

# **KANSAS STATE UNIVERSITY STUDENT GOVERNING ASSOCIATION**

## **CONSTITUTION**

(Revised April 2000)

The students of Kansas State University, united in the belief that the goals of a democratic community can be furthered only by the citizenship habits, attitudes, skills and knowledge acquired through experience and that the degree of student development is likely to parallel closely the extent of responsibility which students carry for their own society, do adopt this Constitution for the Kansas State University Student Governing Association (KSU SGA).

### **ARTICLE I**

#### **PURPOSE**

101. The purpose of the KSU SGA shall be the establishment and maintenance of student government, the enactment and enforcement of the just laws and the promotion of such activities as are appropriate for the student body.
102. The KSU SGA, in pursuit of its stated purpose, shall act in accordance with the principles of equality before the law, separation of powers, proportional representation and university suffrage.
103. This Constitution shall be understood to follow the general outlines of government and to define its important organs, while leaving the operational policies and details to be evolved from the development of these organs as implements to the attainment of the greatest good for the greatest number of the student body.
104. It is recognized that the President of the University is responsible to the Board of Regents for all phases of the university administration and that the authority for student personnel policies and/or practices emanates from him/her.
105. Source of Authority. Within the sphere of student activity (as limited in Section 104 above) the KSU SGA shall derive authority from the

mandate of the student body.

### **ARTICLE II**

#### **ELECTIONS**

201. Any person enrolled in at least one credit hour of class work at the main campus of Kansas State University shall be a member of the KSU SGA and shall have full voting privileges to which each member is thereby entitled. Any person enrolled in at least one credit hour of class work at KSU-Salina College of Technology shall be entitled to vote for KSU SGA Student Body President and Student Body Vice President at any election.
202. Any member of the KSU SGA who has completed a minimum of twelve semester hours and is enrolled in a minimum of twelve semester hours with a minimum cumulative grade point average of 2.0 (or in the case of the Union Governing Board, 2.5) or who is a graduate student with a minimum cumulative grade point average of 3.0 is eligible to be a candidate for any office as described in the elections statutes. For the office of Student Senator, the member must also be enrolled in the college the member intends to represent. A student who will graduate during the spring, summer, or fall of their term in office and does not plan to enroll in graduate school at Kansas State University immediately thereafter is not eligible to be a candidate for any office above described.

### **ARTICLE III**

#### **BRANCHES**

301. The principle branches of the KSU SGA shall be the executive, legislative, and judicial.

## ARTICLE IV

### EXECUTIVE

203. Each branch shall form rules for carrying out its functions. In particular, it shall establish rules of procedure for itself which must be filed with the Senate Operations Standing Committee.
204. No person shall hold any office concurrently within the legislative, executive or judicial branches of the KSU SGA, unless specifically permitted in the KSU SGA Constitution or By-Laws.
- 402.
- A. The Student Body President and Student Body Vice President shall be elected for one year by vote of the general membership of the KSU SGA in such manner as shall be prescribed in the laws of the student body.
  2. No Student Body President shall be eligible for re-election to the position after serving two terms in office.
  3. The Student Body President and Student Body Vice President shall be required to maintain seven hours undergraduate credit or six hours graduate credit during the fall and spring semesters to be eligible to remain in office.
- 403.
1. The Student Body President and Student Body Vice President shall take office at the third meeting of Student Senate following the general election.
  2. During such period, the outgoing Student Body President shall help prepare the Student Body President-Elect for office by giving such assistance and advice as may be requested.
  3. Also during such period, the outgoing Student Body Vice President shall help prepare the Student Body Vice President-Elect for office by giving such assistance and advice as may be requested.
404. The Student Body President and Student Body Vice President shall not, during the term of office, hold any other office in the KSU SGA,
401. The executive power of the KSU SGA shall be vested in the Student Body President, assisted by the Student Body Vice President, and such administrative officers as the Student Body President shall appoint in accordance with this Article.
- except as outlined in the By-Laws to this Constitution.
405. In the case of the removal, death, resignation, inability or temporary absence of the Student Body President, succession shall be as set forth in the By-Laws to this Constitution.
406. Duties and Powers of the Student Body President.
1. Serve as Chief Executive of the KSU SGA.
  2. Represent and protect the rights and interests of the student body.
  3. Approve or veto Student Senate legislation. The power to veto shall extend to all bills and resolutions passed by Student Senate except those bills and resolutions dealing with purely internal affairs of Student Senate (approvals of appointments, resolutions of impeachment, standing rules, and resolutions expressing the opinion of only the Student Senate). Within eight days after passage, every bill or resolution requiring the approval of the Student Body President shall be signed by the Chairperson of Student Senate and presented to the Student Body President. If the Student Body President approves the bill or resolution, the President shall sign it. If the Student Body President does not approve the bill or resolution, the President shall return it, with a statement of objections, to the Chairperson of Student Senate, who shall cause the veto message to be read at the next meeting of Student Senate. Whenever a veto message is so read, the Student Senate shall

have eight days to reconsider the legislation and such action shall be deemed final. If two-thirds of the total membership of Student Senate shall vote to pass the legislation, it shall take effect, notwithstanding the Student Body President's veto. If no written veto is transmitted to the Chairperson of Student Senate within eight days after presentation to the Student Body President, the legislation shall take effect as if the President had approved it.

4. Call and preside over meetings of the student body.
5. Call special meetings of Student Senate with at least 24-hour notice.
6. Serve on Faculty Senate and on the Faculty Senate Committee on University Planning with voting rights.
7. Request the written interpretation of Student Tribunal on any provision of this Constitution, charter, law of the student body or Student Senate act.
8. Examine the records of the Secretary of Student Senate, any administrative office of the KSU SGA and any committee at any time.
9. Appoint, with the approval of Student Senate, Cabinet members (as specified in Section 408) who shall be responsible to him/her for execution of their duties and
2. Shall serve as the official representative of the student body in the absence or inability of the Student Body President.
3. Shall serve as chair of the Educational Opportunity Fund Committee (unless otherwise stated by the Student Body President).
4. Shall oversee and coordinate special projects and programs of the Student Governing Association, as assigned by the Student Body President.
5. Shall make at-large appointments to all university committees in consultation with the Student Body President.
6. Shall assist Student Body President in appointing Cabinet members.
7. Shall serve as liaison between the Vice President of

subject to removal from office by him/her.

10. Take care that all provisions of this Constitution and the laws of the Student Senate faithfully executed.
  11. Delegate authority to Cabinet members, but accept all responsibilities for the executive branch of the KSU SGA.
  12. Shall coordinate the Executive Lobby Team.
407. Duties of the Student Body Vice President shall include but are not limited to the following:
1. Shall serve as Chief Executive of KSU SGA in the absence of the Student Body President.
    1. If the Student Body President resigns, is permanently unable to discharge their duties or removed from office, the Student Body Vice President shall succeed to the office of Student Body President.
    2. In the event of the temporary absence or inability of the Student Body President to perform duties, the Vice President shall exercise the powers and duties of the Student Body President.  
Institutional Advancement and SGA.
408. Student Body President's Cabinet and Appointments.
1. The Cabinet shall consist of the College of Technology Student Body President (or designee) and such appointed officers as provided in the By-Laws. Appointed members of the Cabinet shall be appointed by the Student Body President and shall be subject to the approval of Student Senate. Appointed members of the Cabinet shall be subject to removal from office by the Student Body President.
  2. Any Cabinet member shall have the right to be recognized on the floor of Student Senate and debate, but not to vote. Cabinet members shall answer questions in Student Senate

concerning their respective offices and shall give members of Student Senate free access to their files upon request, with the exception of judicial files. No Cabinet member shall be a member of Student Senate.

3. The Student Body President may also appoint and remove other staff members of the Executive Branch determined necessary and proper for the general operation of the KSU SGA.
4. The Student Body President's Cabinet shall serve in an advisory capacity to the Student Body President and assist the Student Body President in the general operation of the KSU SGA.

409. No member of the executive Branch shall concurrently hold offices within two or more branches of the KSU SGA, unless specifically permitted in the KSU SGA Constitution or By-Laws.

## **ARTICLE V**

### **LEGISLATIVE**

501. All legislative powers of the KSU SGA shall be vested in the legislative body, to be known as the Student Senate.

502.

1. All meetings of Student Senate, Student Senate committees (standing or special), and college councils shall be open. The only exception shall be when a successful motion has been adopted to proceed into executive session.
2. The chairperson of the given body shall be responsible for maintaining an orderly meeting.

503. Membership of Student Senate.

- A. There shall be sixty elected members of Student Senate.

There shall be at least one elected Student Senator from each college or school. Apportionment of elected seats shall be made before each general election, based on the student head count in each main campus college or school on the twentieth academic day of the spring semester.

1. Two faculty members shall be appointed by Faculty Senate and one appointed by the Vice President for Institutional Advancement.
2. In the event a Student Senator is elected to the position of Chair of Student Senate, the newly elected Student Senate Chair's Student Senate seat shall be declared vacant. In the event a Student Senator initiates a transfer from the main campus college or school the Student Senator represents, the Student Senator's Student Senate seat shall be declared vacant, except if the transfer is initiated less than 28 days before the general election.
3. A Student Senator is duly elected for a term of one year from the main campus student body, as set forth in the By-Laws to this Constitution.
4. Newly elected Student Senators shall officially take office three regular meetings following the general election.

504. Powers and Rights of Student Senators.

1. A Student Senator may introduce to Student Senate any motion, bill, amendment, act or question he/she so desires. He/she may debate, vote for or against or abstain from voting on any issue brought before Student Senate.
2. A Student Senator shall be granted access to files and records of any KSU SGA committee, administrative officer or Cabinet member, except those of the Attorney General.
3. Faculty members of Student Senate shall hold the same voting rights and responsibilities as Student Senators.
  1. Faculty members will use personal discretion as whether to serve on the Student Senate standing

committee of their choice.

2. If a faculty member chooses to serve on a Student Senate standing committee, they shall serve with voting rights.
  4. A Student Senator shall not be punished outside of Student Senate for any speech or debate he/she makes in Student Senate.
  5. A Student Senator shall inform the Chairperson of Student Senate of any anticipated absence from a Student Senate meeting 24 hours prior to the meeting, unless an emergency situation arises. In the case of an emergency the Chairperson should be notified as soon as the Student Senator discovers he or she will be absent from the Senate meeting. The Chairperson of Student Senate will then determine if the absence is excused.
  6. A Student Senator may appoint another Student Senator as a proxy voter for a meeting providing that the absence has been excused by the Chairperson of Student Senate. A Student Senator may carry only one proxy.
505. The following shall be Officers of Student Senate.
1. Chairperson of Student Senate, who shall be elected by Student Senate by a majority vote.
  2. SGA Treasurer/Allocations Chair, who shall be selected in the manner provided in the By-Laws to this Constitution.
  3. Vice Chairperson of Student Senate, who shall be elected by Student Senate by majority vote.
  4. Secretary of Student Senate, who shall be appointed by the Chairperson of Student Senate and shall be subject to removal from office by him/her. The appointment shall be subject to the approval of Student Senate.
  5. Parliamentarian, who shall be appointed by the Chairperson of Student Senate, and shall be subject to removal from office by him/her. The appointment shall be subject to the approval
- of Student Senate. The Parliamentarian shall not hold any elected office in the Legislative Branch, except as outlined in the By-Laws to this Constitution.
6. Standing committee chairpersons.
  7. Faculty Senate Representative shall be elected by Student Senate by majority vote.
  8. Such officers as Student Senate may deem necessary for the proper functioning of Student Senate.
506. The Chair of Student Senate shall have the following duties and powers:
1. Chair Student Senate meetings.
  2. Call all Student Senate meetings, except as limited in Section 406.E.
  3. Vote in Student Senate meetings only in the event of a tie.
  4. Appoint and remove chairpersons of Student Senate standing committees and legislatively-chartered committees. The appointments shall be subject to the approval of Student Senate.
  5. Appoint and remove Student Senators on Student Senate committees.
  6. Appoint and remove Student Senators on University committees. The appointments shall be subject to the approval of Student Senate.
  7. The succession to the office of Chair of Student Senate in case of removal, death, resignation, inability, temporary absence or permanent inability to serve shall be set forth in the By-Laws to this Constitution.
  8. Chair Executive Committee meetings.
  9. Supervise the Student Senate Secretary.
  10. Supervise the Student Senate Parliamentarian.
  11. Supervise the Intern Coordinator and related activities.
  12. Verify and sign all passed legislation and present such legislation to the Student Body President within eight days of

the legislation's passage.

13. Represent Student Senate on other committees as appointed.
14. Serve on University Committees when asked to represent Student Senate.
15. Inform the Senate Operations Committee when Senators and Interns are in violation of the attendance requirement.

507. Duties and Powers of the SGA Treasurer/Allocations Chair.

1. Preside over the Allocations Standing Committee.
2. Facilitate the allocation of the student activity fee.
3. Serve as liaison for the Allocations Standing Committee to Student Senate, groups requesting funds, the student body and the university administration.
4. Review all budgetary transactions of the student activity fee.
1. Serve on Faculty Senate and on the Faculty Senate Committee on Academic Affairs with voting rights.
2. Serve as the primary liaison for Faculty Senate to Student Senate.

510. Duties and Powers of Student Senate.

1. Designate the time, place and manner of holding the election of Student Senators, the Student Body President and the Board of Student Publications. To provide for the transition from one election date to another, the next general election shall be held on the old date, and the terms of the officers elected may be shortened or lengthened to extend to the time designated for the first election under the new date. However, the term of the current Student Body President and those judicial boards appointed by the Student Body President may be extended to the time designated for the first election under the new date.
2. Enact, by majority vote, laws of the student body necessary to the well-being of the student community. Laws providing for creation or change of all student fees under Student

508. Duties and Powers of the Vice Chair of Student Senate.

1. Serve as Chair of Student Senate in the absence or at the request of the Chair.
2. Oversee all long term Senate committee work and projects.
3. Coordinate training programs for committee chair and the Senate.
4. Serve as a liaison between the Student Body President's Cabinet and the Student Senate.
5. Attend Cabinet meetings.
6. Assist in the coordination of committee appointments.

509. Duties and Power of Faculty Senate Representative.

- Senate jurisdiction will require two-thirds majority vote of the total of Student Senate selected and qualified.
3. Pass enabling legislation for the establishment or increase of any fee for which the purpose is to finance the construction of or renovation of a building or facility at KSU only after the fee has been ratified by a binding student referendum as provided for in Article XI.
  4. Approve or disapprove appointments made by the Student Body President, appointments to KSU SGA committee chairpersonships, and appointments of Student Senators to fill vacancies in Student Senate.
  5. Overrule a veto of the Student Body President by a two-thirds majority vote of the total membership of Student Senate.
  6. Charter the councils of each college and school.
  7. Charter committees of Student Senate and grant, revoke or amend the charters of these committees.
  8. Define and establish the Student Conduct Code of the KSU SGA.
  9. Undertake all reasonable investigations and/or hearings

necessary and proper in pursuance of its powers as enumerated in this section.

Student Life or designee to solely impose sanctions in certain circumstances.

511. No member of the Legislative Branch shall concurrently hold offices within two or more branches of the KSU SGA, unless specifically permitted within the KSU SGA Constitution or By-Laws.

3. The Dean of Student Life, by the authority of the University President, assigns the operation of the judicial program to the Student Governing Association (SGA) and its authority shall be vested in the SGA judicial branch, composed of the following boards:

## **ARTICLE VI**

### **JUDICIAL**

#### 601. Judicial Authority

1. The University President has authority over the operation of the campus judicial program. This authority is delegated to the Dean of Student Life or his/her designee.
2. The Dean of Student Life or designee shall assist the Judicial Advisor in advising and supporting the operation of the campus judicial program, and in some cases, may determine if there has been a violation of the Conduct Code and impose sanctions.
  1. The Dean of Student Life or designee may serve as the sole member, or one of the members, of an administrative judicial board.
  2. The University President may authorize the Dean of
5. The SGA Attorney General shall be appointed by the Student Body President. The appointment shall be subject to the approval of Student Senate. Unless otherwise provided, the SGA Attorney General, in consultation with the Student Body President, shall appoint members to judicial boards. The Attorney General, in consultation with the Dean of Student Life or designee, shall determine which judicial board shall be authorized to hear each case.

1. Judicial Council.
2. Student Review Board.
3. Housing and Dining Services Judicial Boards.
4. Student Tribunal.
5. Parking Citation Appeals Board.
6. Ad hoc boards.

4. This judicial power shall include the disposition of:

1. Non-academic university disciplinary complaints against students.
2. Violations of the KSU SGA Constitution, Conduct Code, Residence Life Policies and Housing and Dining Services Contracts.
3. Interferences with students' rights and freedoms.
4. Appeals of KSU Police Department parking citations.

Members of boards or committees listed in Section 601.C. shall serve one-year terms and membership shall be as described below.

#### 602. Composition of Judicial Boards

1. The Attorney General's term shall begin the day following the last day of school in the spring semester and conclude on the last day of class during second semester the following year. If the Attorney General resigns, is permanently unable to discharge their duties or removed from office, the Chancellor of Student Tribunal shall succeed to the office of Attorney

General to perform their duties. The Chancellor of Student Tribunal shall exercise the powers and duties of the Attorney General.

2. Judicial Council shall be composed of the Dean of Student Life or designee, the SGA Attorney General who serves as Chair, and five students as follows:
  1. One student appointed by the President of KSU Association of Residence Halls.
  2. One student from a fraternity or sorority appointed by the Presidents of Interfraternity/Panhellenic Councils and Black Panhellenic Council.
  3. One student unaffiliated with an organized living group appointed by the Student Body President.
  4. One Student Senator appointed jointly by the Chair of Student Senate and the Chair of Senate Operations Standing Committee.
  5. One student-at-large appointed by the Student Body President.
3. Student Tribunal shall be composed of two faculty members appointed by Faculty Senate and five students appointed by the Student Body President in consultation with the Attorney General, as follows:
  1. One off-campus student unaffiliated with an organized living group.
  2. One student from a fraternity or sorority which is a member of the Interfraternity Council, Panhellenic Council or Black Panhellenic Council.
  3. One student from the KSU Association of Residence Halls (KSUARH).
  4. Two students-at-large, one being designated as Chancellor.

4. The Housing and Dining Services Judicial Boards.

1. The Housing and Dining Services Judicial Boards shall consist of:
  1. Chief Justices selected among students in good academic standing living in the residence halls or Jardine by a process outlined in constitutions from Jardine and each residence hall or Strong Complex specified in the By-Laws.
  2. Associate Justices from each hall, Strong Complex or Jardine who are selected from students in good academic standing living within the residence halls or Jardine according to the Jardine and Hall Constitutions.
  3. A hearing panel shall be assembled by the Housing and Dining Services Judicial Boards, and consist of:
    1. A Chief Justice and a minimum of four and a maximum of six Associate Justices. The majority of the board members present for a hearing must come from the hall, or Strong complex, in which the complaint originated. Exceptions must be approved by the Attorney General before the hearing begins.
    2. A Residence Life Coordinator or Assistant Residence Life Coordinator, or designee, as Advisor to the panel.
    3. Other advisors as deemed necessary by the Advisor in consultation with the Chief Justice.
5. Student Review Board shall be composed of one faculty member selected by Faculty Senate and five students

appointed by the Student Body President, one being designated as Chair, as follows:

1. One off-campus student unaffiliated with an organized living group.
  2. One student from a fraternity or sorority which is a
6. Parking Citation Appeals Board shall be composed of eleven members, six being students, three being faculty, two being classified staff. The chair of the board shall be a joint appointment made by the Attorney General, the Student Body President, and the Vice President of Administration and Finance. The chair can be any member of the board. Terms for all members shall begin the Friday before spring finals week and conclude the Thursday before spring finals week of the following year. The six student members shall be appointed from the following groups.
1. One off-campus student unaffiliated with an organized living group.
  2. One student from a fraternity or sorority which is a member of the Interfraternity Council/Panhellenic Council.
  3. One student from the KSU Association of Residence Halls (KSUARH).
  4. Three at-large members.
  5. Two being classified staff members.
7. Membership of all judicial boards, shall be subject to the approval of Student Senate, with the exception of Housing and Dining Services Judicial Boards who shall be subject to the approval of Judicial Council.
8. During periods when judicial board members are unavailable or as the need arises, the Dean of Student Life, or designee, after consultation with the SGA Attorney General, or designee, may appoint an ad hoc judicial board. Such ad hoc

member of the Interfraternity Council, Panhellenic Council or Black Panhellenic Council.

3. One student from the KSU Association of Residence Halls (KSUARH).
4. Two students-at-large.

boards shall be composed of two students and one faculty-staff member, preferably with prior judicial experience.

9. No member of the boards described in this section may serve on more than one such board at any given time. A person may not sit in judgment on a case which that person has previously heard as a member of another board.
  10. The Dean of Student Life or designee, and the Judicial Advisor in consultation with the SGA Attorney General shall develop policies for the administration of the judicial program and procedural rules for the conduct of hearings. Such policies are subject to the approval of Student Senate and must be consistent with provision of the Conduct Code.
603. Final decisions of any judicial board may be appealed in accordance with Article VI, Section 9 of the SGA By-Laws.
604. That no member of the Judicial Branch whose appointment is subject to the approval of Student Senate shall concurrently hold offices within two or more branches of the KSU SGA, unless specifically permitted in the KSU SGA Constitution or By-Laws.

## **ARTICLE VII**

### **COLLEGE AND SCHOOL COUNCILS**

701. Legislative and executive powers not reserved by this Constitution for Student Senate and the Student Body President shall be vested in the college and school councils.
702. Any student enrolled in any college or school, meeting the

specifications outlined in Sections 201 and 202, shall be eligible to be a candidate for election or appointment to any office in his/her respective college or school.

703. Members of each college and school shall elect, in accordance with its charter, a body to act as council.
704. Duties and powers of the main campus college and school councils shall include selecting replacement members to Student Senate, as defined in the By-Laws to this Constitution.
705. The charters of the college and school councils may be amended by the college or school councils, in accordance with their charters. Ratification shall be by majority approval of the total membership of Student Senate.
802. The oath of office may be administered by any one of the following officers: The incumbent Chancellor or a member of Student Tribunal (in all cases), the Student Body President, or Student Body Vice President (in the case of the Executive Branch), the Chairperson of Student Senate or Vice Chairperson of Student Senate (in the case of the Legislative Branch), the Attorney General (in the case of the Judicial Branch), or any person authorized by law to administer oaths.
803. At the third meeting of Student Senate following the general election, the oath shall be administered to the Student Senators, then to the Student Body President and Student Body Vice President, and then the Chairperson of Student Senate and the Vice Chairperson of Student Senate.

## **ARTICLE IX**

### **BY-LAWS REVISIONS**

901. Student Senate shall revise the By-Laws to be published with this Constitution in the student handbook and altered and interpreted as

## **ARTICLE VIII**

### **OATH OF OFFICE**

801. The Student Body President, Student Body Vice President, Chairperson of Student Senate, Vice Chairperson of Student Senate, Student Senators, SGA officers elected, appointed or approved by the Student Senate (including Cabinet members), Attorney General, and Chancellor and members of Student Tribunal shall take the following oath of office before taking office:

**AI** do solemnly swear [affirm]/that I will faithfully execute/the office of [name of office]/and will, to the best of my ability,/preserve, protect and defend/the Constitution of the Kansas State University Student Governing Association.@

time and generation may require. Such revisions shall be constituted by a two-thirds majority vote of the total Student Senate selected and qualified. An official copy of the KSU SGA Constitution and By-Laws to the Constitution shall be kept on file in the KSU Office of Student Activities and Services and submitted to the editor of the student handbook by the Student Body President.

## **ARTICLE X**

### **CONSTITUTIONAL REVISIONS**

1001. Any member of Student Senate may propose an amendment to this Constitution, which must be approved by three-fourths majority vote of the total Student Senate selected and qualified. The Student Senate shall designate one of the following methods of ratification of the proposed amendment:
1. Ratification by six of the nine college councils; or

2. Ratification by election in which at least one-third of the student body shall vote and two-thirds of those voting shall concur.

## **ARTICLE XI**

### **INITIATIVE, REFERENDUM, AND PLEBISCITE**

1101. Initiative. The members of the KSU SGA shall have the power to propose legislation and directly to enact or reject such legislation at the polls. This power shall be known as the initiative.
1102. Initiative Procedure. An initiative petition shall contain the full text of the measure proposed and, to be valid, shall be signed by five percent of the KSU SGA members. Upon the presentation of such a petition to the Senate, the Senate may enact the proposed legislation within two weeks or place the question of the adoption of the measure on the ballot at a special election held within four weeks or at the next regular election. Regulations may be enacted in the By-Laws to this Constitution to govern the collection and validation of signatures on the initiative petition.
1103. Referendum. The Senate, by majority vote, may refer a measure to the members of the KSU SGA to approve or reject. This process shall be known as the referendum.
1104. Referendum Procedure. The legislation calling for a referendum shall include the full text of the proposed measure and shall provide that the question of the adoption of the measure be placed on the ballot of a special election held within four weeks or at the next regular election.
1105. Passage of legislation by the Initiative and Referendum. Each
  1. The right to petition for changes in curriculum or faculty.
  2. The right to a fundamentally fair process, including a fair hearing, in all disciplinary matters and to be judged in part or entirely by students, with right of appeal.

measure shall be submitted on the ballot by a title which shall be descriptive but not argumentative or prejudicial. The full text of each measure submitted on the ballot shall be available at each polling place. The veto power of the Student Body President shall not extend to measures initiated by, or referred to, the voters. Any measure submitted to the voters shall become effective when approved by sixty percent of the votes cast thereon.

1106. Restrictions on Initiative and Referendum. No measure adopted by the voters under the initiative or referendum provisions above may be repealed or amended within a period of one year unless by a three-fourths vote of all the members of the Student Senate. No measure rejected by the votes under the initiative or referendum provisions above may be passed by the Student Senate within a period of one year unless by a three-fourths vote of all the members of the Student Senate.
1107. Plebiscite. The Student Senate may place on the ballot, at a special or regular election, a question upon which the members of the KSU SGA may express their opinion of approval, disapproval, or preference. Such a question shall be known as a plebiscite. The outcome of a plebiscite shall be considered the official expression of student opinion on the issue.

## **ARTICLE XII**

### **STUDENT RIGHTS**

1201. The following rights are guaranteed to students:
  1. The right of those employed by the university to join or form unions and enter into collective bargaining.
  3. The right to free and timely access to statements of policy which affect students; the university therefore, should publish policies affecting students.
  4. The right to freedom from unreasonable and unauthorized

search, seizure and detention.

5. The right to be tried and/or punished no more than once for the same offense, except in cases of violations of university rules.
6. The right to exercise full rights as a citizen in forming and participating in campus, local, national or international organizations for intellectual, religious, social, political, economic or cultural purposes and to publish and/or disseminate individual views and those of organizations on or off-campus.
7. The right to conduct research freely and to publish, discuss and exchange any findings or recommendations, whether individually or in association with local, national or international groups.
8. The right to organize and join organizations in their common interests.
9. The right of any organization to enjoy registration in all cases, provided they comply with the regulations for registration as stipulated by Student Senate.
10. The right of registered organizations to participate freely in off-campus activities, subject only to procedural regulations.
11. The right of students and registered organizations to use campus facilities subject to such regulations as are required for scheduling meeting times and places.
12. The right of students and registered organizations to invite and hear speakers of their choice on subjects of their choice.
13. The right to establish, print and disseminate publications free of any censorship or other pressures designed to control editorial policy, with the selection and removal of editorial staffs reserved solely to the organizations sponsoring those publications. (In cases, however, where a publication enjoys a monopoly of university facilities and finances, the registering authority may properly insist on adequate safeguards in the constitution of the publication to insure that the requirements for membership be limited to interest, activity and journalistic ability. The staff of the publication shall administer those

safeguards, but in any case where a person considers he/she has been unjustly removed from or unjustly prevented from joining the staff, such person may present a complaint to their board of local jurisdiction.)

1202. The enumeration of certain rights herein shall not be construed as to nullify or limit any other rights possessed by students.

### **ARTICLE XIII**

#### **REMOVAL FROM OFFICE**

1301. Student Senate, by resolution adopted by majority vote of the total membership of Student Senate selected and qualified, may impeach the Student Body President, the Student Body Vice President, any Cabinet officer, the Student Senate Chair, the Student Senate Vice Chair, the Student Senate Intern Coordinator, the Student Senate Faculty Senate Representative, any Student Senate Committee Chair, any Student Senator, any Student Senate Intern, the Attorney General, and any member of the Judicial Branch whose appointment is subject to the approval of Student Senate.
1302. An impeachment by Student Senate shall be on the grounds of the following:
  1. Misfeasance: The illegal or improper performance of a legal and proper act or duty.
  2. Malfeasance: Misconduct or wrongful act, especially by an elected or appointed official. This includes any violations of the Student Code of Conduct and other laws as defined in the KSU SGA Constitution or By-Laws.
  3. Nonfeasance: Failure to perform an act that is either an official duty or a legal requirement.
1303. Within one week of the discovery of the conviction and sentencing of any officer as specified in Section 1301 during their term of office, for

a felony or classed misdemeanor, the Student Senate Chair shall bring a resolution of impeachment of that officer before the Student Senate.

1304. Upon impeachment by Student Senate, the Student Tribunal shall try the charges of impeachment. This trial will take place within five class days of the passage of a resolution of impeachment by Student Senate.
1305. Upon conviction by a two-thirds vote of Student Tribunal, the officer is immediately removed from office and may no longer hold any office within the Kansas State University Student Governing Association for a period of one year.