

STUDENT ASSOCIATION

STATE UNIVERSITY OF NEW YORK AT OSWEGO

CONSTITUTION

Passed on March 9, 2005

PREAMBLE:

We, the students of the State University of New York at Oswego, in recognition of the responsibility shared by the administration, the faculty, and the student body in student life and affairs, hereby constitute the State University of New York at Oswego Student Association, believing that by organizing in this way we can best accomplish the following purposes:

- A. To serve the student body agency in the presentation of student opinion on matters affecting student life and affairs.
- B. To serve as an advocate for issues referred to the Student Association by students or student organizations.
- C. To promote in the interest of the college community, a program of service, social activity, and educational projects through the expenditure of the Student Activity Fee.
- D. To promote an informed and active student body and determine and allocate the Student Activity Fee in a manner that supports the aforementioned purposes.

ARTICLE I Name

The name of the organization shall be the "State University of New York_at Oswego Student Association Incorporated" (1974), herein referred to as the Student Association (SA).

ARTICLE II Membership

All students at S.U.N.Y. Oswego who have paid the Activity Fee shall be members and thus represented by the Student Association (SA), and shall be referred to herein as Association Members.

ARTICLE III Authority

The Student Association shall serve as the primary governing, representative, and programming organization of all association members. The laws of the Student Association shall be made in accordance with State University of New York Board of Trustee Policy and State University of New York at Oswego policies, as well as local, state and/or federal law.

ARTICLE IV Rights of the Association Members

All association members shall share in the activities of the Student Association, and no rights shall be abridged.

Section I.

All members have the right to be informed about the actions and decisions of the Student Association.

Section II.

All students have the right to address the Student Association Senate.

Section III.

All students have the right to author and introduce legislation through the office of a Student Association Senator.

Section IV.

All Activity-Fee paying students have the right to participate in any and all activities held by Student Association funded organizations.

Section V.

All Activity-Fee paying students have the right to participate in the all-campus elections of the Student Association.

ARTICLE V
Composition of Government

The Student Association shall be composed of the Legislative, Executive, and Judicial branches of government. All elected and appointed officers of the Student Association shall be members of the Student Association. No Student Association member shall hold elected or appointed office in more than one branch of the government, except as provided by this Constitution or By-laws.

ARTICLE VI
Legislative Branch

Section I.

All legislative power herein granted shall be vested in the legislative branch and shall be called the Student Association Senate.

Section II.

- A. The Senate shall be composed of On-campus, Off-Campus, and At-large Senators to be chosen annually by the constituency which they represent.
- B. All Senators shall be enrolled students at the State University of New York at

Oswego with an accumulative grade point index of at least the college minimum for good academic standing, and each shall at the end of his/her election be a member of that campus population and shall remain a member of that campus population for the duration of his/her office.

- C. Senators shall be obtain their legislative seat in the Senate through an election held by the members of the constituency which they represent.
- D. When a vacancy occurs in the Senate by resignation or otherwise, it shall immediately be filled by the Executive Authorities of the population affected through a special election.
- E. The Senate shall choose its officers, in addition to a President Pro Tempore to serve in the absence of the Vice President, or when the Vice President shall exercise the office of President of the Student Association.
- F. The Vice President of the Student Association shall be the President of the Senate, but shall have a vote only in the event of a tie.

Section III.

- A. Senate seats shall be apportioned among the several living centers, off campus population, and campus population as a whole. The enumeration shall be made thirty to sixty (30-60) days prior to the All Campus Election. The Senate shall determine the number of available senator seats to be chosen by each living center, off campus population, and student population as a whole. The number of available senate seats shall never exceed sixty-six (66) nor be less than thirty-three (33). No living center, off-campus population, or student population as a whole shall be denied representation in the Student Association Senate.
- B. The Senate shall assemble at least once every full academic week during the college year, except during the weeks of final examinations and the first week of the fall and spring semester, or for any unforeseen circumstances, in which case

the Senate can vote by 2/3 majority not to hold senate that week.

Section IV.

- A. The Student Association Senate shall have the power to:
1. Supervise the All-Campus Election.
 2. Assess a Student Association tax. (this tax shall be uniform throughout the Student Association).
 3. Determine the expenditures of the Student Association tax for the general welfare of the Student Association.
 4. Have authority to make recommendations over all matters of policy affecting student welfare under this constitution.
 5. Determine the line of succession to the Office of Student Association President following the Student Association Vice President.
 6. Initiate and enact any legislation necessary to implement foregoing powers or to fulfill the purpose of this constitution as set forth in the preamble.
 7. The Senate may censure its members by a two-third (2/3rd) vote of all senators present.
- B. Legislation that passes the Senate, before it becomes law, shall be presented to the President of the Student Association. If the President approves of the legislation, then he or she shall sign it. If the President rejects the legislation, the President shall return the legislation to the Senate, noting his or her objections. The Senate shall enter the objections in the journal and proceed to reconsider the legislation. If, after such reconsideration, 2/3 of the total Senate agrees to pass the bill, it shall become law. Legislation neither signed nor returned by the President within ten (10) class days after it has been presented to him/her shall become law.
- C. The Senate shall hear trials of impeachment. The Senate is empowered to

determine guilt or innocence by a two-third ($2/3^{\text{rd}}$) vote of the members present and determine an appropriate sanction. No person shall be convicted without concurrence of two-third ($2/3^{\text{rd}}$) of the members present.

- D. Upon presentation to the Senate of a petition containing the signatures of $2/3$ the number of voters in the previous All Campus Election, a referendum may be requested. The Student Association shall then determine the validity of the signatures. When, and if, the required number of signatures is found valid then the requested referendum will be conducted in a timely fashion.
- E. The Student Association Senate may submit a bill to the electorate via referendum with respect to particular funding. However, the Student Association Senate may not be bound to the decision of the referendum if such a decision is not within the best interest of the Student Association as determined by the elected representatives of the Student Association.
- F. No money shall be drawn from the treasury, but in consequence of appropriations made by law, and a regular statement and account, of the receipts and expenditures of all money shall be published from time to time.
- G. The Senate shall pass no law regarding the internal operation of the student organizations recognized under the authority of the office of the Dean of Students.
- H. No provision shall be made law or implemented which abridges the freedom of expression. Media review panels, advisory boards and all other censorship shall be prohibited; nor shall purse string controls be used punitively against any group or organization for reasons relating to the expression of ideas or opinion.
- I. The Student Association Senate shall not diminish the Supreme Court's compensation during the continuance of a justice's term of office.

Section V.

- A. The recourse to recall a Senator shall be in the hands of the constituencies from which the Senator is elected, to be conducted in the following manner:
1. Senators from residence halls: 1/2 of the residence hall population must petition for Senator recall. If 2/3 of the residence hall population are found to be in favor of a recall, the Senator will be removed from office.
 2. Off Campus Senators: The number of off campus students required to qualify a student as an off campus senator must petition for a referendum. If 2/3 of the total number of off campus voters in the special referendum are found to be in favor of removal, the senator shall be removed.
 3. At-Large Senators: 300 members of the Campus population must petition for Senator recall. If 2/3 of the total campus population are in favor of removal, a senator shall be removed.

ARTICLE VII Executive Branch

Section I.

- A. Executive power shall be vested in the Student Association President, who shall be elected by an All-Campus Election. The All-Campus Election of the President shall be held at the earliest practical date during the period from the 15th of February to the 15th of March. The term of office shall be for one year, commencing the first day of April of the same year in which the officer was elected and terminating after the last day of March of the succeeding year.
- B. The President shall be an enrolled student with a cumulative grade point index of at least two-tenths of a point (.2) above the college minimum for good academic standing, and shall not graduate until the completion of the semester in which the term of office ends. The President shall have attended SUNY Oswego as an enrolled student the semester prior to seeking office.

- C. In the event that the President is unable to discharge the powers and duties of the office, the same shall devolve to the Vice President.
- D. The President of the Student Association shall be limited to a maximum of two, one-year terms of office.

Section II.

The Student Association President, before taking office shall take the following oath of office:

I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Student Association and will to the best of my ability, preserve, protect, and defend the constitution of the Student Association at the State University of New York at Oswego.

Section III.

The duties of the Student Association President shall include:

1. The presentation of an executive agenda at the first Senate meeting following his or her inauguration and at the beginning of each semester.
2. The appointment of all non-elected officers to the Student Association with the consent of the Senate.
3. The presentation of periodic messages regarding the state of the Student Association and executive projects
4. The execution of all legislation of the Senate for which he/she shall be responsible.

Section IV.

The Student Association President shall be empowered to:

1. Require the opinion, in writing, of the principle officer of any executive department upon any subject relating to that department.
2. Convene such special sessions of the Senate, as he/she deems

necessary.

3. Recommend to the Senate such measures as he/she shall deem necessary and expedient.
4. Enter into agreements with agencies and organizations outside the college community by and with the consent of the Senate and the proper college authorities.
5. Represent the Student Association personally, and through his/her appointed representatives, in all its dealings with agencies and organizations outside the college community.
6. Assume such other executive powers as shall not be denied by the policies of the State University of New York at Oswego, or by this constitution.

Section V.

- A. The Student Association Vice President shall be elected by an All-Campus Election. The All-Campus Election of the Vice President shall be held at the earliest practical date during the period from the 15th of February to the 15th of March; the term of office shall be for one year commencing the first day of April of the same year in which the officer was elected, and terminating after the last day of March in the succeeding year.
- B. The Vice President shall be an enrolled student with a cumulative grade point index of at least two-tenths of a point (.2) above the college minimum for good academic standing, and shall not graduate until the completion of the semester in which the term of office ends. The Vice President shall have attended SUNY Oswego an enrolled student the semester prior to seeking office.
- C. The Vice President of the Student Association shall be limited to a maximum of two, one-year terms of office.

Section VI.

The Student Association Vice President, before taking office shall take the following oath of office:

I do solemnly swear (or affirm) that I will faithfully execute the office of Vice President of the Student Association and will to the best of my ability, preserve, protect, and defend the constitution of the Student Association at the State University of New York at Oswego.

Section VII.

The duties of the Student Association Vice President shall include:

1. Serving as Student Association President in the event that the President is unable to discharge the powers and duties of the office.
2. Preside over all Senate meetings as President of the Senate.
3. Cast a ballot in the event of a tie vote in the Senate.
4. Prepare an agenda for all Senate Meetings.
5. Notify the Senate of Presidential vetoes.
6. Notify the Senate of special Senate meetings.
7. Be responsible for any additional duties as assigned by the Student Association President.

Section VIII.

The Student Association Vice President shall be empowered to:

1. Require the opinion, in writing, of any committee of the Student Association Senate.
2. Set the time and place of the regular Senate meetings upon approval of the Senate.

Section IX.

A. The Student Association Director of Finance shall be the Chief Financial Officer

of the Student Association.

- B. The Director of Finance shall be appointed by the Student Association President and confirmed by a 2/3 majority vote of the Senate. The Director of Finance shall be an enrolled student and shall not graduate until the completion of the semester in which the term of office ends.
- C. The Director of Finance shall serve from the start of the fiscal year for which they were appointed to the end of that fiscal year.

Section X.

The duties of the Student Association Director of Finance shall include:

1. Keep and maintain any and all financial records of the Student Association.
2. Execute, direct, update, and maintain all financial policies and financial programs of the Student Association.
3. Present a report of the financial condition of the Student Association to the Senate at the end of each month.
4. Serving as chair of the Budget Council.
5. Monitor all expenditures of the Student Association.
6. Attend all Student Association Senate meetings or designate an Assistant Director of Finance to attend in his/her place.
7. Prepare for the Student Association annual audit that is required by SUNY Board of Trustee policy.
8. Be responsible for any additional duties as assigned by the Student Association President

Section XI.

The Student Association Director of Finance shall be empowered to:

1. Suspend the financial activity of any Student Association organization in

violation of the Student Association Financial Policy.

2. Approve Student Association expenditures according to all applicable laws, SUNY Board of Trustee policy, and Student Association Financial Policy.
3. Sign contracts and letters of agreement from any recognized Student Association organization as dictated by SUNY Board of Trustee policy and Student Association Financial policy.

ARTICLE VIII Judicial Branch

Section I.

Judicial authority shall be vested in a Supreme Court. Justices shall be appointed by the Student Association President and must be confirmed by a 2/3 majority vote of the Student Association Senate. The number of justices of the Supreme Court shall be determined by the Senate. Justices of the Supreme Court shall serve from the time of their appointment until they shall vacate their office by resignation or otherwise.

Section II.

Judicial authority shall extend:

1. To all cases in which the Student Association shall be a party except as otherwise stated in the following parts of this section.
2. To the student approval of all local student organization constitutions.
3. To any case involving the constitutionality of an act or ruling of the Student Association.
4. To any case involving violation of a Student Association Law except as otherwise stated in the following part of this section.
5. The Supreme Court shall hear any grievances filed by any member of the Student Association.
6. To any other case where jurisdiction shall not be denied by the policies of the State University of New York at Oswego.

ARTICLE IX

All civil officers of the Student Association shall be bound by oath or affirmation to support this constitution.

ARTICLE X

All engagements with organizations or agencies outside of or within the college shall be valid against the Student Association under this constitution.

ARTICLE XI

The Constitution shall be amended in the following manner:

1. An amendment(s) may be presented to the Student Association Senate in the form of a bill.
2. The amendment(s), after being submitted, will be referred to the appropriate committees for review.
3. Debate will be allowed on the amendment(s) and will either be accepted or rejected by two-third (2/3rd) vote of Senate members present.
4. If accepted, the amendment(s) shall be placed on the ballot in the All-Campus Election to be approved by a majority of the votes cast in the All-Campus Election.

ARTICLE XII

This constitution shall take effect immediately upon ratification of the All-Campus Election and shall be implemented by the present Student Association.

ARTICLE XIII

This constitution shall be up for review in the fall of every academic year by the Policy

and Procedure Committees of the Senate. They may or may not make a recommendation for an amendment to this constitution. If said committees chose to make changes, the amendment process must be completed by the day the slate of candidates for the All-Campus election is posted, which shall be determined by the Elections Committee.

ARTICLE XIV

The Student Association shall hold a referendum every two years determining whether or not to make the Student Activity fee mandatory or voluntary as prescribed by the SUNY Board of Trustees policy.

ARTICLE XV

This association is not organized for profit nor for the pecuniary gain of its members, officers or other private persons. It may not issue stock or declare or distribute dividends. No part of the income of the association shall endure to the benefit of any member, officer, or other person, except it may pay reasonable compensation for service rendered in effecting one or more of the association's purposes and no member, officer, or other person, shall be entitled to share in the distribution of any of the association's assets upon dissolution of the association. Any balance of money or assets remaining after the full payment of association money shall be directed exclusively to the furtherance of educational purposes.

ARTICLE XVI

Upon dissolution of the association, the members after payment of the just debts, obligations, and liabilities of the association, will dispose of all its assets by transfer to such other not-for-profit organization(s) or organized and operated exclusively for educational purposes, or such other purposes as shall at that time qualify for exemption under Section 501-C(3) of the Internal Revenue Code and Section 420 of the New York

Real Property Tax Law as, in the judgment of the members, is best qualified and competent to promote the purposes of the association.

ARTICLE XVII

No part of the activities of the association shall be carrying on propaganda or participating in, or intervening in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

ARTICLE XVIII

No club or organization shall be funded unless it submits a line by line budget request that fully explains and breaks down the amount being requested. Each line by line request must be approved by the Senate. Nor shall funding be granted for any club or organization that does not comply with SUNY Board of Trustee policy.

ARTICLE XIX

Priorities and Criteria for Funding

1. All Funding Opportunities

- A. The basic premise for funding is that student organizations and their activities contribute to the educational, cultural, or recreational well-being of all SUNY Oswego students. Student Organizations whose activities are not open to all SUNY Oswego students should not receive funding.
- B. Student organizations requesting funding must demonstrate that a substantially equivalent service is not being provided elsewhere for the student body.

- C. Diversity is vital for long range success. Funding decisions will be view-point neutral and shall not be discriminatory based on race, religion, creed, gender philosophy
- D. Innovation will be welcomed
- E. All liability concerns have been met to support the activities.
- F. The activities meet the Board of Trustees Policy on distribution of the mandatory Student Activity Fee. (See article II)

2. Specific Criteria for Recognized Student Association Organizations

- A. Student Association may or may not completely fund any one project, event or activity
- B. Funding will not be allocated for:
 - 1) Activities contrary to the policies of SUNY Oswego, the state of New York, the Federal Government, or the Student Association Financial Policy
 - 2) Federal. State, or Local Tax
 - 3) Alcoholic beverages
 - 4) Tobacco/Tobacco Products
 - 5) Gratuity
 - 6) Personal use
 - 7) Paying professional college official
 - 8) Donations
 - 9) Partisan Political Activities
 - 10) Religious artifacts/Materials

C. Funding Requirements

- 1) Student organization must be registered with the Office of Student Organization Services
- 2) Formulate organization constitution following the guidelines of Student Association Supreme Court
- 3) Submit a copy of the Supreme Court Constitution approval form to the Student Association Finance Manager

AMENDMENTS

Amendment I: Constitutional and Legislative Amendment Procedures

- A. Proposed Constitutional amendments and bills that amend previously passed legislation be numbered in such a manner that they follow after all previously passed amendments.
- B. All passed legislative amendments that serve as amendments to bills and Constitutional amendments be automatically given the number following the last passed amendment to the respective legislation or Constitution.