THE CONSTITUTION OF

THE CLARKSON UNIVERSITY STUDENT ASSOCIATION

**October 2017**

PREAMBLE

We, the undergraduate student body of Clarkson University, believe that living in and building a free and democratic society entails responsible self-government and rational debate. Furthermore, we believe that educational institutions exist for the pursuit and dissemination of truth and reason.

ARTICLE I – NAME

The name of this organization shall be the Clarkson University Student Association, hereinafter referred to as the CUSA Senate, where CUSA refers to the undergraduate student body of Clarkson University in its entirety.

ARTICLE II – PURPOSES

The purposes of the CUSA Senate are:

1) To recommend, coordinate, and legislate programs of interest to the students, faculty, and administration of Clarkson University.

2) To join with representatives of the administration, the faculty, and the community in efforts that further the common welfare of the student.

ARTICLE III – ACTIVITIES FEE

Section 1 – 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 2 – Graduate students who pay the specified undergraduate activities fee will be eligible to join the CUSA Senate sponsored organizations and will be granted full voting privileges. Graduate students are not eligible to hold a CUSA Executive Board or CUSA Senator position.

Section 3 – All procedures concerning the levying of student activitie**s** fees shall be included in the Financial By-Laws, subject to the approval of the Board of Trustees.

ARTICLE IV – MEMBERSHIP OF THE CUSA SENATE

Section 1 – The student members of the CUSA Senate shall be composed of the five (5) Executive Board officers and the twenty-five (25) Senators, six (6) representing each class and one (1) Clarkson School Representative, and two (2) non-voting graduate representatives. These thirty-one (31) people shall sit as members of the CUSA Senate until the close of that term of office and the election of new Executive Board officers, Senators and representatives. No CUSA Senate member shall be removed from office because of a change in class standing.

Section 2 – 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 (40) 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 days 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 3 – Power of disqualification for violations of election procedures shall lie entirely with the CUSA Senate upon recommendation of the Academics & Policy Committee.

Section 4 – Any petition of protest must be received by the Academics & Policy Committee by the immediate Friday at 4:00 p.m.after the polls close.

Section 5 – All other election procedures shall be outlined in the Election By-Laws.

Section 6 – Should any Senator resign, become ineligible to serve by reason of death, incapacitation, or removal from office, the office shall become vacant. Vacancies in Senator positions shall be filled from the class which was represented by the individual in that seat. .In the event that it is known in the fall semester that any CUSA Senate position is going to be vacant for the spring semester, a campus wide election shall take place. If a CUSA Senate position is vacant at the start or end of the spring semester, the position will be filled through a majority vote of the CUSA Senate If there are only three (3) or fewer meetings of the CUSA Senate remaining in the current term of office, the vacant position shall remain vacant until the start of the subsequent term of office.

ARTICLE V – 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 objects as 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 any or all of its Committees. The CUSA Senate shall have the power to refer back, defeat, or pass any motion it deems necessary or otherwise dispose of these or any other recommendations that may come before it by Committee or any other form.

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 nor shall it be considered to have responsibility for the financial or internal affairs of those organizations which it does not recognize and shall not have nor shall it be considered to have responsibility for the financial affairs of those organizations which it recognizes but does not fund.

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

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, including but not limited to, radio, newspaper or television station.

Section 6 – The CUSA Senate shall have the power to enact the Clarkson University grievance procedure. The CUSA Senate shall have the jurisdiction over this procedure. This procedure, known as the Organization Conduct Board (OCB), shall be used to settle disputes among its members and member organizations.

ARTICLE VI – 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 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 Robert's Rules of Order.

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 scale.

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-Law, and Robert's Rules of Order.

(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 directive to the Executive Board and Committee Vice Presidents.

(6) They shall vote upon legislation only in case of a tie.

(7) They shall have the right to veto legislation. A two-thirds (2/3) vote of the CUSA Senate is required to override the veto.

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 Vice Presidents.

(3) They shall act as sergeant of arms and 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) The Comptroller of the Finance Committee will take minutes and assist the Treasurer in his duties.

(3) The Comptroller shall also have the power to veto decisions made by the Treasurer.

(4) They shall oversee the budgets of all CUSA recognized organizations.

(5) They shall be responsible for the day-to-day financial transactions of the CUSA Senate and CUSA recognized organizations.

(6) They shall oversee the security of all CUSA Senate assets and locations in which those assets are stored.

(7) They shall not have a vote in any decisions of the Finance Committee except in case of a tie.

(8) They have the power to veto any decision of the Finance Committee except in the budgeting procedure. A two-thirds (2/3) vote of the Finance Committee is required to override the veto.

(9) They shall maintain inventory records.

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, including but not limited to Instagram and Facebook.

(3) They shall keep the University informed of CUSA Senate updates through monthly newsletters to all students, faculty, and staff.

(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 facilitate the senator of the week and senator of the month awards if the Executive Board decides to participate in this yearly.

(6) They shall be responsible for the overall record of attendance, including weekly meetings and committee meetings.

(7) They shall be responsible for coordinating the selection of annual CUSA apparel.

Section 9 – Should any elected CUSA Executive Board officer resign or become ineligible to serve as such officer by result of death, incapacitation, or removal of office, the office shall become vacant. The office of the CUSA President shall be filled by the CUSA Vice President whenever that office is declared to be vacant.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. If an Executive Board position is vacant at the start or end of the spring semester, the position will be filled through a majority vote of the CUSA Senate.. Only those candidates who pass the required standing for office as contained in this article shall be eligible for nomination. Additionally, all candidates must be nominated as determined in Article V of this Constitution. In the event that no such interested candidate exists, the CUSA Executive Board, upon approval by the entire CUSA Senate, shall use their own discretion to install the most qualified candidate regardless of the stipulation of having served at least one (1) full term of office.

ARTICLE VII – COMMITTEES

Section 1 – The establishment of committees shall not constitute approval of any action taken by a committee except upon authorization of the CUSA Senate nor shall it constitute a grant for the expenditure of money (except operating expenses) unless such a grant is authorized in this Constitution or By-Laws or if the expense is less than fifty (50) dollars. Otherwise, approval of the Executive Board is necessary.

Section 2 – An ad-hoc committee may be established to investigate a particular matter by a majority vote of the CUSA Senate.

Section 3 – Committee Chairs, including any ad-hoc committees and the Finance Committee Comptroller, shall be appointed from the membership of the CUSA Senate by the CUSA Executive Board.

Section 4 – All CUSA Senate members, with the exception of the Executive Board and Committee Vice President(s) must be active in at least one (1) CUSA Senate standing committees or ad hoc committees and are responsible to attend every meeting. One (1) unexcused absence from committee meetings will be equivalent to one (1) unexcused absence from a CUSA Senate meeting. Additionally, at the discretion of the Committee Chair and the approval of the CUSA Vice President, absences may be given based on the incompletion of assigned projects.

Section 5 – The CUSA Vice President shall have the responsibility in regards to the proper functioning 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.

Section 6 – The membership of any CUSA committee, except where specified elsewhere in this article, shall be any member of the CUSA as allowed by the Committee Chair, and there shall be an attempt to have at least one (1) representative from each class on each committee.

Section 7 – STUDENT LIFE COMMITTEE:

(1) Shall be responsible for organizing all CUSA sponsored events held on or off campus.

(2) Shall strive to host 2-3 CUSA sponsored events per semester.

(3) Shall work with CUSA Recognized clubs and other campus organizations in the organization of campus events.

(4) Shall work with the Assistant Dean of Students for Student Life and Engagement in the planning and commission of all campus events.

(5) Shall keep communications open with campus food services, health services, safety and security, counseling services, housing, and maintenance, and any other service which has an impact on the students.

(6) Shall solicit and collect student complaints and work with University staff to reach solutions.

Section 8 – ACADEMICS & POLICY COMMITTEE:

(1) Shall administer all elections under the jurisdiction of the CUSA Senate and shall provide for strict enforcement of the Election By-Laws regarding campaigning and election procedures.

(2) Shall administer all CUSA Senate referendum as per the Election By-Laws.

(3) Shall, prior to any election held under the jurisdiction of the CUSA Senate, prepare any necessary information for the prospective candidates to ensure that all CUSA members are informed of all election dates and procedures.

(4) Shall oversee all policies and/or By-Laws of the CUSA Senate except for the CUSA Finance Policy.

(5) Shall review, approve, and then present every two (2) years all organization constitutions to the CUSA Senate. If after the two (2) year period, an organization’s constitution has not been reviewed and approved by the Committee, the organization will be placed on a two (2) month probation period. During the two (2) month probation period, the organization will not be able to request additional funds from the CUSA Senate out of capital expenditure, depreciation, club contingency or circumstantial contingency. The organization will, however, have access to their budget. If the two (2) month probation period expires and the CUSA Senate has not approved a revised constitution, the organization will lose all funding and recognition by CUSA.

(6) Shall notify the appropriate organizations by November 1st if its constitution is about to expire. This gives the organization a two (2) month period to prepare its constitution for review. Constitutions expire on January 1st of the appropriate year.

(7) Shall review any case of organization dissolution and make the appropriate recommendation to the CUSA Senate.

(8) Shall oversee and review any academic situation brought up to the CUSA Senate that impacts students.

(9) Shall maintain communication with the academic departments.

(10) Shall review and report on any academic policy that will have an impact on the students.

(11) Shall review and act accordingly on any Academic Policy violation submitted to the committee.

(12) The Committee Vice President or their designee shall hold a seat on the Academic Integrity Committee.

(13) Shall approve all club constitutions without CUSA Senate approval.

Section 9 – FINANCE COMMITTEE:

(1) Shall review and, as necessary, revise the CUSA Finance Policy during the fall semester each academic year.

(2) Shall formulate the annual CUSA Senate budget.

(3) Shall investigate and report depreciation, club contingency, capital expenditure, circumstantial, and conference/tournaments requests.

(4) Shall evaluate and allocate depreciation and operating budget requests.

(5) Shall evaluate and recommend contingency and capital expenditure purchases based on compliance with the CUSA Finance Policy.

(6) Shall strictly follow the guidelines of the CUSA Finance Policy.

(7) Shall be chaired by the CUSA Treasurer and the appointed co-chair.

(8) Shall oversee all CUSA Senate and CUSA organizations’ assets.

ARTICLE VIII – ADVISORSHIP

Section 1 – The CUSA Senate shall be co-advised by the Director of Student Organizations and Student Center and the Coordinator of Student Organizations. These advisors should attend all CUSA Senate and Executive Board meetings in a non-voting capacity.

Section 2 – Should both advisor positions be vacant, the CUSA Senate shall choose a Clarkson University employee as an interim faculty/staff advisor as recommended by the CUSA Executive Board.

ARTICLE IX – IMPEACHMENT

Section 1 – After a hearing before the CUSA Senate, the CUSA Senate may move to remove or suspend any Executive Board officer, Senator, or Representative, or any ancillary organization officer or member by a two-thirds (2/3) of the entire CUSA Senate. The grounds for impeachment are only:

(1) Embezzlement, fraud, or other felony.

(2) Malfeasance in office.

(3) Neglect of duties.

(4) Acts contrary to this Constitution, its amendments and By-Laws of the ancillary organization.

Section 2 – The CUSA President shall preside at all hearings except that the CUSA Vice President shall preside if the CUSA President is on trial or has disqualified themselves. In the instance where the CUSA President and CUSA Vice President or the serving chair are on trial or have disqualified themselves, the presiding officer shall be whoever is next in the order of CUSA Executive Board officers.

Section 3 – Specific charges against the accused shall be levied and filed with the Executive Board not less than twelve (12) days prior to a regular CUSA Senate meeting. The accused shall be provided with a written notice of the charges made against them at least ten (10) days 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 – Each side shall have the right to counsel, to cross examine, to call witnesses, and to introduce evidence within the context of fair process. A stenographic and/or audio recording of all hearing proceedings shall be maintained by the CUSA Secretary or, if the CUSA Secretary is on trial, a member of the CUSA Senate chosen by the CUSA Executive Board.

ARTICLE X – RECALL

Action to recall any member of the CUSA Senate must begin with a petition signed by thirty (30) percent of the group which they represent. On the day following the CUSA Senate meeting at which the petition is received, it shall be the duty of the CUSA President to give adequate notice of an election to be held by the group represented within two (2) weeks. A vote of two-thirds (2/3) of the students voting shall be necessary to affect the recall.

ARTICLE XI – 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 with agreement of 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. For reasons that call for a meeting to be canceled, a majority vote of two-thirds (2/3) is required for approval.

ARTICLE XII – VOTING/VETO

Section 1 – A vote will only be effective if taken at a meeting where a quorum is met.

Section 2 – The Executive Board officers shall be deemed ex-officio members of CUSA Senate and shall not hold a vote during the meetings.

Section 3 – After legislation is passed, the CUSA President has ten (10) business days or until the opening of the next CUSA Senate meeting, whichever comes first, to veto legislation. In the case of financial decisions and constitution renewals made by the Finance Committee and Academics and Policy Committee respectively, the CUSA President has until 12:00p.m. on the Friday following the CUSA Senate meeting to veto the decisions.

Section 4 – The CUSA Secretary 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 (2/3) vote of the CUSA Senators, Representatives, and the CUSA Executive Board officers will override the veto.

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

Section 7 – After a decision of the Finance Committee, the CUSA Treasurer has three (3) 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 (3) business days of the decision. The CUSA Comptroller has four (4) calendar days to veto this decision. All vetoed decisions will be presented at the next Finance Committee meeting. A motion may be raised to override any veto. A two-thirds (2/3) vote of the Finance Committee, to include the CUSA Treasurer and Comptroller, will override the veto.

ARTICLE XIII – FINANCES

Section 1 – The CUSA Senate shall derive its funds from the collection of dues, the collection of the undergraduate activities fee, and by lawful profit making activities.

Section 2 – All organizations of the CUSA Senate that meet the requirements set forth in Article IV of the Senate By-Laws may be eligible for funding as stated in the CUSA Finance Policy. A budget must be submitted to the CUSA Senate as outlined in the CUSA Finance Policy.

Section 3 – The CUSA Senate is eligible for funding by the CUSA. The Finance Committee shall make a budget and submit it to the CUSA after all the members of the CUSA Senate and CUSA Executive Board have approved it.

Section 4 - The CUSA Finance Policy outlines the budgeting process that the CUSA Senate shall follow when appropriating money and the guidelines funded organizations shall follow when spending funds.

Section 5 - No organization is permitted to subsidize the cost of personal items (apparel, equipment, or otherwise) without the prior approval of the CUSA Finance Committee.

* The subsidized purchasing of any items for permanent individual ownership is limited to the items below. Any items not listed will need to be purchased at full price by the receiving party, unless prior approval from the Finance Committee has been given. Schedule a meeting with the Committee if you believe another purchase should be considered for subsidization.
* T-Shirts
* Polos
* Hats
* Sweaters
* Jackets under $100
* Drawstring Bags
* Athletic Equipment
* ALL subsidized purchases, once approved by the Finance Committee, must follow the bracketed percentage system below. The member’s personal contribution must meet or exceed the defined percentage. The rates have been scaled to reflect a policy with limited support for expensive purchases. Exceptions may be made through petition to the Finance Committee and will be evaluated on a case-by-case basis.

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| ***Price Per Unit*** | < $5 | $5 - $20 | $20 - $50 | $50 - $75 | > $75 |
| ***Minimum Personal Contribution*** | 0% | 35% | 60% | 85% | 100% |

ARTICLE XIV – DISSOLUTION

Section 1 – In case of dissolution of any funded organization, including the CUSA Senate, all assets will revert to the CUSA.

Section 2 – The CUSA Senate may dissolve any member organization upon recommendation of the Academics and Policy and a two-thirds (2/3) vote of the CUSA Senate.

ARTICLE XV – 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, recognized, and funded organizations.

Section 2 – This Constitution prohibits CUSA from joining any organization with a superior governing instrument. An exception shall be made with the approval of fifty (50) percent plus one (1) vote 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 the repercussions of Article IX and are subject to impeachment.

ARTICLE XVI – HAZING

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.

ARTICLE XVII – PETITION

Section 1 – Upon petition by ten (10) 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.

Section 2 – Upon petition by five (5) percent of the members of the CUSA, the CUSA Senate shall be bound to consider the implementation of the contents of the petition at the next regular CUSA Senate meeting.

ARTICLE XVIII – CONSTITUTION REVIEW

Section 1 – This Constitution is subject to review every two (2) years by the CUSA Senate.

Section 2 – The reviewed Constitution shall be presented to the CUSA Senate for adoption when it has been signed by not less than five (5) CUSA Senators. At that time it must be tabled for at least seven (7) days.

Section 3 – The reviewed Constitution shall be considered adopted and in effect with the approval of four-fifths (4/5) of the CUSA Senate.

ARTICLE XIX – AMENDMENTS

Section 1 – Amendments to this Constitution may be proposed at any duly authorized session of the CUSA Senate; provided, however, that the session is not a result of a special notice to consider another specific subject.

Section 2 – No action except discussion by the CUSA Senate sitting as Committee of the whole, or the taking of testimony while sitting as such a Committee, may be taken upon the amendment unless seven (7) days shall have elapsed after the amendments have been proposed.

Section 3 – An amendment shall be considered proposed when submitted in typed or printed form in a manner that conforms with the form of this Constitution and is signed by not less than five (5) members of the CUSA Senate or by five (5) percent of the members of the CUSA.

Section 4 – An amendment shall have been deemed ratified and thus annexed to the Constitution when two-thirds (2/3) of the entire CUSA Senate concur with and vote in favor of the amendment Not fewer than seven (7) days written notice shall be given to each CUSA Senate member along with the then current Constitution and the proposed amendments. Copies shall be made available to all who may desire them and placed wherever else deemed desirable by the Academics & Policy Committee prior to the date of referendum.

Section 5 – Amendments shall become effective immediately following certification of ratification by the Academics & Policy Committee, unless there be proof of fraud. If fraud is suspected, a Committee composed of six (6) students appointed by the Academics & Policy Committee, whose members are ineligible, and six (6) faculty/staff appointed by the CUSA Executive Board shall review and make a decision on the validity of the ratification. Their decision shall be final.

ARTICLE XX – RATIFICATION

Section 1 – This Constitution shall be presented to the CUSA Senate for adoption when it has been signed by not less than three-fifths (3/5) of the entire CUSA. This Constitution, when submitted in referendum, shall be adopted if accepted by a majority of members of the student body who are present and voting.

Section 2 – This Constitution 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.

Section 3 – Should this Constitution be adopted at any time other than thirty (30) days preceding normal elections, special elections shall be held to fill any vacancies created.