9-304

An irrelevant question or statement is one that is not probative into facts of the case at hand.

§9-305

A statement that is hearsay shall mean an out of court statement, made by someone who is not the declarant of the statement before the Court, with the exception laid out in these rules.

§9-306

If a question or a statement is beyond the scope of something, it is bringing to light facts that were not presented in the prior set of questions of the witness.

§9-307

A vague question is one which confuses the witness, the audience or the Court.

§9-308

Compound question is a question in which the counsel, that is questioning the witness, asks more than one question of the witness without allowing time them to answer.

§9-309

If a witness lacks personal knowledge, they would not be aware of the answer first hand and would had to of heard it from another source.

§9-310

A leading question is one which shows a preference as to how the witness should answer. This objection shall only be heard during direct or re-direct examinations.

§9-311

A speculative statement is one which the declarant does not know as a fact and must guess.

§9-312

A motion *in limine* is a motion to exclude certain evidence that cannot be objected to under § 3-203.02(a) - §3-203.02(j), but that would be unfairly prejudicial to the respondent or petitioner.

§9-401

Direct examination shall be the questioning of a witness which the questioning counselor has called to the stand.

§9-402

Re-direct shall mean the direct examination of a witness to clarify facts testified to on cross examination. Any subject brought up on re-direct that was not brought up on cross examination shall be subject to an objection under § 3-203.02 (d) (I).

§9-403

Cross examination shall be the examination of a witness called by the opposing party.

§9-404

Re-cross shall immediately follow re-direct and is to clarify points made on re-direct. Any questions which addresses an issue not brought up during re-direct shall be subject to an objection under § 3-203.02 (d) (II)

§9-501

A writ of mandamus is an order which compels an official to carry out the official duties of their office.

§9-502

A one-time action under § 6-103 (e) means an action which happened once and is not associated with a pattern of behavior.

§9-503



A cease and desist order is an order from the Court that will compel and official or entity to stop a pattern of behavior.

§9-504

A default judgment shall mean one party did not respond properly to a petition and therefore the Court finds in favor of the petitioning party by default. Default judgments shall be exempt from being used for *stare decisis* unless otherwise noted.

§9-601

Campaigning shall mean: (a) posters being hung, (b) posters being distributed, (c) any candidate or candidate's election party distributing any sort of promotional item, (d) any sort of treat to students being distributed by a candidate or any member of an election party, and/or (e) any mass communication that would lead a reasonable person to believe that the candidate was soliciting votes.

§9-602

Campaign member, or campaign party member, shall mean anyone officially associated with the campaign of a candidate, or who is receiving instructions or suggestions, regarding soliciting votes, from anyone officially associated with a campaign.

§9-603

Slander shall mean oral or spoken false statement about a person, shared with at least one other person that harms the defamed person's reputation or standing within the student community.

§9-604

Libel is a published statement, stating false facts about a person, shared with at least one other person, and that harms the defamed person's reputation or standing within the student community.

## **Chapter 10. Advisory Opinions**

§10-101

The Chief Justice shall attend all Student Senate and Student Executive Board meetings, as required by the Student Association Constitution.

§10-102

Any Chief Justice or Student Justice may sit in an advisory capacity to the (a) Campus Activity Board (CAB), (b) CAB Executive Board, and/or (c) the Activity Fee Board (AFB). The advisory capacity shall be voluntary and left to the discretion of the Chief Justice.

§10-103

The Chief Justice may issue oral, non-binding, advisory opinions to the (a) Student Association Executive Board, (b) Student Senate, (c) Campus Activity Board (CAB), (d) the Executive Board of CAB and/or (e) the Activity Fee Board.

§10-201

Advisory opinions are not binding and may be reversed by the Court *en banc*.

§10-202

Should the Court be petitioned to hear an issue in which an advisory opinion is issued, the Chief Justice is not required to recuse himself or herself for reasons of conflict of interest or previously judging the case.

§10-301

Upon receiving a petition, specifically naming matters to be heard. The Chief Justice or any one Student Justice, may issue a temporary injunction, current until the court is able to review the petition, *en banc* or until the petition is withdrawn, enjoining, any person or entity over which

Court has personal jurisdiction and is named a party of the case, from completing or engaging in an action that would irreparably harm the petitioning party.

§10-401

Any official, which fails to comply with a temporary injunction or an order of the Court, *en banc*, may be subject to impeachment proceedings.

§10-501

The Chief Justice should express concerns when the language in the Constitution is vague and he or she is uncomfortable about giving the advisory opinion without a court review.

§10-502

An expression of concern by the Chief Justice in regards to § 10-501 will not be immediate grounds for review by the Court, *en banc*, and would still require a proper petition being filed by an interested party.

§10-601

No government official shall be removed from office for following a reasonable advisory opinion by the Chief Justice. Corrective action, but not disciplinary action may be ordered by the Court.

§10-602

Should a government official act upon an advisory opinion by the Chief Justice or any Student Justice that a reasonable person would not find accurate, the government official may be subject to any and all sanctions the Court may order as if the official was working without an advisory opinion.

§10-603

Issuing clearly erroneous, negligent, or grossly negligent advisory opinions, may be cause for removal of the Chief Justice or any Student Justice.

## **Chapter 11. Preliminary Justice**

§11-101

The Chief Justice may assign preliminary justice duties to any justice qualified to hear the matter, including him or herself.

§11-102

The assigned preliminary justice may reject the assignment in cases which they must recuse his or herself.

§11-103

Should a preliminary justice recuse his or herself, the chief justice shall then assign a new preliminary justice to hear the case.

§11-201

The assigned preliminary justice shall be responsible for serving filings on the respective parties in accordance with these rules.

§11-202

The Preliminary Justice shall consider any and all preliminary matters in the case prior to the *en banc* disposition hearing. These matters may include (a) default judgements, (b) summary judgements, (c) temporary orders, and/or (d) motions in *limine*.

§11-202.01

Preliminary Justices may conduct hearings as necessary to decide matters laid out in §11-202.

§11-203

No order drafted by the preliminary justice is final until voted upon favorably by the Court *en banc*.

§11-204

Any order submitted to the court by the preliminary justice which is not accepted, will be taken up by the court *en banc* prior to beginning a disposition hearing

§11-205

A Preliminary Justice shall have the authority to dismiss an illegitimate petition without a hearing by issuing summary judgement, to which a majority of the Court agrees to dismiss without a hearing. An illegitimate petition is one which (a) the case is or has become moot, (b) the petitioner has no standing to bring the case, (c) the act alleged in the petition, even if proved true, would not constitute a violation of the alleged by-law or constitutional provision, and/or (d) the Court lacks jurisdiction over any one or more of the parties.

§11-206

A preliminary justice may issue default judgments in cases where the respondent failed to respond to the petition, properly served on them, in accordance with these by-laws.

§11-301

The assigned preliminary justice may receive a written statement from a witness who has shown to the preliminary justice good cause to not attend the disposition hearing, so long as the statement is signed by the witness before the preliminary justice.

§11-401

The chief justice may issue a temporary order pursuant to §11-202 (c) prior to assigning a preliminary justice which the preliminary justice cannot override, absent a material change in fact.

**Updated and Changed: November 22, 2021**

**Presiding Officials:**

**President Isioma Akwanamnye, VP Abby Klammer, VP of Finance Isna Patel, Secretary Laura Clay, Chief Justice Nathan Cronin, Student Trustee Ruth Mencia**

**Committee Members:**

**Laura Clay, Makenna Metzler, Sullivan Jones, Bryan Zutavern**