

Revised by: The 11<sup>th</sup> SG Senate  
Revised on December 1, 2006

**The Constitution  
Of  
The Student Government  
Of  
The University of New Orleans  
As of May 1, 1996**

**Preamble**

Recognizing that the students must contribute to the building of a great university, we, the members of the student body of the University of New Orleans, do ordain and establish this Constitution to create an effective student organization:

- To promote cooperation among University of New Orleans students, faculty and administration,
- To protect the rights of University of New Orleans students,
- To provide official channels through which the opinions and desires of University of New Orleans students may be expressed,
- To promote academic freedom, responsibility, excellence, and diversity of University of New Orleans students,
- To improve physical, social, and academic welfare of University of New Orleans students,
- To foster awareness of the University of New Orleans student's position in campus, metro area, state, national and international communities.

**Article I: Organization and Membership**

Section 1: The name of this organization shall be Student Government.

Section 2: The Student Government (SG) of the University of New Orleans shall be all regularly enrolled students as defined by the regulations of this University.

Section 3: Only regularly enrolled students as defined by the regulations of this University shall be eligible to vote in any election sponsored by the SG.

Section 4: The governmental structure of the SG shall consist of three branches: the Legislative, the Executive and the Judicial.

Section 5: Officers of the SG are: the President, the Vice President, the Secretary of State, the Treasurer, all Senators and all Justices of the Supreme Court.

Section 6: Officers of the SG must meet all requirements for their office at the time of qualifying for election or appointment and throughout their tenure in their respective office.

Section 7: Officers elected in the Fall and Spring general elections shall take the oath of office on December 1<sup>st</sup> or May 1<sup>st</sup> respectively. The oath of office must be taken within ten (10) school days after those designated dates. Failure to take the oath of office during said designated period renders the election of the officer null and void.

Section 8: No student shall hold more than one position as officer concurrently.

## **Article II: Legislative Branch**

Section 1: All Legislative powers granted in the Student Government Constitution shall be vested in a Student Senate.

Section 2: The Senate shall be composed of members representing each of the University's designated colleges and programs.

1. The colleges represented in the Senate shall be all recognized colleges by the University of New Orleans.
2. Each college, as recognized by the University of New Orleans, shall be represented by a minimum of three (3) Senators. For every 250 students above 500, the college shall be represented by one additional Senator.
3. Official registration enrollment figures from the Fall semester, as determined by the University, shall determine the number of Senators to represent each college.
4. Duly elected Senators shall serve a term from May 1 through April 30 for Spring elections and December 1 through November 30 for fall elections. Senators appointed to vacancies shall hold office for the remainder of the original term.

5. General elections shall be held during the regular Fall and Spring semesters.
  - (a) The Fall election will be held between October 1<sup>st</sup> and November 30<sup>th</sup>.
  - (b) The Spring election will be held between March 1<sup>st</sup> and April 30<sup>th</sup>.
6. The duration of all elections shall be at least two (2) consecutive school days within one school week (as determined by the University); such elections will take place on the main campus. Rules and policies for voting on peripheral campuses shall be determined by the Election Rules and Procedures.
7. During the Fall elections, each college as determined by the University shall elect one half (1/2) or a simple majority of the total allocated seats. The remaining number of allocated seats shall be elected during Spring elections.
8. All regularly enrolled students classified as by the University as a student of one of the University's colleges, whether graduate or undergraduate, shall be eligible to hold office as a Senator of their college.
9. No student shall qualify for election from an official University college unless he or she is a student of that college according to the Fall semester records of the University.
10. Each Senator must meet student organization officer qualifications as specified in the current University of New Orleans Student Handbook; additionally, each Senator must maintain a 2.25 cumulative grade point average.
11. Each Senatorial candidate must receive a simple majority of the votes cast to be declared a winner.
12. Each eligible student may cast one vote for each available position within their respective college.
13. Run-off elections for the respective office shall take place if no candidate earns a simple majority of the votes cast. The run-off election shall then be a contest between the two candidates who have earned the greatest number of votes for the respective office.
14. A Senator shall automatically forfeit their seat in the Student Government Senate if they cease to be enrolled in the college they represent. Senators may also lose their Senate seat if they are absent from five (5) regular meetings of the Senate during each term of office. Absences during Special Sessions and Summer Sessions do not count towards overall absences.

15. Nominees to fill a Senate vacancy shall be chosen by the Senators of the affected college, nominated by the SG Vice President, and be approved by a simple majority of the Senators present and voting. In the event, that all seats of a college are vacant, nominees to fill a vacancy shall be chosen and nominated by the SG Vice President and be approved by a simple majority of those Senators present and voting.
16. The Senate shall make laws to define the further regulation of the times, places and manner of holding elections.
17. The Presiding Officer of the Senate shall administer the Oath of Office to Senators.

### Section 3: Removal of Senators

1. Any Senator may be impeached for nonfeasance, misfeasance or malfeasance of duties related to the office held in the following manner:
  - (a) The filing of impeachment charges, in the form of a Bill of Particulars, by a majority of the Senators seated.
  - (b) A trial shall be held at the next meeting of the Senate to be presided over by the Chief Justice, or the Presiding Justice if the Chief Justice is unavailable, of the Supreme Court.
  - (c) The Senate shall maintain open session status during its deliberation of the decision.
  - (d) An affirmative vote for conviction at that trial by  $\frac{2}{3}$  (two-thirds) of the sworn Senators, by roll call vote in the same open session as defined in subsection c, shall remove a Senator from office.
  - (e) Nonfeasance is the failure of an officer to perform his or her duties for which he or she has been elected or appointed; Misfeasance is the poor performance of an officer to perform his or her duties for which he or she was elected or appointed; and Malfeasance is the illegal performance of one's duties.
2. Any elected Senator may be recalled by the following process:
  - (a) Submission of a petition of the Secretary of State signed by fifteen percent (15%) of the electorate of the office concerned;
  - (b) Verification of the electorate signing the petition by the Secretary of State within two (2) calendar weeks of reception. Nonqualified signatures shall not be counted;

(c) Calling a special Recall Election by the Senate, to be held within 2 (two) weeks of verification of the petition;

(d) A simple majority of the appropriate electorate voting shall determine the outcome of the recall.

Section 4: The Vice President of the Student Government shall be President of the Senate, but shall have no vote, unless the Senate is equally divided.

Section 5: The Senate shall elect a President Pro Tempore from its membership at the first meeting of the Fall session to preside over the Senate in the absence of the SG Vice President.

Section 6: The minimum requirement for quorum of the Senate shall be a simple majority of all sworn Senators.

Section 7: Powers and Duties:

1. The Senate shall have sole law-making power, except as otherwise provided, which shall extend to include measures necessary and proper for carrying out the powers, duties and obligations of the Student Government.
2. The Senate shall establish or amend by a vote of two-thirds (2/3) of the sworn Senators the Student Government Code of Laws.
3. The Senate shall approve appointments of the President of the Student Government to Student Government administrative positions, University Committees and any other positions in Student Government subsidiary organizations by a simple majority of those Senators present and Voting.
4. The Senate shall have the power to override a presidential veto by a vote of two-thirds (2/3) of the sworn Senators.
5. The Senate, pursuant to the recommendation of the Student Budget Committee, in consultation with the Dean of Student Life, shall recommend the allocation of the 1987 Student Referendum Fees to the Vice Chancellor for Student Affairs and University Relations and he/she shall submit to the Chancellor for final approval or disapproval.
6. The Senate shall establish Rules and Procedures by a simple majority vote of those Senators present and voting.

Section 8: The budget of the SG shall be formulated and the approval process commenced in accordance with the following rules:

1. The annual budget shall be prepared for submission to the SG Senate by the Student Budget Committee (SBC); when presented, the Senate shall review the proposed budget as legislation; Upon approval or amendment by the Senate body, the budget will be submitted to the SG President for approval or veto.
2. Recognized and authorized student organizations may request funding from the Senate at any time that the Senate is in session. The Senate may allocate such funds at their discretion.
3. The SBC shall be a SG Senatorial Committee whose membership shall be composed of the following persons, elected or appointed according to the following rules:
  - (a) Five (5) members shall be elected from the Senate by a simple majority of the Senators present and voting; no more than two (2) Senators from any one college or program shall be members of this committee concurrently;
  - (b) Any three (3) regularly enrolled student representatives shall be appointed by the SG President; such appointments do not require Senatorial approval;
  - (c) The SG Treasurer shall serve as Chair of the SBC.
4. The responsibilities of the SBC shall consist of, but shall not be limited to:
  - (a) Distributing campus-wide announcements for budget requests between November 1 and February 1, after which no further requests shall be accepted for consideration for the coming fiscal year; the fiscal year runs from July 1 to June 30.
  - (b) Submitting a balanced and completed budget to the Senate on or before March 1 of the same school year.
5. The duties of the chair shall consist of, but not be limited to:
  - (a) Calling to order the first SBC meeting between October 15 and October 20;
  - (b) Obtaining an estimate of the amount of revenues anticipated from the Student Services Fee for the coming fiscal year to serve as the basis for drafting the budget; such an estimate shall be obtained by February 1;
  - (c) Collecting all budget requests.

6. The following restrictions shall apply to the SG's annual budget:
  - (a) The budget shall be presented by the SBC to the Senate as a financial legislative bill to authorize appropriation of funds for the succeeding fiscal year;
  - (b) Previously funded ongoing services recommended for budgetary reduction by the SBC must be funded within eighty percent (80%) of the previous year's budget; ongoing services so reduced may be eliminated only in the year following the original reduction of funding;
  - (c) A minimum of five percent (5%) of the annual budget shall be allocated for executive order expenditures;
  - (d) SG funds shall be released only through lawful senatorial appropriation;
  - (e) The annual financial legislative bill shall be rendered ineffective upon issuance of a presidential veto, subject to override by 2/3 vote of all sworn senators;
  - (f) The annual budget shall not be subjected to reconsideration or alteration upon final approval by the Senate and the SG President unless requested to do so by the Chancellor of UNO.
7. The annual budget shall be submitted to the Administration of the University of New Orleans on or before May 1 of each year. If the annual budget has not been submitted on or before May 1, the SG must operate according to 80% of the budget of the preceding year until a new budget is submitted.
8. The Senate may make laws to further define and regulate the methodology of generation and approval of budgetary matters.

#### Section 9: The Election Commission (EC)

1. The EC shall coordinate and oversee all SG and SG-operated elections, in accordance with Senate law.
2. The EC shall consist of five voting members. A quorum shall be established at three voting members.
3. Three EC members shall be appointed by the Senate, and two members shall be appointed by the SG President, such appointments do not require Senatorial approval. Said appointments shall take place within the first two school weeks of the fall semester or at any time there is a vacancy.

4. Voting members of the EC shall serve until May 1 of the succeeding spring semester.
5. All members of the EC shall be regularly enrolled students at the University of New Orleans as defined by the official regulations of the University.
6. No members of the EC shall be candidates in the election(s) for which they are appointed to serve on the EC, nor shall they be affiliated in any manner with any candidates in said election(s).
7. Voting members of the EC are not Executive Officers; However, they may be removed in the same manner as detailed in Article III, section 9.

#### Section 10: SG Law

1. The SG Law consists of the SG Constitution and all legislation and executive orders enacted according to established procedures set forth by the Student Government Code of Laws.
2. The SG Constitution shall be the supreme law for governance of the membership of the SG. All subsequent SG Law which shall be found to conflict with the SG Constitution shall be preempted by the Constitution.
3. SG Law, with the exception of the SG Constitution, may be amended or repealed according to duly established procedures found in the SG Code of Laws.

### **Article III: Executive Branch**

Section 1: The executive power shall be vested in the President of the Student Government; the President shall be assisted in the execution of his powers and duties by the Vice President, the Treasurer, and the Secretary of State.

Section 2: Qualifications of executive officers are as follows:

1. Each executive officer must meet the student organization officer qualifications as specified in the current University of New Orleans Student Handbook.
2. Additionally, the President must have completed forty-five (45) semester hours of credit, and maintain a 2.50 cumulative grade point average;
3. Additionally, the Vice President, Treasurer and Secretary of State must have completed thirty (30) semester hours of credit, and maintain a 2.25 cumulative grade point average.

Section 3: Each executive officer may appoint or remove, with prior notice to the Senate, one (1) assistant to aid in carrying out his duties. These assistants may not be a member of the Executive, Legislative or Judicial branches, and shall not be considered as SG officers.

Section 4: Powers and Duties of the President

1. The President shall have the power to call meetings of the entire Student Government membership.
2. The President shall have the power to call special sessions of the Senate with forty-eight (48) hours notice to the Senate. Such notice shall be in compliance with SG Law.
3. The President shall have the power to issue Executive Orders in the pursuance of his or her duties.
4. The President shall issue the Executive Branch Charter each year by Executive Order at the commencement of the Fall legislative session. The Executive Branch Charter shall set forth the operating procedures for the Executive Branch and shall not contain any rules or regulations that change the operation of the Legislative Branch as specified in their rules and procedures.
5. The President shall have the following approval and veto powers over Senatorial legislation:
  - (a) The President may approve or veto any legislation enacted by the Senate, except those pertaining to the rules, regulations and procedures of the Senate;
  - (b) The President has line-item veto power over all legislation which requires the signature of the President, with the exception of the annual budget, which he or she must pass or veto in its entirety.
  - (c) The Presidential veto power must be exercised within one calendar week of receipt of such legislation by his office, in accordance with procedures set forth by SG Law; failure to veto legislation in a timely manner will result in default of such right, thus causing automatic adoption of the legislation.
  - (d) The President shall be required to inform the Senate in a concise and complete written document the reason(s) for the exercise of his veto.
6. The President has the responsibility to execute all powers and duties found in the SG Constitution and the SG Code of Laws.

7. The President shall be elected in the Spring semester for a term of May 1 through April 30.
8. The Chief Justice of the Supreme Court or, in his absence the Presiding Justice, shall administer the Oath of Office to the President.

Section 5: Powers and Duties of the Vice President.

1. The Vice President shall have the power to execute the powers and duties of the President of the SG in his absence.
2. The Vice President shall have the power to preside over all meetings of the Senate and to cast a vote in the Senate only to break a tie.
3. The Vice President shall perform all other duties as assigned by the SG President.
4. The Vice President shall nominate appointments to fill Senate vacancies as provided by SG Law.
5. The Vice President shall be elected in the Spring semester for a term of May 1 through April 30.
6. The SG President shall administer the Oath of Office to the Vice President.

Section 6: Powers and Duties of the Treasurer

1. The Treasurer shall be responsible to the SG for any information related to any funds generated or appropriated for SG use.
2. The Treasurer shall be responsible to the Senate for continued review of expenditures of any funds generated or appropriated for SG use.
3. The Treasurer shall keep and make available a permanent financial record of all transactions entered into, by and on behalf of the SG.
4. The Treasurer shall approve all expenditures of SG funds prior to submission to the appropriate UNO office for processing.
5. The Treasurer shall review the financial condition of the SG and submit monthly financial statements to the Senate.
6. The Treasurer shall be elected in the Spring semester for a term of May 1 through April 30.

7. The SG President shall administer the Oath of Office to the Treasurer.

Section 7: Powers and Duties of the Secretary of State:

1. The Secretary of State shall have the duty to keep and make available a permanent record of the SG Constitution, Code of Laws, financial legislative bills, Executive Orders and any other legislation.
2. The Secretary of State shall organize the function of all SG clerks.
3. The Secretary of State shall serve as the ex-officio, non-voting chair of the Election Commission.
4. The Secretary of State shall verify signatures for recall votes, signatures on all petitions, and the filing of resignation by any SG officer.
5. The Secretary of State shall be ineligible, regardless of resignation, to any elected office in the subsequent Fall semester, with the exception of a vacancy in the Office of Secretary of State and of being appointed by the SG President.
6. The Secretary of State shall be elected in the Spring semester for a term of May 1 through April 30.
7. The SG President shall administer the Oath of Office to the Secretary of State.

Section 8: Vacancy and Order of Succession

The term of office of any officer shall be terminated upon the occurrence of any condition as stated in Article 1, Section 7, Paragraph 4.

1. In the event of a Presidential vacancy, the order of succession shall be as follows: the Vice President, the President Pro Tempore of the Senate, and the Treasurer.
2. If none of the succeeding officers are available to assume the office of the President:
  - (a) At the next regular Senate meeting, a special election shall be called by the Senate to fill the unexpired term.
  - (b) This special election shall be held within five (5) weeks from the date of authorization by the Senate;

- (c) This special election shall only take place during a fall or spring semester and may not be held in the first two weeks of either semester;
  - (d) The Chief Justice of the Supreme Court, or the Presiding Justice of the Supreme Court in the absence of the Chief Justice, shall supervise this special election.
3. In the event of a vacancy in the office of the Vice President, the President Pro Tempore of the Senate shall act as Vice President until the next regular election for the office of Vice President.
  4. If the President Pro Tempore of the Senate is unavailable to assume the office of Vice President, the SG President shall appoint a Vice President with the approval of a simple majority of the Senate present and voting, until the next regular election for the office of Vice President.
  5. In the event of a vacancy in the office of the President Pro Tempore of the Senate, the Senate shall elect a new President Pro Tempore from the Senate membership at their next regular meeting by simple majority vote of those senators present and voting.
  6. In the event of a vacancy in the office of the Treasurer, the SG President shall appoint a successor, with the approval of a simple majority of the Senate present and voting, until the next regular election for the office of Treasurer.
  7. In the event of a vacancy in the office of the Secretary of State, the SG President shall appoint a successor, with the approval of a simple majority of the Senate present and voting, until the next regular election for the office of Secretary of State.

#### Section 9: Removal of Executive Officers

1. Any Executive Officer may be impeached for nonfeasance, misfeasance or malfeasance of duties related to the office held in the following manner:
  - (a) The filing of impeachment charges, in the form of a Bill of Particulars, by a majority of the Senators seated;
  - (b) A trial shall be held at the next meeting of the Senate to be presided over by the Chief Justice, or the Presiding Justice if the Chief Justice is unavailable, of the Supreme Court;
  - (c) The Senate shall maintain an open session status during its deliberation of the decision;

- (d) An affirmative vote for conviction at that trial by two-thirds (2/3) of the sworn Senators, by roll call vote in the same open session as defined in subsection c, shall remove an Executive Officer from office.
2. Any Executive Officer may be recalled by the following process:
    - (a) Submission of a petition to the Election Commission signed by fifteen percent (15%) of the electorate of the office concerned;
    - (b) Verification of the electorate signing the petition by the Election Commission within two (2) calendar weeks of reception. Nonqualified signatures shall not be counted;
    - (c) Calling of a special Recall Election by the Senate, to be held within two (2) weeks of verification of the petition;
    - (d) A simple majority of the appropriate electorate voting shall determine the outcome of the Recall.

## **Article IV: Judicial Branch**

Section 1: The Judicial powers of the SG shall be vested in the SG Supreme Court and in such inferior Courts as the Senate may ordain and establish.

Section 2: The Supreme Court shall have the original jurisdiction in all cases concerning the SG Constitution and all laws and Executive Orders issued pursuant to the SG Constitution. The Supreme Court shall have appellate jurisdiction in all cases brought before it by legally established lower courts. The Supreme Court shall have the power to issue binding decisions upon matters presented to it for resolution. The Supreme Court may offer or may be requested to issue non-binding interpretations of SG law. All interpretations are to be in written form, with a full explanation of the interpretation. Prior to rendering any decisions, orders, opinions, judgments, interpretations or rulings, the Supreme Court shall seek the nonbinding opinion of the SG advisor.

Section 3: Only regularly enrolled students, as defined by the official regulations of the University of New Orleans, may request the Supreme Court to consider a matter.

Section 4: The Supreme Court shall convene within ten (10) school days in order to consider a matter filed in the following manner:

1. Any student requesting that a matter be brought to the Supreme Court shall file the request with the Clerk of the Supreme Court.
2. The Clerk of the Supreme Court shall be available to accept such requests at least one school day per week. The date and time of this availability shall be publicly posted.

Section 5: The Supreme Court shall consist of seven (7) Justices. The appointment process and qualifications for the Justices are set forth below.

1. Each Justice must meet the student organization officer qualifications as specified in the current University of New Orleans Student Handbook; additionally, each Justice must have completed thirty (30) semester hours and maintain a 2.25 cumulative grade point average.
2. The Justices shall be nominated by the President of the SG and approved by a simple majority of the Senate present and voting.
3. The Chief Justice shall be nominated by the President of the SG from among the Justices with service of at least one (1) year on the bench. If no Justice with at least one year of service on the bench is approved by the Senate for Chief Justice, then the SG President may nominate any other Justice for Chief Justice. Either nomination shall be approved by a simple majority of the Senate present and voting.
4. In the absence of a Justice with at least one year of service on the Supreme Court, the President may nominate a Chief Justice from those Justices sitting on the Supreme Court at that time. Such nominations shall be approved by a simple majority of the Senate present and voting.
5. The Presiding Justice shall be elected by a simple majority of sworn Justices. The Presiding Justice shall assist the Chief Justice in the execution of his duties and assume said duties in the temporary absence of the Chief Justice.
6. The term of office for all Justices sitting on the Supreme Court can be no more than a total of three (3) years of accumulated service on the Court.

Section 6: Four (4) Justices shall constitute a quorum for the Supreme Court. A simple majority of Justices present shall be sufficient to render a decision.

Section 7: Should the Supreme Court have fewer than six (6) Justices sworn at any time, the Chief Justice, or the Presiding Justice in the absence of the Chief Justice, may issue an order to restrain the Legislative and Executive Branches from pursuing any business except that of nominating and approving the balance of the members of the Supreme Court. Such an order of restraint shall be automatically rescinded upon the assumption of the duties of the balance of the Justices.

Section 8: The SG President shall administer the Oath of Office to the Chief Justice; the Chief Justice shall administer the Oath of Office to all other Justices. In the

absence of a Chief Justice, the Presiding Justice shall administer Oath of Offices.

Section 9: The Supreme Court shall establish and promulgate all rules and procedures for the governance of the Supreme Court. Such rules and procedures shall be made with two-thirds (2/3) approval of the Supreme Court, publicly posted, and may be disapproved by the Senate within two (2) calendar weeks of this posting by a majority of those Senators present and voting. Should the Senate take no action on these rules and procedures within the specified time, they shall become law.

Section 10: Any Supreme Court Justice may be impeached for nonfeasance, misfeasance or malfeasance of duties related to the office held in the following manner:

1. The filing of impeachment charges, in the form of a Bill of Particulars, by a majority of the Senators seated;
2. A trial shall be held at the next regular meeting of the Senate to be presided over by the SG President;
3. The Senate shall maintain open session status during its deliberation of the decision;
4. An affirmative vote for conviction at that trial by two-thirds (2/3) of the sworn Senators, by roll call vote, shall remove a Justice from office.

### **Article V: Method of Amendment**

Section 1: All Amendments to this Constitution must be proposed by one of the following methods:

1. By a vote of two-thirds (2/3) of sworn Senators; or,
2. By a petition presented in writing to the President of the SG carrying the signatures of 10% of the membership of the SG.

Section 2: The Secretary of State shall verify the electorate signing the petition within (2) calendar weeks of reception of the proposal. Non-qualified signatures shall not be counted.

Section 3: The Senate may call a special election of the SG membership for approval or disapproval of the proposed Amendments; in the absence of a special election, the proposed Amendments shall be voted upon at the next regular election.

Section 4: Proposed Amendments shall be adopted when a simple majority of those members of the SG voting approve the proposed Amendments.

Section 5: The SG Constitution shall not be amended except during a regular semester as defined by the University of New Orleans Registrar's Office.

### **Article VI: Oath of Office**

I, \_\_\_\_\_, hereby solemnly swear that I will carry out the duties of my office to the best of my ability in accordance with the Constitution of the Student Government of the University of New Orleans.

### **Article VII: Ratification and Implementation**

Section 1: This Constitution shall take effect on May 1, 1996 upon being approved by a simple majority of students voting.

Section 2: All officers elected before May 1, 1996 will complete their term under the previous constitution.

Approved By SGA Senate – 4/1/96