

# **THE CLARKSON UNIVERSITY STUDENT ASSOCIATION CONSTITUTION**

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**Ratified 2023**

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## PREAMBLE

We the undergraduate student body of Clarkson University, in order to secure the interests of the undergraduate student body, establish methods for rational debate, insure consistent self regulation, provide for common student interests, promote the general welfare and inclusive ideals, and secure the voice of the undergraduate student body, do ordain and establish this constitution for the Clarkson University Student Association.

## ARTICLE I – MEMBERSHIP OF THE CUSA SENATE

Section 1 – The student members of the CUSA Senate shall be composed of the four Executive Board officers, twenty-four Senators (six representing each class), one Clarkson School Senator, and two non-voting graduate representatives. These members of the CUSA Senate shall maintain their positions until the close of that term of office and the election of new Executive Board officers, Senators and representatives occurs. No CUSA Senate member shall be removed from office because of a change in class standing.

Section 2 – All undergraduate students of Clarkson University and Clarkson School Students who have paid their activities fee have the right to vote in the elections of the CUSA Executive Board and the CUSA Senate.

Section 3 – Graduate students who pay the specified undergraduate activities fee will be eligible to join CUSA Senate sponsored organizations. Graduate students are not eligible to hold a CUSA Executive Board or CUSA Senator position.

Section 4 – All elections shall be decided in favor of the candidate(s) who receive(s) the greatest number of votes cast, except that CUSA Executive Board Officers shall have received not less than forty percent of the votes cast for that office. Should this requirement not be met, a runoff election between the candidates receiving the first and second largest number of votes shall be held. A runoff election shall also be held in the event of a tie for a CUSA Executive Board office or for the final elected Senator of a class. All runoff elections will be held on the same day of the week in the following week after the announcement of the election results. The election results must be sent out to the campus body on the Monday following elections.

Section 5 – Power of disqualification for violations of election procedures shall lie entirely with the CUSA Senate upon recommendation of the Academics & Policy Committee.

Section 6 – All other election procedures shall be outlined in the Election By-Laws.

## ARTICLE II – DUTIES & POWERS OF THE CUSA SENATE

Section 1 – The legislative and policy forming powers, as well as such other powers necessary and proper to execute the objectives set forth in this Constitution and By-Laws shall be vested in the CUSA Senate.

Section 2 – The CUSA Senate shall consider any or all recommendations of its Committees. The CUSA Senate shall have the power to refer back, defeat, or pass any motion.

Section 3 – The CUSA Senate shall have the jurisdiction, including powers of authorization and revocation, over all activities which it funds. The CUSA Senate shall not have responsibility for the financial or internal affairs of those organizations which it does not recognize.

Section 4 – Any organization which receives funds from the CUSA Senate shall be bound by any Finance policy as set forth in the appropriate CUSA By-Laws with respect to the spending of its funds.

Section 5 – The CUSA Senate shall not withdraw recognition or financing due to editorial policy, nor shall the CUSA Senate formulate editorial policy for any Clarkson student media.

Section 6 – The CUSA Senate shall have the power to hold a position on the Organization Conduct Board (OCB), which shall be used to settle disputes among its members and organizations.

Section 7 - To maintain their position, all CUSA Senators must complete the following accountability requirements:

- (1) All CUSA Senate members must be active in at least one CUSA committee or temporary committee.
- (2) CUSA Senators are allowed three excused and two unexcused absences per semester, this includes absences from their respective committee meetings. An absence may also be given based on the lack of completion of assigned projects to the discretion of the Committee Chair and the approval of the CUSA Vice President.
- (3) Senators must attend and actively participate in at least three CUSA sponsored events each semester, including those planned by the Activities Committee. All attendance lists shall be submitted by the Senator leading the event to the PRC.
- (4) CUSA Senators must fulfill a special project requirement as defined by the CUSA Executive Board or Committee Chairs. A CUSA Senator must fulfill one of the following requirements:
  - (a) Serving as a CUSA Representative on an active faculty committee
  - (b) Serving on more than one CUSA Committee and accountable for both Committee's attendance
  - (c) Chairing a CUSA Committee or ad-hoc Committee
  - (d) Completion of a special assignment to further the work of a Committee at the discretion of the Chair and CUSA Executive Board
  - (e) Completion of a special assignment as described by the CUSA Executive Board to benefit the student body

Section 8 - Any member of the Senate or Executive Board who fails to comply with the accountability requirements will be subject to review and disciplinary action of the Academics and Policy committee upon the recommendation of the CUSA Vice President. If the Senator in question is found to have not met their semesterly requirements, they are not eligible for receiving the CUSA apparel or graduation cords of that office term and risk removal from office. Further details outlined in Article IX Section 7.

### ARTICLE III – CUSA EXECUTIVE BOARD OFFICERS

Section 1 – The CUSA Executive Board officers, in order of presiding officer, shall be President, Vice President, Treasurer, Public Relations Coordinator. They shall be elected in accordance with the elections provisions as set forth within this Constitution and the Elections By-Laws. The officers of CUSA shall be the leading or governing officers of the CUSA Senate and shall compose the Executive Board.

Section 2 – The duties and responsibilities of the officers shall be those provided in this Constitution, By-Laws, and the CUSA Senate motion procedures.

Section 3 – The CUSA Executive Board officers must have and maintain a cumulative grade point average of at least a 2.5 on a 4.0 unrounded scale for the duration of their term.

Section 4 – The CUSA Executive Board members must have served on the CUSA Senate for at least one full term, with a full term being defined as one academic year.

Section 5 – The duties of the CUSA President are as follows:

- (1) They shall be responsible for outlining the goals and direction of the CUSA Senate for the full term.
- (2) They shall be unbiased in the execution of the provisions of the Constitution, By-Laws, and the CUSA Senate motion procedures.
- (3) They shall be the Chair of the CUSA Senate.
- (4) They shall Chair the Executive Board.
- (5) They shall have the right to provide directives to the Executive Board and Committee Chairs.
- (6) They shall vote upon legislation only in case of a tie.
- (7) They shall have the right to veto legislation.

Section 6 – The duties of the CUSA Vice President are as follows:

- (1) They shall fulfill the CUSA President's duties in case of absence.
- (2) They shall oversee the CUSA Senate Committee Chairs.
- (3) They shall enforce all policies except the CUSA Finance Policy.
- (4) They shall handle any and all relations between clubs and CUSA.
- (5) They shall invite guest speakers, at the discretion of the Executive Board and the CUSA Senate, to CUSA Senate meetings.

Section 7 – The duties of the CUSA Treasurer are as follows:

- (1) They shall uphold the CUSA Finance Policy to its fullest extent.
- (2) They shall oversee the budgets of all CUSA recognized organizations.
- (3) They shall be responsible for the day-to-day financial transactions of the CUSA Senate and CUSA recognized organizations.
- (4) They shall not have a vote in any decisions of the Finance Committee except in case of a tie.
- (5) They have the power to veto any decision of the Finance Committee except in the budgeting procedure. A two-thirds vote of the Finance Committee is required to override the veto.

Section 8 - The duties of the CUSA Public Relations Coordinator are as follows:

- (1) They shall communicate with the Faculty Senate.
- (2) They shall operate the CUSA social media accounts.
- (3) They shall keep the University informed of CUSA Senate updates through scheduled public recounts.
- (4) They shall maintain accurate minutes and attendance records of the CUSA Senate and its committees. These shall be public documents open to any member of the CUSA.
- (5) They shall be responsible for the overall record of attendance, including weekly CUSA Senate meetings and committee meetings.
- (6) They shall be responsible for coordinating the selection of annual CUSA apparel.

#### ARTICLE IV - COMMITTEES

Section 1 – A temporary committee may be established to investigate a particular matter by a majority vote of the CUSA Senate. A temporary committee must receive authorization from the CUSA Senate for any action it may take, unless these actions or expenses are authorized in this Constitution or By-Laws.

Section 2 – Committee Chairs, including any temporary committees and the Finance Committee Comptroller, shall be appointed from the membership of the CUSA Senate by the CUSA Executive Board.

Section 3 – The CUSA Vice President shall have the responsibility of maintaining the appropriate functions of all CUSA committees. The CUSA Vice President shall act as interim chair of any committee in which a chair is vacated until a new appointment is made within one week of the chair becoming vacant.

#### ARTICLE V – ADVISORSHIP

Section 1 – The Senate shall be co-advised by the Associate Director of Student Life and the Assistant Director of Student Life. These advisors may attend all Senate and Executive Board meetings in a non-voting capacity.

Section 2 – Should both advisor positions be vacant, the Senate shall choose a Clarkson University employee as an interim advisor upon nomination by the Executive Board.

#### ARTICLE VI – IMPEACHMENT AND REMOVAL FROM OFFICE

Section 1 – After a hearing before the CUSA Senate, the CUSA Senate may move to remove or suspend any Executive Board officer, Senator, or affiliated organization officer or member by a two-thirds of the entire CUSA Senate. The grounds for impeachment are only:

- (1) Embezzlement, fraud, or other felony.
- (2) Neglect of duties.
- (3) Acting contrary to this Constitution, its amendments and By-Laws.

Section 2 – The Academics and Policy Committee shall preside at all hearings with the AC chair as the chair of the hearings. If in the case where the AC Chair is the person in question, the Academics and Policy Committee shall choose a member of the committee to conduct the hearing by majority vote.

Section 3 – Specific charges against the accused shall be filed with the Executive Board at least one week prior to a regular CUSA Senate meeting. The accused shall be provided with a written notice of the charges made against them at least one week in advance of their hearing. Such notice shall include:

- (1) A verbatim reference to the specific regulatory basis for considering the alleged act(s) as wrongful.
- (2) An explanation of the precise act(s) or omissions of the accused which are the subject of the notice.
- (3) A list of all witnesses who may be expected to give testimony against the accused and a description of other types of evidence which is held and may be used against them.
- (4) A statement of the specific time and place the hearing is to be held.
- (5) A general statement of the rights which will be accorded the accused at the hearing.

Section 4 – The accused and the Senate shall have the right to counsel, to call witnesses, and to introduce evidence within the context of fair process. A written and/or audio recording of all hearing proceedings shall be maintained by the PRC, if the PRC is on trial, a member of the CUSA Senate chosen by the Academics and Policy Committee.

Section 5 – Should any Senator resign, be removed from office, or be ineligible to serve, the office seat shall become vacant. Vacancies will be filled by the respective class of the vacant seat in one of the following manners:

- (1) If the vacancy occurs between scheduled elections, the position will be filled through a majority vote of the CUSA Senate.
- (2) If there are three or fewer meetings left of the CUSA Senate remaining in the current term of office, the vacancy shall remain until the start of the next term.

Section 6 - Should any elected CUSA Executive Board officer be removed from office, or ineligible to serve, the office seat shall become vacant. Vacancies in the following situations shall be filled in the respective following manors:

- (1) The office of the CUSA President shall be filled by the CUSA Vice President whenever that office is declared to be vacant.
- (2) In the event that it is known in the fall semester that any other Executive Board position is going to be vacant for the spring semester, a campus wide election shall take place.
- (3) If an Executive Board position is vacant between scheduled elections, the position will be filled through a majority vote of the CUSA Senate.
- (4) If no interested candidate is eligible for the required position in accordance with the requirements of this constitution, the CUSA Executive Board shall install the most qualified candidate regardless of whether they have served at least one full term of office. The CUSA Senate must approve this with a two thirds majority vote.

Section 7 - If an Executive Board or Senate member has not fulfilled their accountability requirements during or at the end of the semester, they are at risk of removal from office. The Academics and Policy committee must conduct an investigation and recommend punishment to the CUSA Executive Board and to the CUSA Senate if the recommendation is to remove said person from office. If extenuating circumstances occurred that prevented the member from fulfilling their requirements then they shall maintain their position at the discretion of the Academics and Policy Committee, if not the position becomes vacant.

#### ARTICLE VII – RECALL

Action to recall any member of the CUSA Senate must begin with a petition signed by thirty percent of the group which they represent. On the day following the CUSA Senate meeting at which the petition is received, adequate notice shall be given to the student body that an election must be held within two weeks.

#### ARTICLE VIII – MEETINGS

Meetings of the CUSA Senate shall be held at a time and place fixed by the CUSA President in accordance with the By-Laws and in agreement with the CUSA Executive Board officers, provided that a meeting shall be held at least once a week during the regular academic year at a definite time and place.

#### ARTICLE IX – VOTING/VETO

Section 1 – A vote will only be effective if taken at a meeting where a Quorum, defined as two thirds of the Senate, is met.

Section 2 – The Executive Board officers shall not hold a vote during the meetings with the exception of the CUSA President in case of a tie.

Section 3 – After legislation is passed, the CUSA President has until the opening of the next CUSA Senate meeting, to veto legislation. In the case of financial decisions and new club constitutions made by the Finance Committee and Academics and Policy Committee respectively, the CUSA President has until the opening of the next CUSA Senate meeting to veto the decisions.

Section 4 – The CUSA PRC shall keep track of all approved legislation until it has been vetoed or time has expired on the CUSA President's veto power.

Section 5 – All vetoed legislation will be brought up by the CUSA President in their officer report. A motion for an override vote may be brought up during new business on the agenda. A two-thirds vote of the CUSA Senators will override the veto.

Section 6 – Legislation may not be re-introduced to the CUSA Senate prior to the fourth regular meeting after its defeat by veto or regular vote.

Section 7 – After a decision of the Finance Committee, the CUSA Treasurer has three business days to veto the decision. The veto is completed through written notification to the CUSA Comptroller. Any decision, passed by the Finance Committee or vetoed by the CUSA Treasurer, must be written and submitted to the CUSA Comptroller within three business days of the decision.

#### ARTICLE X – FINANCES AND REGISTRATION

Section 1 – The Clarkson University Student Association shall derive its funds from the collection of dues, the collection of the undergraduate activities fee, and by lawful profit making activities.

Section 2 – The Senate shall be funded by the Clarkson University Student Association. The Finance Committee shall make a budget yearly and submit it to the Senate for approval.

Section 3 – No Clarkson University Student Association Senator, Executive Board Officer, Representative, or Advisor shall pay dues to the Clarkson University Student Association Senate.

Section 4 – Any activities fee paying student shall have the right to create an organization as a subsidiary of the Clarkson University Student Association by submitting a constitution for ratification by the Academics and Policy committee.

Section 5 – All ratified organization constitutions shall comply with constitution requirements set forth in the Clarkson University Student Association By-Laws and properly complete the yearly registration process in order to maintain membership within the Clarkson University Student Association.

Section 6 – All organizations on campus shall possess a classification status of affiliated, funded, exempt, or exclusive which shall dictate the requirements they adhere to and the funding they are eligible to receive.



Section 7 – Upon ratification of the organization’s constitution by the Academics and Policy Committee, a ratified organization shall be assigned the affiliated status and be responsible for the yearly registration of the organization. Organizations of affiliated status shall not be required to collect dues and may be provided with financial provisions based on guidelines set forth in the Clarkson University Student Association Finance By-laws.

Section 8 – After an organization has remained with affiliated status for three consecutive years to date of ratification, it shall be eligible for funded status. An organization shall be granted funded status and a budget under the Clarkson University Student Association only upon approval by the Finance committee.

Section 9 – Upon approval by the Finance Committee, an Affiliated organization which has existed for less than three years that demonstrates potential for longevity shall have the right to apply for Funded status. The organization shall be granted funded status only upon approval by a two-thirds vote of the Senate.

Section 10 – An organization may, upon Finance committee approval, apply for exemption status. Exemption status shall grant the organization exemption from the requirements of collecting and submitting dues to the Clarkson University Student Association. An organization shall be granted exemption status only upon approval by the Executive Board.

Section 11 – Exclusive organizations shall be defined as an organization where activities fee paying students may be denied initial or continuous membership on any grounds other than reprimand. Exclusive organizations cannot be approved for Affiliated or Funded status.

Section 12 -- The Clarkson University Student Association Finance By-Laws shall outline the budgeting process that the Senate shall follow when appropriating funds and the laws funded organizations shall follow when managing funds.

Section 13 – No organization is permitted to subsidize the cost of items that are personalized, person specific, or not intended for return without the prior approval of the Clarkson University Student Association Finance Committee.

Section 14 – All procedures concerning the levying of student activities fees shall be included in the Clarkson University Student Association Finance By-Laws, subject to the approval of the Clarkson University Board of Trustees.

Section 15 – The Clarkson University Student Association Finance By-Laws shall govern all financial matters not set forth in this constitution.

## ARTICLE XI – DISSOLUTION

Section 1 – A subsidiary organization of the Clarkson University Student Association shall, upon dissolution, be referred to as dissolved. A dissolved organization’s constitution shall be void under the

Clarkson University Student Association and the organization shall not receive a budget. All dissolved organization assets and funds originally from the Clarkson University Student Association shall revert in possession to the Senate.

Section 2 – An organization shall be considered dissolved if its highest executive position is vacant for an academic entire year.

Section 3 – The Senate shall have the power to dissolve any subsidiary organization by a two-thirds vote of the Senate.

Section 4 – An organization may dissolve independently after the notification of the Executive Board or Associate Director of Student Life.

#### ARTICLE XII – SUPREMACY OF THIS CONSTITUTION

Section 1 – This Constitution and its By-Laws shall supersede all other constitutions and related governing documents that are associated with the CUSA Senate, CUSA Senate Committees, and CUSA Affiliated and Funded organizations.

Section 2 – This Constitution prohibits CUSA Senate from joining any organization with a superior governing instrument. An exception shall be made with the approval of over half of the CUSA Senate.

Section 3 – The CUSA Senate and/or the CUSA Executive Board shall not act, pursue, or create acts contrary to this Constitution. Individuals accused of these acts shall be subject to the repercussions of Article IX and are subject to impeachment.

#### ARTICLE XIII – HAZING & SEXUAL HARASSMENT

Section 1 - Neither this organization nor any member of this organization may authorize any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of any drug form (i.e., alcohol) for the purpose of initiation or affiliation with this organization. This organization shall be subject to rescission of permission to operate on campus property and loss of Clarkson University recognition in addition to any other legal penalty if they are found to be in violation of the University's hazing policy.

Section 2 - Any incidents of Sexual Harassment will be referred to the Title IX Coordinator and handled through the Code of Conduct.

#### ARTICLE XIV – PETITION

Section 1 – Upon petition by ten percent of the members of the CUSA, any issue designated by said petition must be submitted to referendum of the CUSA by the CUSA Senate. The results of any such referendum is binding upon the CUSA Senate.

#### ARTICLE XV – CONSTITUTION REVIEW

This Constitution is subject to review annually by the Academics and Policy Committee. The reviewed Constitution shall be presented to the CUSA Senate for approval; it shall be considered in effect with the approval of four-fifths of the CUSA Senate.

#### ARTICLE XVI – AMENDMENTS

All amendments to this constitution must be approved by a majority vote of the Academics and Policy Committee. The recommendation shall be presented to the CUSA Senate and be approved with a two-thirds majority vote.

#### ARTICLE XVII – RATIFICATION

This Constitution and its amendments shall become effective immediately upon adoption and each CUSA Senate member shall assume their corresponding office in the CUSA Senate for the remainder of their term.