

The Constitution of the Student Government Association of the University of Colorado Colorado Springs

Approved by the Senate on April 19th, 2023

Approved by the UCCS Chancellor on: Jun 15, 2023

Effective upon Chancellor Approval

Preamble

We, the students of University of Colorado Colorado Springs (UCCS), according to authority granted by the Board of Regents of the University of Colorado and the Office of the Chancellor of UCCS, in order to give the students an effective voice in the shared governance of the campus, to provide the students an enriching as well as a fulfilling university experience and to promote the general welfare of the student body, do ordain and establish this constitution of the Student Government Association. We do so in accordance with the Laws and Policies of the Regents of the University of Colorado and the Constitutions of the State of Colorado and the United States of America.

Article I Definitions

- A. **Name.** The name of this governing body shall be the “Student Government Association of the University of Colorado Colorado Springs” and henceforth referred to as “SGA.”
- B. **Electorate.** All currently enrolled students of UCCS who pay student fees are members of the Electorate.
- C. **Quorum.** A quorum shall be at least a majority of the elected and/or active members of the body.
- D. **Members.** Any student who wins an election or receives an appointment for the Student Government Association is a member of Student Government.
- E. **Students-at-Large.** A member of the Electorate who meets all the requirements to serve on SGA but is not a member of the Executive, Legislative, or Judicial Branch. Students-at-Large, appointed by the President of SGA, may serve as proxies and on SGA and/or University standing or ad hoc committees with all the rights and duties of committee membership.

Article II Declaration of Rights

- A. Students shall have the right to an accessible, open, just, competent, and equitable representative student government, and shall have free and independent access to SGA information as it pertains to matters of governance.

- B. The SGA shall not, without just cause, deny students the right to assemble, dissent, protest, or participate in SGA, nor deny the right of free speech or personal privacy.
- C. SGA members shall not discriminate in carrying out any of the functions of the SGA on the basis of race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, veteran status, political affiliation, or political philosophy in accordance with University laws and policies as well as state and federal laws.
- D. The SGA is committed to the principle of viewpoint neutrality. Accordingly, no decision related to the recognition or funding of any student group, nor any decision about access to any of the benefits afforded by the SGA or participation in any SGA endeavor, shall be made on the basis of the viewpoint of any individual or group.

Article III Legislative Branch

A. *The Senate.*

1. ***Composition/Election.*** The Senate shall be comprised of:
 - a. Twenty-one (21) elected Student Senators that shall consist of seven (7) representatives from the Colleges and Schools, seven (7) specialized Senators (Senator of Multicultural Affairs, Senator of Sustainability, Senator of Veteran & Military Affairs, Senator of the Arts, Senator of Innovation, Senator of Student Clubs, Organizations, and Greek Life, and Senator of Commuter Students), and seven (7) Senators at large.
 - b. Any student, graduate or undergraduate, whose declared major field of study resides in a specific College or School may be eligible to be elected to the position of Senator for that specific College or School. Students enrolled in pre-professional programs for the College of Nursing and College of Education may also be eligible to be elected to the position of Senator for those Colleges. To represent a College or School, a student must be enrolled at the beginning of the academic semester following elections for the entire term of office, failure to do so will result in immediate forfeiture of the respective Senate seat.
 - c. Other ex officio positions as needed, requiring two-thirds (2/3) vote by the Senate for approval. These newly created positions shall expire upon the inauguration of new officers.
 - d. The election of Student Senators shall be held in accordance with Article VIII and the SGA Student Election Policy.
2. ***Constitutional Duties and Authority.***
 - a. Represent the Electorate in all dealings directly related to SGA business or in which representation is requested.
 - b. The Senate shall adopt rules for orderly proceedings and shall not act except upon the presence of a Quorum except for roll call.
 - c. Adopt, amend and revise bylaws as well as policies and procedures necessary for the proper and efficient operation and administration of the SGA, consistent with this Constitution [and subject to approval by the UCCS Chancellor]; *provided that*, Funding Guidelines and Procedures shall be established by the Senate in

- consultation with Budget Advisory Committee. None of these documents shall supersede the provisions of this Constitution.
- d. Act as the students' final approving authority for appropriations of the Student Activity Fee Fund which has been delegated to the SGA in accordance with the policies of the Regents of the University of Colorado.
 - i. In consultation with the Budget Advisory Committee, the Senate shall annually adopt an operating budget for the SGA branches and funding requests submitted by student organizations which request funds from the UCCS Student Activity Fee Fund.
 - ii. The Senate shall have the power to require reports and inspect the budgets of any student organization or club funded in whole or in part from the Student Activity Fee Fund.
 - iii. The Senate shall review the budgets of any and all facilities funded by the Student Activity Fee Fund and shall provide feedback and recommendations on at least an annual basis. This duty shall not supersede the authority for the Chancellor or the Board of Regents.
 - e. Initiate impeachment proceedings in accordance with Article X of this Constitution.
 - f. Confirmation of nominations to fill SGA vacancies.
 - g. The Senate shall have the power to overturn Executive vetoes upon a two-thirds (2/3) affirmative vote of the entire membership of the Senate.
 - h. Hear committee chairperson reports on the activities of their respective committees.
3. **Meetings.**
- a. The Chief Justice of the Judicial Board, or their designee, shall call the first Senate meeting of the academic year to order. Before proceeding with any other business, the Senate shall elect a member of its own body to serve as Speaker of the Senate and another member to serve as Speaker Pro Tempore. The Chief Justice shall oversee and administer the election of the Speaker of the Senate. The Senate may choose such additional officers as deemed necessary by the body.
 - b. The Senate shall each hold meetings at least once per month in the fall and spring semesters.
4. **Bills, Legislative Process, and Presidential Veto.**
- a. Before taking effect, every bill that shall have passed the Senate shall be presented to the President for their assent.
 - b. If signed by the President, the bill shall be effective immediately upon signature unless the bill itself shall provide for a different date.
 - c. If the President vetoes the bill, they shall notify the Senate of such action within five (5) school days.
 - d. A veto may be overridden upon a two-thirds (2/3) affirmative vote of the entire membership of the Senate.
5. **Voting.**
- a. A vote of yea is defined as support of the question of the vote.
 - b. A vote of nay is defined as opposition to the question of the vote.
 - c. A vote of abstain is defined as having no opinion on the question.
 - i. A vote of abstention will count neither for nor against the question.
 - ii. The Senator voting in abstention will remain in the quorum.

- iii. If the vote comes to a tie, with Senators abstaining, the vote shall be considered defeated.
 - d. A vote of recusal will reduce the number of Senators in quorum by those recusing.
 - 6. **Removal from Office.** Senators may be impeached or removed in accordance with Article X of this Constitution.
- B. **Speaker of the Senate.**
 - 1. **Election.**
 - a. The Senate shall elect the Speaker of the Senate from its own body.
 - b. When the position is vacant, it shall be filled by the Speaker pro Tempore until the Senate elects a new Speaker of the Senate.
 - 2. **Duties.**
 - a. Serve as the official representative of the Senate where such representation is necessary.
 - b. Preside over regular and special meetings of the Senate following *Robert's Rules of Order* or such other model as agreed upon by a majority of the Senate.
 - c. Perform additional duties or functions assigned by this Constitution and the Bylaws.
 - 3. **Removal from Office.** The Speaker of the Senate may be removed in accordance with Article X of this Constitution.

Article IV Executive Branch

- A. **Composition.** The Executive Branch shall consist of the President, Vice President, and the Director of Finance.
- B. **Election.**
 - 1. The President and Vice President shall be elected on a single ticket at large by the Electorate.
 - 2. The Director of Finance shall be elected at large by the Electorate.
 - 3. The election of the President, Vice President, and Director of Finance shall be held in accordance with Article VIII and the Student Election Policy.
 - 4. In the event of a vacancy within the Executive Branch, unless otherwise specified, the Appointments Advisory Committee will consider candidates and make recommendations to the Senate.
- C. **Presidential Duties.**
 - 1. The President shall be the chief executive officer of the SGA and will represent the SGA at the system-wide intercampus student forum. The President, along with the Vice-President, shall represent the SGA to the Chancellor.
 - 2. The President shall approve or veto in writing any bills, which are adopted by the Senate within five (5) school days. If the President has not acted upon any legislation within five (5) school days, it shall be considered approved. Any veto may be overridden by a two-thirds (2/3) affirmative vote of the entire membership of the Senate.
 - 3. The President shall address the Senate monthly regarding the state of the campus and recommend to their consideration such measures as they shall judge necessary and expedient, and shall have the power to call special sessions of the Senate.
- D. **Vice Presidential Duties.**

1. The Vice President shall aid the President in executing the duties of the office of the President.
 2. The Vice President shall assist the President in representing the SGA to the Chancellor.
 3. The Vice President shall organize all SGA Committees at the beginning of, or prior to, each academic year.
 4. The President may delegate additional specific duties, in writing, to the Vice President.
 5. In the event of the removal or resignation of the President, the Vice President shall assume the office of President.
- E. ***Director of Finance Duties.***
1. The Director of Finance shall chair the Budget Advisory Committee; assist student organizations with budget requests, and review student organization accounts, proposals and budgets for compliance with SGA, University, state and federal guidelines.
 2. The Director of Finance shall serve as the responsible party for all SGA finances.
 3. The Director of Finance shall perform additional duties or functions assigned by this Constitution and the Bylaws.
- F. ***Removal from Office.*** The President, Vice President or Director of Finance may be impeached or removed in accordance with Article X of this Constitution.

Article V Judicial Branch

- A. The Judicial Board shall consist of seven (7) Justices nominated by the Appointment Advisory Committee and approved by the Senate.
- B. The Judicial Board may adopt bylaws or procedures as it deems necessary. Prior to May 31st and after the general elections, the Judicial Board shall elect a Chief Justice, an Associate Chief Justice, and such other officers as it deems necessary. Thereafter, the Board shall hold meetings at least once per month during the academic year. The Judicial Board shall not make any decision without the presence of a quorum.
- C. The Judicial Board shall interpret this Constitution and rule on disputes arising from decisions of the SGA in accordance with the provisions of this Constitution and subsidiary documents; except complaints of financial misconduct, criminal acts, discrimination, sexual harassment and/or any other violation of the student conduct code or other violations of University policy, which shall be forwarded to the campus administration for processing. All decisions of the Judicial Board shall be binding on the SGA.
- D. The Judicial Board shall administer all SGA regular and special elections. The Judicial Board shall establish an Elections Commission.

Article VI Executive Council

- A. The Executive Council shall be comprised of the President, Vice President, Director of Finance, the Speaker of the Senate, the Speaker pro tempore of the Senate, and the Chief Justice and Associate-Chief Justice of the Judicial Board. The President shall chair the Executive Council.

- B. The Executive Council shall advise the President in appointments, maintain oversight of the SGA as a whole, provide direction and support to all branches, and carry out any other functions necessary to aid in the administration of the SGA.
- C. The Executive Council shall meet at least once a month during the fall and spring semesters

Article VII Funding

A. *UCCS Student Activity Fee Fund.*

1. The UCCS Student Activity Fee Fund, shall be comprised of monies generated from the compulsory Student Activity Fee. Additional revenue may be generated as approved by the Chancellor in accordance with established University policy.
2. Any student organization duly registered on campus shall be eligible to receive funding from the UCCS Student Activity Fee Fund in accordance with requirements and procedures promulgated by the Chancellor and the Funding Guidelines and Procedures adopted by the Senate in consultation with the Budget Advisory Committee.
3. Student Activity Fee allocation to student clubs by the Senate in consultation with the Budget Advisory Committee shall not be subject to veto by the President.
4. The President shall have the power to veto any operating budget submitted by any student organization requesting said budget outside of the established organizational funding process by a majority of votes. Such requests are made in the form of legislation and therefore are subject to all provisions set forth herein.

B. *Budget Advisory Committee.*

1. The Budget Advisory Committee shall be chaired by the Director of Finance.
2. The Budget Advisory Committee shall, at least annually, propose to the Senate a comprehensive budget for the SGA branches and funding requests submitted by student organizations which request funds from the UCCS Student Activity Fee Fund, and shall perform such other functions as requested by the Senate for the purpose of adopting the operating budget.
3. The Budget Advisory Committee shall propose Funding Guidelines and Procedures for approval by the Senate, which shall include procedures for submission of funding requests by student clubs or organizations.
4. The Budget Advisory Committee shall ensure that all funding decisions are in accordance with viewpoint neutrality, the laws and policies of the University and all applicable federal and state guidelines and laws.

Article VIII Elections

A. *General Elections.*

1. Elections shall be held at the time and in the manner set forth in the Student Election Policy, which shall be proposed by the Election Commission of the Judicial Board and approved by the Senate. The general elections for all SGA positions shall be held annually during the

spring semester. No election may occur during the summer semester or during any break in the academic year.

2. Each member of the electorate is eligible to cast one (1) vote for each at large office, each Senator, and each question on the ballot.
3. To hold any SGA position, members must run in the general election for each term or be appointed by the Appointments Advisory Committee unless otherwise stated in the current UCCS SGA Constitution or Constitutional Bylaws.
4. Judicial Board members serve as long as they meet all criteria required to serve on UCCS SGA. Terms of office are not to exceed four years.
5. Revisions to the Elections Policy shall not take effect during any election unless they have been approved by the Senate prior to the first day of said elections.
6. No branch or body of the SGA may endorse any candidate or group of candidates for election to any SGA office.
7. Candidates may not use SGA resources to campaign for election to any SGA office unless the Elections Commission has provided such resources.

B. *Referenda.*

1. Upon approval by a two-thirds (2/3) vote of the membership of the Senate and subject to prior approval by the Chancellor, any question may be submitted to the Electorate for approval at the next general election.
2. A referendum shall consist of a single question such that a student may vote either yes or no and any initiative submitted to the student body by student petition shall have the exact wording of the petition or motion initiating the election.
3. Any question, including those concerning any new Student Activity Fee for specific purposes or change to any existing Student Activity Fee, may be submitted to the Electorate for approval at the next general election, or at a special election as set forth in the Student Election Policy, or as determined by the Judicial Board, upon petition by at least ten percent (10%) of the Electorate population during the semester the signatures are collected, and subject to prior approval by the Chancellor.

C. *Special Elections.*

1. A special election shall be held:
 - a. Within thirty (30) school days of any vacancy of both the offices of President and Vice President.
 - b. Within the same academic year upon the adoption of a proposal by the Senate.
 - c. Upon the verification of a recall petition as set forth in Article X herein.
 - d. Upon the verification of a student petition to refer a question to the student body for approval as set forth herein.
2. Special elections shall be conducted as determined by the Judicial Board or as set forth in the Student Election Policy.

**Article IX
Service in Student Government**

A. *Eligibility to Hold a SGA Office.*

1. All currently enrolled students of UCCS who pay student fees are members of the Electorate.
2. Any member of the Electorate who is registered and enrolled for three (3) or more credit hours at the University of Colorado Colorado Springs is eligible to hold elected or appointed office position of the SGA, unless, at any given time said student is on academic probation within his/her respective college or school, or is on student conduct probation or suspension, or a specialized senator fails to meet the requirements for the specialized position.
3. If any SGA member withdraws from all classes, drops below three (3) credit hours, or receives academic probation, they shall be automatically removed as a member and/or officer, as applicable, from SGA.
4. Any fee paying student who has been registered and enrolled for three (3) or more credit hours within at least one of the two previous academic semesters may be appointed to office of the SGA during the academic year, but such appointment is conditional upon said person registering and enrolling for three (3) or more credit hours during the fall and/or spring semesters immediately following the appointment.
5. No student may hold more than one elected or appointed office position of the SGA at any given time.
6. Every student elected to the SGA prior to taking their office position, shall affirm their position by signature and recitation of the following Oath of Office:
"I, [state your name] affirm that I will faithfully carry out the duties of the office of [name of office] and that I will uphold the provisions of the Constitution of the Student Government Association of the University of Colorado Colorado Springs and the Laws and Policies of the University, the State of Colorado and the United State of America."

B. Terms of Office.

1. The terms of all SGA positions established herein shall be one (1) year and shall begin on June 1st of the election year and end on May 31st of the following year, except for Judicial Board members who have four year terms as long as they meet all eligibility criteria required to serve on UCCS SGA. To renew any SGA position's term, members must run in the general election or be appointed by the Appointments Advisory Committee, unless otherwise stated in the current version of UCCS SGA Constitution or Constitutional Bylaws.
2. Any member elected to fill a vacancy under a special election as set forth herein shall serve the remainder of the regular term of such office.
3. All members appointed to any office of the SGA shall be coterminous with the regular elected term.

Article X

Removal, Impeachment, and Vacancies

A. Removal from Office.

1. Any member of the SGA shall be automatically removed from office for failing to meet and maintain current eligibility requirements as provided in Section A of Article IX of this Constitution and the Constitutional Bylaws.

B. *Removal by Impeachment.*

1. ***Officers Subject to Impeachment.*** Any member of SGA may be impeached and removed from office for failure to substantially carry out the duties of the office or for conduct in violation of this Constitution and its Bylaws.

2. ***Impeachment Proceedings.***

- a. Impeachment proceedings shall be initiated and conducted by the Senate. The Senator that intends to motion for articles of impeachment must notify the affected member(s) in writing at least forty-eight (48) hours before the Senate meeting in which the motion will be made. The Senate may adopt articles of impeachment by a simple majority vote of membership. If articles of impeachment are adopted, the Speaker of the Senate shall notify the impeached member, [the President] and the Chief Justice within four (4) school days.
- b. No earlier than five (5) school days, and no later than thirty (30) school days after notice to the member, the Senate shall hold a hearing at which the Chief Justice shall preside and the impeached member shall have the opportunity to appear and present evidence. If the impeached member is the Chief Justice, the vice-president shall preside over the hearing. The member shall be removed from office if the Senate determines, by a two-thirds (2/3) vote of its membership, that the member is guilty of failure to carry out the duties of the office or for conduct in violation of this Constitution.
- c. If the member who is the subject of the articles of impeachment is a member of the Senate, the member shall not vote in such proceedings.

- C. *Recall.*** Any member of the SGA may be removed from office by recall election upon submission to the Judicial Board of a petition by at least fifty percent (50%) of the number of voting students in the prior general election during the semester of such petition. Any recall election shall be conducted at a special election as set forth in the Elections Policy or as determined by the Judicial Board. Signatures must be collected within the same semester as the recall election.

- D. *Resignation.*** Resignation of any person who holds office in the SGA may be tendered to the respective leader of their branch. If the member is the leader of their branch, the resignation may be tendered to the respective leaders of the other two branches. Any resignation may be rescinded within five (5) school days, provided that the resignation is rescinded in writing.

E. *Vacancies.*

1. Any vacancy in the SGA shall be publicly posted for at least five (5) full school days and all qualified students shall have the opportunity to apply prior to filling such vacancy.
2. There is hereby established an Appointment Advisory Committee which shall be chaired by the Student Body President. The composition of the Appointment Advisory Committee shall be as set forth in the Constitutional Bylaws.
3. The Appointment Advisory Committee shall recommend eligible persons to the Senate to any vacancy, except as expressly set forth herein.

4. If the office of the President shall become vacant, the Vice President shall assume the office and shall appoint an eligible student to the office of Vice President, subject to confirmation by the Senate. If the office of the Vice President shall become vacant, the President shall appoint an eligible student.

**Article XI
Amendments**

- A. Amendments to this Constitution may be approved by three-fourths (3/4) vote of the membership of the Senate and approved by the Chancellor or via referendum through the Electorate.
- B. Amendments to this Constitution may be approved by referendum through the Electorate in accordance with the provisions of this Constitution, the Bylaws and SGA policies and procedures.
- C. Amendments to this Constitution may be enacted by the Electorate using the petition and initiative process detailed herein.
- D. Any amendments to this Constitution shall be in accordance with all University, State and Federal laws, regulations, policies, and guidelines.

STUDENT GOVERNMENT ASSOCIATION RATIFICATION

This document was ratified through a unanimous vote of the Senate on 04/21/2023. This document is effective upon approval of the Chancellor and replaces and supersedes any other Constitution or governing document of the SGA now or previously in effect.

CHANCELLOR APPROVAL

The Chancellor hereby approves the SGA Constitution. In doing so, the Chancellor does not intend to limit and cannot limit the Chancellor's authority to govern the University of Colorado Colorado Springs as granted by the Laws of the Regents of the University of Colorado. Any power delegated to the SGA by the Constitution remains subject to the Chancellor's ultimate review and authority.

Venkat Reddy
Venkat Reddy (Jun 15, 2023 14:26 MDT)

Chancellor Venkat Reddy

University of Colorado Colorado Springs

Jun 15, 2023

Date







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Final Audit Report

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