THE CONSTITUTION OF THE INDIANA UNIVERSITY STUDENT GOVERNMENT

*Ratified 2002*

*last amended 10/1/23*

We, the students of Indiana University’s Bloomington campus, join together as the Indiana University Student Government to give voice to our common grievances, concerns, and hopes, and to take direct action to realize an ever-inclusive and stronger University. As head advocates for students, we shall take all conceivable steps to empower student movements across campus, in pursuit of justice and fairness in higher education. The Indiana University Student Government will work to protect student rights, promote equity, enrich student life, and improve Indiana University for all.

*(History: As amended by vote of the Student Body January 22, 2021)*

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# ARTICLE I. DEFINITION OF MEMBERSHIP

All students, as defined by the “Code of Student Rights, Responsibilities, and Conduct,” who have enrolled in Indiana University at the Bloomington Campus are constituent members of IUSG.

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# ARTICLE II. THE STUDENT BODY CONGRESS

## Section 1. Scholastic Representatives

The Congress will have sixty-two Scholastic seats, such total divided equally between Academic and Residential Representatives. Academic Representatives shall be elected at the same time and places as the President and Vice President for the term of one year ending on the first Monday of April, and Residential Representatives shall be elected for the term of one year ending on the first Monday of October. No person shall be elected or appointed to an academic or residential seat who is not a constituent of the district they are elected or appointed to represent. No Representative may hold more than one seat in the Congress. The Congress may adopt other rules governing its Representatives' qualifications.

*(History: As amended by vote of the Student Body September 21, 2022)*

## Section 2. Multicultural Representatives

The Congress shall have a number of Multicultural seats to represent historically underrepresented or disadvantaged communities. Multicultural Representatives shall be elected or appointed for terms of one year ending on the first Monday of October. Organizations wishing to send a representative to Congress may petition for entry prior to the general election of residential representatives and must re-petition yearly by the same deadline. However, an organization that does not have a seat may petition for entry for a term beginning on the first Monday of April and ending on the first Monday of October, provided that the petition is submitted prior to the general election of academic representatives. Multicultural Representatives will be elected or appointed by willing, nonpartisan student organizations that represent a historically and currently underrepresented ethnicity, culture, nationality, gender, sexuality, disability, or religion. The Congress may make statutes governing the admittance of Multicultural Representatives. Each year, one or more congressional officers designated by Congress for this purpose shall make active, timely, good-faith efforts to provide all necessary information about the admittance process to student organizations that are potentially eligible for admittance by:

(A) Coordinating with the IU Culture Centers to inform relevant student organizations and request a list of other potentially qualifying multicultural organizations in order to email the Presidents of these organizations no later than the first Monday of September of each year to explain the opportunity for admittance to Congress, what being a member of Congress entails, and instructions on how to apply; and

(B) Emailing the Presidents and Congressional Representatives of currently seated multicultural organizations to explain the process of renewing their seat no later than the first Monday of September.

*(History: As amended by vote of the Student Body March 8, 2023)*

## Section 2.5. Schedule for Academic and Residential Seats in the Congress

1. Before April 2, 2024, Congress shall have sixty-two scholastic seats, which total shall consist of thirty-one academic seats and thirty-one residential seats.
2. After April 1, 2024, and before October 2, 2024, Congress shall have fifty-one scholastic seats, which total shall consist of thirty- one residential seats and twenty academic seats.
3. After October 1, 2024, Congress shall have forty scholastic seats, which total shall consist of twenty academic seats and twenty residential seats.
4. The seats of the academic representatives chosen for terms beginning in fall of 2022 shall be vacated on April 3, 2023.

*(History: As amended by vote of the Student Body October 1, 2023)*

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## Section 3. Purpose of Congress

The Congress is the repository of student voices, perspectives, and concerns. As such the Congress will serve as the policymaking authority within IUSG. The Congress shall direct Executive Officers on the enforcement and implementation of policies passed by the body.

*(History: As amended by vote of the Student Body September 21, 2022)*

## Section 4. Apportionment of Scholastic Seats

No less frequently than every two years, Congress shall, by statute, apportion the Scholastic seats among such constituencies as Congress shall, by statute, establish. The apportionment shall be made in proportion to population as given in official University residential and enrollment data. Each constituency shall be guaranteed at least one voting, representative seat within Congress. A change enacted to the academic districts or apportionment shall not apply to a term of academic representatives that is already in progress when the change takes effect, nor shall a change enacted to the residential districts or apportionment apply to a term of residential representatives that is already in progress when the change takes effect.

*(History: As amended by vote of the Student Body September 21, 2022)*

## Section 5. Admittance of Multicultural Seats

Registered Student Organizations recognized as such by Indiana University will inform the IUSG Election Commission (“the Commission”) of their intent to participate in the Student Body Congress. The Commission will thereby certify the organization’s good-standing and applicability as a Multicultural Organization as defined in this document or relevant bylaws. Congress, upon a two-thirds vote, can appeal this decision to the IUSG Supreme Court. Student organizations, who believe their admittance was not given proper consideration, can also appeal decisions of the Commission to the Supreme Court. If an organization’s seat becomes vacant before the expiration of the term, the organization may elect or appoint another member to fill the vacant seat.

*(History: As added by vote of the Student Body January 22, 2021)*

## Section 6. Speaker of the Student Body Congress

At the first meeting of each legislative session, the Congress will elect from its own number a Speaker. The Speaker will be allowed to vote as a Representative. The Congressional Secretary will cast a vote only in the case of a tied vote in the Congress.

*(History: As amended by vote of the Student Body September 23, 2020)*

## Section 7. Congressional Committees and Officers

The Congress will establish a system of standing Committees, each charged with a specific area of legislation or parliamentary authority. The Speaker will designate one member of each Committee to act as chairperson, who will preside over and schedule Committee meetings and serve as liaison between the Committee and Speaker. Congress may establish other offices to carry out its business.

*(History: As amended by vote of the Student Body September 23, 2020)*

## Section 8. Repealed

*(History: As amended by vote of the Student Body March 8, 2023)*

## Section 9. Impeachment and Removal

A Representative may be impeached and removed from office for just cause upon the passage of a resolution for impeachment by two-thirds of the Congress. Congress may provide for procedures for the removal of a Representative as necessary.

*(History: As amended by vote of the Student Body September 23, 2020)*

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## Section 10. Vacancies and Replacement

When a vacancy occurs in an academic or residential seat in Congress forty-five days or more before the next general election and the next full term of the seat is not due to be elected at that general election, then the vacancy shall be filled at that general election for the unexpired balance of the vacant term. However, in any case when an academic or residential seat is vacant, the Congress may make a temporary appointment until the next general election, where the appointment expires upon the end of the election.

*(History: As amended by vote of the Student Body March 8, 2023)*

## Section 10.5. Legislative Sessions

Sessions of the Congress shall begin at 7:30 p.m., Bloomington local time, on the first Monday of April and the first Monday of October at the Indiana Memorial Union, unless the Congress by statute appoints another day, time, or place (but no later than seven days after the date designated in this Section); and each session shall end at the conclusion of the final meeting that occurs before the next session is to commence. Following the first meeting of a session, Congress shall meet at such places and times as it sees fit; however, during a session, Congress shall meet at least once in every fourteen days.

*(History: As added by vote of the Student Body September 21, 2022)*

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## Section 11. Publication of Congressional Proceedings

Congress shall keep a journal of its proceedings and shall publish the same, except such parts as, in the opinion of Congress, require confidentiality. The yeas and nays on any question shall, at the request of one-fifth of the Representatives present, be taken and entered in the journal. Congress shall ensure that a complete copy of its journal of each session is expediently delivered into the keeping of the Indiana University Archives.

*(History: As added by vote of the Student Body September 21, 2022)*

## Section 12. Passage of Bills

No statute shall be enacted except by bill, and no bill that has not passed Congress with the affirmative votes of a majority of all the Representatives duly chosen and seated shall become statute. Every bill so passed shall be signed by the presiding officer. A bill that is not passed, or a vetoed bill that is returned and not repassed, before the next Congress convenes shall be deemed to have failed.

*(History: As added by vote of the Student Body September 21, 2022)*

## Section 13. Readings of Bills Before Final Vote

In Congress, a bill must be read aloud by title on at least two separate instances occurring at least two calendar days apart before Congress may vote on passage of the bill. This Section shall not be construed to require one or more additional readings on account of any amendment made to a bill.

*(History: As added by vote of the Student Body September 21, 2022)*

## Section 14. Presidential Signature or Veto of Bills

Every bill passed by Congress, before it may become statute, shall be presented to the Student Body President for approval. If the President approves, they shall sign it; if not, they shall veto it and return it, along with their objections, to the Congress, which shall enter the objections into its journal and proceed to reconsider it. If after such reconsideration two-thirds of the Representatives voting, including at least a majority of the total number of Representatives duly chosen and seated, vote to pass the bill, it shall become statute. If a bill is neither signed nor vetoed by the President within three calendar days after being presented to them, the bill shall become statute as if they had signed it on the fourth day. If a bill is vetoed after the final adjournment of the session of Congress at which it was passed, the bill shall be returned by the President to Congress on the first day that Congress is in session after such adjournment, in which case Congress shall proceed in the same manner as with a bill vetoed before adjournment, even if the new session is of a subsequent Congress.

*(History: As added by vote of the Student Body September 21, 2022)*

## Section 15. General Legislative Authority

The Congress shall have the power, by statute, to raise and to spend money for the welfare of the Student Body; to express the opinion of IUSG or the Student Body; to call for action by persons or entities beyond IUSG on behalf of IUSG or the Student Body; to establish executive officers in addition to those established in this Constitution; to direct appropriate executive officers on the faithful execution of statutes and advocacy of policy positions; and to make all other statutes which shall be necessary and proper for carrying into execution all powers vested by this Constitution in Indiana University Student Government or in any officer or department thereof. No money shall be drawn from the treasury except in consequence of appropriations made by statute, and a regular statement of receipts and expenditures shall be published from time to time.

*(History: As added by vote of the Student Body September 21, 2022)*

## Section 16. Authority to Govern Elections

The Congress shall, by statute, establish the times, places, and manner of electing Academic and Residential Representatives and the Student Body President and Vice President, and of appointing Multicultural Representatives; but no such statute shall enter into effect during the twenty-eight days immediately preceding a general election. The Congress may, by statute, set reasonable qualifications for candidate eligibility, establish reasonable restrictions on campaign activity, and provide for reasonable consequences for the violation of said restrictions, up to and including disqualification from the election. However, the Congress shall make no statute that infringes on the right of every constituent member of IUSG to vote.

*(History: As added by vote of the Student Body September 21, 2022)*

## Section 17. Authority to Establish Inferior Courts

The Congress may, by statute, establish courts and other judicial boards inferior to the Supreme Court, and shall vest them with such jurisdictions as Congress sees fit.

*(History: As added by vote of the Student Body September 21, 2022)*

## Section 18. Legislative Conflict of Interest

No Representative shall, during the term to which they were elected or appointed, be eligible for any office under Indiana University Student Government which was created, or the financial benefit of which was increased, during such term; but this Section shall not be construed to apply to any office elective of the Congress or of the Students.

*(History: As added by vote of the Student Body September 21, 2022)*

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# ARTICLE III. THE EXECUTIVE BRANCH

## Section 1. Composition

The President, Vice President, Treasurer, Congressional Secretary and such other officers as provided for in this article and bylaws as Congress may adopt will comprise the executive Branch of IUSG. The student body will elect the President and Vice President annually. Elected executive officers will serve terms of one year ending on April 15. Executive officers may not sign binding agreements after the general election which bind IUSG past the end of their term. Executive officers must be members of IUSG and may hold no other elected positions in IUSG.

*(History: As amended by vote of the Student Body September 23, 2020)*

## Section 2. Authority

The IUSG Executive Branch shall take care that the statutes are faithfully executed and will have all powers necessary and proper to fulfill their duties and the mandates of the Student Body Congress. The President of IUSG will act as chief executive officer of IUSG, serve as spokesperson for the student body, and fulfill the requirements of that office as required by the University. The President will also have the power to reach binding agreements with other organizations and individuals with the consent of a two-thirds vote of Congress. The President and Congressional Secretary may each call the Student Body Congress into emergency session when necessary. The Vice President of IUSG will act as the President’s deputy and coordinate the activities of the Executive Branch. The Treasurer of IUSG will take care to ensure that accounts are properly kept, bills promptly paid, and revenues fully received. The Congressional Secretary will act as an executive ambassador to Congress; provide guidance and assistance to Representatives; and perform any other task assigned to them by statute.

*(History: As amended by vote of the Student Body September 21, 2022)*

## Section 3. Congressional Secretary as Tie-Breaker in Congress

The Congressional Secretary may cast a vote in case of a tied vote in the Congress.

*(History: As amended by vote of the Student Body September 21, 2022)*

## Section 4. Appointment of Executives and Judges

The President shall nominate, and by and with the advice and consent of the Congress shall appoint, the Congressional Secretary, the Treasurer, and all other officers of IUSG whose elections or appointments are not otherwise provided for in this Constitution, and which shall be established by statute. However, the Congress may, by statute, vest the appointment of such inferior officers as it sees fit in the President alone, in the Supreme Court or another court, or in the heads of departments. The Congress shall, by statute, establish an agency to administer elections and multicultural admittance and appointment to Congress, shall provide for the manner of selecting the officers of this agency, and may provide that those officers are not subject to nomination or appointment by the President, a court, or the head of a department.

*(History: As amended by vote of the Student Body September 21, 2022)*

## Section 5. Congressional Participation

Upon the certification of a duly elected Executive Branch, the Officers shall take all reasonable steps to promote the participation of eligible Multicultural student organizations in the Student Body Congress.

*(History: As added by vote of the Student Body January 22, 2021)*

## Section 6. Impeachment and Removal of an Executive Officer

The President, Vice President, Treasurer, Congressional Secretary, or other executive officers may be impeached and removed from office for just cause upon the passage of a resolution for impeachment by two thirds of the Congress and the concurrence of two-thirds of the IUSG Supreme Court. The President may remove the executive officers they appoint. The President or the member of the Executive Branch who appointed the officer may remove executive officers appointed by other members of the Executive Branch.

*(History: As amended by vote of the Student Body September 23, 2020)*

## Section 7. Executive Vacancies

If the office of Vice President becomes vacant, the President will appoint a replacement to serve the unexpired balance of the term with the consent of Congress. If the office of President becomes vacant, the Vice President will become President. The Congress will provide in the bylaws for succession if the offices of President and Vice President become vacant simultaneously.

*(History: As amended by vote of the Student Body September 23, 2020)*

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# ARTICLE IV. IUSG JUDICIARY

## Section 1. Composition

The IUSG Supreme Court and other inferior courts and judicial commissions as Congress may establish will comprise the Judicial Branch of IUSG. Eleven justices, including one Chief Justice, appointed by the President and confirmed by the Congress, will comprise the IUSG Supreme Court, and a majority of all sitting Justices shall constitute a quorum. Justices of the Supreme Court will serve terms of three calendar years, unless they resign, are removed, or cease to be constituent members of IUSG. Inferior courts and judicial commissions will be filled by appointments of the President confirmed by the Congress for a term set by the Congress. Justices and members of inferior courts must be members of IUSG and may not hold any other office in IUSG.

*(History: As amended by vote of the Student Body September 21, 2022)*

## Section 2. Authority

The judicial authority of IUSG extends to all cases arising under this Constitution or the statutes of IUSG and will include the power of judicial review, adjudicating elections disputes, certifying elections results, resolving contested Multicultural seats in the Congress, and fulfilling the requirements of the University conduct process.

*(History: As amended by vote of the Student Body September 21, 2022)*

## Section 2.5. The Supreme Court

The Supreme Court shall exercise appellate jurisdiction over all cases in which another court or tribunal shall exercise jurisdiction, and shall exercise original jurisdiction in all other cases. The Supreme Court shall certify the results of all general and special elections as expediently as practicable, and no election shall be held valid until certified. Justices of the Supreme Court shall fulfill such other duties as the University may reasonably require of them. The Supreme Court shall determine the rules of its proceedings and the rules of proceedings of all other courts and judicial boards of Indiana University Student Government. The Court shall ensure that all rules of judicial proceedings are published in a timely manner. The rules adopted by the Court must ensure due process and may not be in conflict with commonly accepted legal precedents, this Constitution, or University policy regarding student rights. The Court may employ such personnel as may be necessary to carry out its duties.

*(History: As added by vote of the Student Body September 21, 2022)*

## Section 3. The Chief Justice

The Chief Justice will preside over meetings of the IUSG Supreme Court, administer the Oath of Office to the Student Body President-Elect and Vice President-Elect, and coordinate the internal business of the judiciary. The Chief Justice will also appoint members of the judiciary to serve on such judicial boards and commissions as required by the University and appoint one member of the judiciary to serve as Clerk of the Court. If the Chief Justice is not present, the senior justice as determined by length of service to the Court will preside.

*(History: As amended by vote of the Student Body September 21, 2022)*

## Section 4. Bias

No member of the judiciary shall sit upon a matter in which a reasonable judge would find that there is a probability of some infringement on impartiality, be it a conflict of interest or bias. If the Chief Justice considers that for some reason one of the members of the judiciary should not hear a particular matter, they will give that member notice accordingly. If in any case the member of the judiciary and the Chief Justice disagree, a decision of the Supreme Court will resolve the matter.

*(History: As amended by vote of the Student Body September 21, 2022)*

## Section 5. Repealed

*(History: Repealed by vote of the Student Body September 21, 2022)*

## Section 6. Impeachment and Removal

Members of the judiciary may be impeached and removed for just cause.

1. Members of the judiciary may be impeached for dereliction of duty by a two-thirds vote of the members currently occupying office of the IUSG Supreme Court and removed from office by an affirmative two-thirds vote of the Student Body Congress currently occupying office.
2. Members of the judiciary may be impeached for dereliction of duty by the President and one other elected executive official if they submit a petition requesting impeachment and removal of a justice no later than 72 hours before the next regularly scheduled meeting of the Student Body Congress. Removing an impeached justice will require an affirmative two-thirds vote of the Student Body Congress currently occupying office.
3. Congress may provide for other methods of removing members of the judiciary not serving on the Supreme Court.

# ARTICLE V. CONSTITUTIONAL ADOPTION, SUPREMACY, AND AMENDMENT

## Section 1. Ratification of this Constitution

This constitution will take effect as described in this article upon the adoption of this Constitution by two thirds of the Student Body Congress and a majority of the student body voting in the next election.

## Section 2. Officers of Previous Constitutions

Officers elected or appointed to fill the requirements of previous constitutions will not be denied their remaining term in office, but no successors to their offices will be elected or appointed. Specifically, Members of Congress, the Vice President of Congress and the Vice President of Administration as elected under the previous Constitution will exercise the prerogatives reserved to their offices by the previous Constitution as it existed on January 1, 2002.

## Section 3. Amendments to this Constitution

Amendments to this Constitution may be proposed by a two-thirds vote of Congress or by the presentation to the Chief Justice of a petition signed by ten percent of the student body. Proposed amendments to the Constitution will become part of this Constitution if ratified by a majority of students voting in the next IUSG election or special referendum.

## Section 4. Constitutional Supremacy

This Constitution is the supreme authority for the governance of IUSG. No statute or resolution may be in conflict with this constitution.

*(History: As amended by vote of the Student Body September 21, 2022)*

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# ARTICLE VI. REPEALED

*(History: Article repealed by vote of the Student Body September 21, 2022)*

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# ARTICLE VII. UNIVERSITY COMPLIANCE

This organization shall comply with all Indiana University regulations and local, state, and federal laws.

1. Anti-Hazing Policy: Hazing is strictly prohibited. Hazing shall be defined as any conduct which subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, degrade, or intimidate the person as a condition of association with a group or organization, regardless of the person's consent or lack of consent.
2. Personal Gain Clause: This organization, if raising funds, shall ethically raise and distribute profits from organizational functions to either the organization or to members who provide a service that directly benefits the organization. Individual members may not receive compensation from for profit companies if acting as a representative of a student organization.