

UK Student Government Constitution

PREAMBLE

Pursuant to University of Kentucky Governing Regulations, Part XI, Section A, et. seq. as amended 3/13/07, the University of Kentucky Student Government Association is hereinafter `recognized as the official student government by the Board of Trustees, the University Administration, and the University Senate.

Section 1. Purpose

This constitution creates the University of Kentucky Student Government Association whose purpose shall be to increase student influence over academic policy; to provide necessary student services; to protect and expand student substantive and procedural rights; and to better represent the student body in relations with the faculty, administration, Board of Trustees, and the Commonwealth of Kentucky. The Student Government Association represents all undergraduate, graduate, and professional students enrolled at the University of Kentucky.

Section 2. Supremacy

This Constitution shall be the supreme law of the Student Government Association and all policies, pronouncements, rulings and enactment of the Association shall be subordinate to it, subject to the U.S. Constitution, the Kentucky State Constitution, federal, state and local laws.

Section 3. Members

All students enrolled at the University of Kentucky - Lexington Campus, and the Medical Center Campus shall be members of the Student Government Association of the University of Kentucky.

ARTICLE I. LEGISLATIVE BRANCH

This Constitution creates a Student Senate, which shall be the legislative authority exercise the legislative power of the Student Government Association.

Section 1. Powers and Duties

- A. The Student Senate shall have the power and responsibility to:
 1. Approve the Student Government Association budget.
 2. Appropriate funds.
 3. Enact Student Government Association policy.
 4. Approve the nominations of all appointed Executive Officers, Election Board members, and Supreme Court Justices.
 5. Internally elect the following officers:
 - a. Chairperson of the Senate: This shall be a Senator, nominated within and elected by the Student Senate, who shall preside at all meetings. The Senate Chairperson shall expressly retain his voting privileges at all meetings.
 - b. Senate Coordinator: This shall be a Senator, nominated within and elected by the Student Senate, who shall insure the actions of all Senate committees on referred legislation, review the academic status of all elected Student government Officials and schedule and inform Senators of all Senate Meetings.
 6. Internally elect the Interim Senate
 7. Execute all other powers or responsibilities delegated or assigned to the body by this Constitution or by any University authority.
 8. Exercise all powers necessary and proper for carrying into execution the foregoing powers.
- B. The Student Senate may, by a two-thirds majority, adopt or amend internal legislative procedures, in the form of Senate Procedural Bylaws, consistent with this Constitution, at a meeting of the Senate where quorum is present. Such action is not subject to veto. Newly adopted or amended Bylaws shall be effective immediately upon passage.

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- C. The Student Senate may override a presidential veto of legislation by a two-thirds (2/3) vote at the next Senate meeting where quorum is present following the date the veto takes effect.
- D. The parliamentary authority governing the conduct of business on the floor of the Senate shall be the most recent edition of Robert's Rules of Order, except where it conflicts with this Constitution or Senate Procedural Bylaws.
- E. Any enactment or exercise of power which conflicts with this Constitution and or which introduces conflict into any of these Articles, shall be considered void.

Section 3. Membership

- A. The Student Senate shall be comprised of Senators At-large, College Senators, and Freshman Senators.
 - 1. The number of Senators At-large shall be set at twenty (20). Fifteen (15) of these positions shall be undergraduate students and five (5) shall be graduate students.
 - 2. The number of College Senators shall be based on UK enrollment for each College. College shall be determined by the UK Board of Trustees. There shall be one (1) College Senator for every two thousand (2,000) students enrolled in that specific College. Each College is guaranteed at least one (1) Senator.
 - 3. The number of Freshman Senators shall be set at four(4).
- B. In order to serve as Senator At-large, a student must be enrolled at the University of Kentucky-Lexington Campus, or the Medical Center for one semester prior to and during the time of office. They must have a cumulative grade point average of 2.5 since enrolling at the University of Kentucky and must not be on University imposed academic probation.
- C. In order to serve as a College Senator, a student must be enrolled in that college and have a cumulative grade point average of 2.5 since enrolling at the University of Kentucky and must not be on University imposed academic probation. These Senators also serve as student members of the University Senate and are subject to the Rules of the University Senate.
- D. The aforementioned GPA requirement may be suspended following an appeal made by the affected senator and approved by a simple majority of the Senate Executive Committee. In the case of a tie, the Vice President shall cast the tie-breaking vote.
 - 1. In the case that a member of the Senate Executive Committee is the appealing party, the Vice President shall appoint a replacement senator to vote in their place.
- E. In order to serve as a Freshman Senator, a student must be a Freshman at the University of Kentucky in credit hours at the time of his/her election. Any college credit earned during high school enrollment shall not be considered.
- F. The Senate Coordinator, shall request a review of the academic status of all elected Student Government officials before the first Senate meeting of each semester. In the event that any member does not meet the academic requirements specified in this Constitution, his or her position shall immediately be declared vacant.
- G. In order to serve as a Student Government Association Senator at the University of Kentucky, one must be a full-time or part-time student.

Section 4. Term of Office

- A. All Senators shall serve from the day they are sworn into office by the Chief Justice of the Student Government Association Supreme Court or his designee Associate Justice until the swearing in of the next Senate. The term of any Senator who resigns or who is removed by procedures established within this Constitution shall end immediately.

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- B. Should a vacancy occur within the Student Senate, the runner-up in the preceding election for that position shall assume the powers, duties, and office of Student Senator for the remainder of that term, provided that he meets the qualifications of a Senator established in this Constitution. If no such person exists, or if the runner-up refuses to fill in the vacancy, the Chairperson of the Senate appoints the new Senator, subject to approval by a majority vote of the remaining Senate.

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Section 5. Senate Accountability

- A. A Senator may be removed from office by a two-thirds vote of Senators present at two consecutive meetings of the Student Senate. Such votes are not subject to veto.
- B. The Chairperson of the Senate and Senate Coordinator may be removed from their position by motion for removal followed a majority vote of the Senators at a regularly scheduled Senate Meeting. An affirmative vote will not affect his status as a Senator. The motion will not be valid unless preceded by a seven-day notice to the Senate.
- C. A Senator may also be removed for failure to follow the attendance policy set forth in this Constitution.
- D. The Student Senate shall, by the second meeting of the full Senate of the fall semester, pass an Act to this Constitution that will serve as contract with the StudentBody:
 - 1. This Act shall have specific guidelines that outline expectations and commitments that Senators will fulfill during their term as Senators.
 - 2. These guidelines shall be considered terms in a contract, binding Student Senators to fulfill said duties in the duration of their time in office, or during a period of time set by the Act.
 - 3. The Act may include guidelines that are specific only to Senators At Large, as well as College Senators.
 - 4. The guidelines set by the Act shall be enforced by the Senate Executive Committee. The Senate Executive Committee shall have the authority to remove Student Senators from office for failure to adhere to said guidelines.
 - 5. Senators removed from the Senate after being found in violation of this Act may appeal to the Supreme Court within thirty days of being notified of their dismissal by the Senate Executive Committee.
 - 6. A copy of the Act must be distributed to all Student Senators and signed.

Section 6. Standing Committees

- A. There shall be four standing committees of the Senate: The Executive Committee; the Committee on Appropriations and Revenue; the Committee on Operations and Evaluation; and the Committee on Academic and Student Affairs.
- B. The Executive Committee: The Executive Committee shall consist of the Vice-President, who shall serve as a non-voting chairperson; the Chairperson of the Senate; the Academics and Student Affairs Committee chairperson; the Appropriations and Revenue chairperson; the Operations and Evaluation chairperson; the Senate Coordinator, who shall serve as secretary; and one Member at-Large. It will:
 - 1. Review legislation for proper form and sponsorship.
 - 2. Meet before each committee meeting, or as needed, to assign all bills to standing committees.
 - 3. Have power to grant emergency status to bills.
 - 4. Be responsible for assigning all other committee memberships, subject to the consent of the Senate, and shall appoint all special committees as needed.
 - 5. Rule on excuses for absences at senate meetings, committee meetings, senator office hours and accountability.
 - 6. Be responsible for approving Senate Legislative Assistants.
 - 7. Oversee the general operation of the Senate.
- C. The Committee on Appropriations and Revenue: The Committee on Appropriations and Revenue shall consider matters pertaining to:
 - 1. The budget of the Student Government Association.
 - 2. Allocations of money.
 - 3. Programs which will incur an expense or provide a profit.
 - 4. Contracts.

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5. Credit relationships and accounts of the Student Government Association.
- D. The Committee on Operations and Evaluations: The Committee on Operations and Evaluations shall consider matters pertaining to:
 1. The structure and operation of the Student Senate.
 2. The relationship between the branches of the Student Government Association including the approval of executive appointments and referral of these to the full Senate.
 3. Constitutional and Senate Procedural Bylaw Amendments.
 4. Oversight of action following the passage of legislation.
 5. Evaluation of programs undertaken by the Student Government Association.
 6. Retention of the evaluations for future reference.
- E. The Committee on Academic and Student Affairs: The Committee on Academic and Student Affairs shall consider matters pertaining to:
 1. The allocation of fall and spring Childcare Grants.
 2. The planning and execution of the fall and spring student forums.
 3. The drafting of resolutions pertaining to academic and student affairs.
 4. Matters pertaining to academic and student affairs.

Section 7. Enactment of Bills

- A. Any bill passed by the Senate pursuant to the Constitution and Senate Procedural Bylaws shall be delivered to the Student Government Association President.
 1. The bill shall be enacted into law upon his signature as attested to by the Senate Coordinator. The President may veto the bill by returning a written veto to the Senate within seven days of the passage of the bill.
 2. The Student Senate may override the veto at the next regularly scheduled Senate meeting by a two-thirds majority of those present and voting. If the veto is overridden, the bill shall immediately be enacted into law.
 3. Should the President fail to sign or veto the bill within five class days of its delivery, the bill shall be immediately enacted into law.

Section 8. Enactment of Resolutions

The Senate shall have the power to pass non-binding resolutions, which are an expression of opinion, support, wish or request of the Senate that have no force of authority.

Section 9. Interim Senate

- A. At the last regularly scheduled Senate meetings of the fall and spring semesters, the Senate shall internally elect an Interim Senate of five members.
- B. This body shall have the power and responsibility during the periods of time between the spring and fall semester to:
 1. Tentatively approve the Student Association budget;
 2. Allocate funds for interim activities;
 3. Decide policy for the interim;
 4. Approve the nominations of all appointed Executive Officers, Election Board members and Supreme Court Justices.
 5. This body shall, during the interim, exercise all powers necessary and proper for carrying into execution the foregoing powers.
- C. The Interim Senate shall not have the power to amend the Constitution or Senate Procedural Bylaws. Any legislation passed by the Interim Senate is effective only as long as the Interim Senate is in session.

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- D. Quorum of the Interim Senate shall consist of three of the five elected Senators. Any Senator who fails to attend one-half (50%) of the regular meetings of the Interim Senate shall be purged. Said purgation shall not affect membership in the full Senate.

ARTICLE II – THE EXECUTIVE BRANCH

Section 1. The President and Vice President

- A. There shall be a President and Vice President of the Student Body who shall be elected by ticket during the spring elections.
- B. In order to serve as President or Vice President, a student must:
 - 1. be a full-time student at the University of Kentucky for one semester prior to and during the time in office;
 - 2. not be on disciplinary or academic probation;
 - 3. have a cumulative grade point average of 2.5 since enrolling at the University of Kentucky at the time of the election.
- C. No student shall serve more than two consecutive terms as President or Vice President
- D. The President and the Vice President shall serve a term beginning the last of the spring semester in which they are elected and serve until the close of the following spring semester.

Section 2. Powers and Duties of the President

- A. The President shall:
 - 1. Possess full executive authority to represent the Student Body in dealings with persons of other universities and the University faculty and administration.
 - 2. Administer the Executive Branch.
 - 3. Appoint all executive committees and officers necessary for the administration of the Executive Branch.
 - 4. Prepare an executive budget and present it to the Senate for approval by the first full meeting of the Senate in the Fall Semester.
 - 5. Enforce and administer all Senate legislation enacted into law, as well as allocate monies as specified in the budget approved by the Senate.
 - 6. Have the power to enter the Student Government Association into contractual or endorsement agreements that are specifically provided for in an approved budget. All other contracts or agreements must have prior Senate approval.
 - 7. Possess veto power over all legislation or the budget in its entirety. The President shall not have the authority to exercise a line-item veto over any legislation or budget.
 - 8. Make any appointments or nominations not otherwise expressed in this Constitution. These executive appointments shall require written notice signed by the President and nominees before being considered for further action. The president shall submit these notices to the Senate Executive Committee, who shall then refer these notices to Operations and Evaluations for further action.
 - 9. Delegate Administrative and Executive authority and responsibility to the Vice President.
- B. The President may issue Administrative Regulations concerning the internal organization of the Executive Branch and the use of the facilities, equipment, etc. that is owned, leased, or operated by the Student Government Association.
- C. The President may issue Executive Orders in urgent situations. Such orders must be reported to the Senate at its next meeting. The Senate may pass a resolution expressing support or disapproval of

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the Executive Order. The Chairperson of the Senate has standing to challenge the urgency of the Executive Order to the Supreme Court within two weeks of its issuance.

- D. The President shall supply the Student Government Association with a list of membership for each Administrative and University Senate Committees.

Section 3. Powers and Duties of the Vice President

The Vice President shall exercise the following powers:

1. Serve as Chairperson of the Senate Executive Committee, voting only in case of a tie;
2. Serve as an ex-officio non-voting member of all Student Senate standing committees;
3. Perform all duties and exercise powers delegated by the Student Senate.
4. Assist in Administrative and Executive duties as the President sees fit.

Section 4. Vacancy in the Presidency

Should a vacancy occur in the office of President due to death, illness, resignation or removal, the Vice President shall assume the powers and duties and office of the Student Body for the un-expired portion of the term.

Section 5. Vacancy in the Vice Presidency

Should a vacancy occur in the office of Vice President due to death, illness, resignation or removal, the President shall nominate a student with the proper qualifications to Vice President. This student will assume the powers, duties, and office of Vice President for the unexpired portion of the term. This nomination will be subject to Senate approval by a majority vote.

Section 6. Simultaneous Vacancies in the Presidency and Vice Presidency

Should a simultaneous vacancy occur in both the offices of President and Vice President, the Chairperson of the Senate shall assume the powers, duties, and office of the President of the Student Body for the remainder of the term. That person shall nominate, and the Senate approve by majority vote, an eligible student who shall assume the powers, duties and office of Vice President for the unexpired portion of the term.

Section 7. The Executive Cabinet

- A. The Executive Cabinet shall be chaired by the President, and shall consist of the Vice President, the Secretary of the Cabinet, and the Secretary of each Cabinet Department.
- B. The Secretary of the Cabinet shall be appointed by the President, and confirmed by a majority vote of the Senate. The Secretary shall be responsible for administration of the Executive Cabinet.
- C. The Cabinet shall consist of those departments recommended by the President and approved with the advice and consent of the Senate.
- D. In order to serve as Executive Cabinet member, a student must be enrolled at the University of Kentucky- Lexington Campus. They must have a cumulative grade point average of 2.5 since enrolling at the University of Kentucky and must not be on University imposed academic probation.

Section 9. Comptroller

The Comptroller shall be appointed by the President, with the advice and consent of the Senate, It is recommended that the Comptroller have some accounting experience. The Comptroller shall maintain an accurate and up-to-date accounting of all income and expenditures, but shall have no power on the final decision of budgetary and appropriation matters. The Comptroller shall report to and counsel the Student Senate on all matters pertaining to the financial status of the Student Government Association. The Comptroller shall advise the President on the preparation of the annual budget.

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Section 10. Additional Executive Members

The President shall have the authority to appoint special assistants, task forces and ad hoc committees with the approval of the simple majority vote of the Senate.

Section 11. Accountability

- A. Standing Committees may, by absolute majority vote, require the appearance of any Executive Officer, at the following Senate meeting, who shall respond to any inquires.
- B. If failure to perform assigned duties of the position occurs, an Executive Officer may be removed by the President or two-thirds vote of the Senate. President and Vice President may be removed from office by a two-thirds vote at two consecutive meetings of the Student Senate. Such votes are not subject to veto.

ARTICLE III – THE JUDICIARY

Section 1. The Student Government Association Supreme Court

There shall be a Student Government Association Supreme Court, which shall exercise the judicial power of the organization, including the ultimate disposition of all election disputes.

Section 2. Composition

- A. The Student Government Association Supreme Court shall consist of seven (7) members who are students of either the University of Kentucky. At least three (3) members shall be enrolled in the College of Law.
- B. The Supreme Court shall elect their own Chief Justice, and all other members of the Supreme Court shall go by the title of "Associate Justice."

Section 3. Term of Office

- A. Each member shall serve on the Supreme Court as long as he/she is a student in good standing. Any undergraduate who continues in graduate or professional school at the University of Kentucky shall retain his/her status on the Court.

Section 4. Session, Meetings, and Quorum

- A. The Supreme Court may be called into session on any day in which the University is in an academic period by the Chief Justice. The Supreme Court shall suspend or end the session at the termination of the academic period.
- B. A simple majority of members currently serving shall constitute quorum.

Section 5. Procedures

- A. The Student Government Association Supreme Court shall have the power to establish additional rules or procedures consistent with this Constitution, Bylaws, and fundamental fairness. The Student Government shall have the power to establish procedures that are consistent with this Constitution and fundamental fairness.
- B. The Supreme Court rules contain specific procedures for bringing a claim before the Supreme Court outlining rules for filing, providing notice to parties, and conducting hearings.

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- C. The Supreme Court shall have the power to dismiss claims that are frivolous.
- D. The Supreme Court shall publish a written opinion stating the reasons for its ruling or judgment in every matter before it. All opinions will be made available for public review at the Student Government Association office as soon as practicable, but no more than one week after the Court renders its ruling or judgment.

Section 6. Jurisdiction

- A. Notwithstanding paragraph (B), The Student Government Association Supreme Court, shall have original jurisdiction over cases involving:
 - 1. The interpretation of this Constitution.
 - 2. Offenses against the provisions of this Constitution,
 - 3. The constitutionality of Senate legislation,
 - 4. Any other matter directly related to the Student Government Association.
 - 5. Student Government Association campaign violations and election disputes.
- B. The Supreme Court shall:
 - 1. have appellate jurisdiction over cases involving removal trials of elected executive and legislative officers, except in the case of ethical violations.
 - 2. The scope of review for removal trials shall be limited to errors in the application of substantive and procedural law. If an error is found the Supreme Court shall remand the case for a new trial consistent with this Constitution. Any factual determinations at trial shall be preserved.
- C. The Supreme Court shall have the power to grant injunctive relief to correct any inequalities or violations in any matter arising out of the Constitution. Such relief shall include, but not be limited to:
 - 1. Enjoining Student Government Association entities and members from action until compliance with the Constitution is assured,
 - 2. Requiring specific performance by Student Government Association entities and members to compel compliance with the Constitution.,
 - 3. Any other legal or equitable remedy consistent with this Constitution.
- D. All decisions and recommendations by the Supreme Court shall be final and binding.

Section 7. Appointments

- A. The Chief Justice shall notify the President as vacancies occur.
- B. The President will nominate a student in good standing and the Student Senate, by a simple majority, must vote to seat each member of the Supreme Court. The vote is not subject to veto.
- C. A nominee to the Supreme Court may be compelled to appear before the Senate, or subdivision thereof, in order to explain his/her qualifications for the position.

Section 8. Removal from Office

Supreme Court Justices may be impeached for malfeasance in office or failure to perform duties by a majority of the remaining Supreme Court justices and convicted by a two-thirds (2/3) vote of the student Senate.

Section 9. Temporary Justices

- A. In the event that the Supreme Court must be called into session during the summer academic period, temporary justices may be appointed to meet, but not exceed, quorum. Reasonable efforts should be

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made to contact the permanent justices so that they can sit in judgment of the claim(s) before the court.

- B. The Chief Justice or his/her designate shall determine whether temporary justices are required and then notify the President.
- C. Temporary justices shall be nominated by the President and approved by two-thirds majority of the Interim Senate and will serve in the capacity of Associate Justice until the end of the current session.
- D. Any decision where temporary justices comprise the majority may be appealed to the Supreme Court in the next session. Reasonable efforts shall be made by the Chairperson of the Senate to contact Justices.

Section 10. Duties of the Justices

- A. The Chief Justice or his designee shall preside over the court and any hearings, Administer the oath of office to the President, Vice-President, and the Senate, maintain records of the court, and is ultimately responsible for the writing of the opinion.
- B. The Associate Justices are required to attend and actively participate in all meetings and hearings_

Section 11. Conflict of Interest

- A. Any member of the Supreme Court may not run for elective office or for the University Senate. Any conflict of interest will be deemed to occur when the Justice expresses his intention to run for office.
- B. Any member of the Supreme Court shall not participate in a campaign or actively and openly support a candidate for office or referendum. The remaining members of the Court shall determine if there is a conflict of interest.

ARTICLE IV – LEGISLATIVE AND EXECUTIVE JOINT COMMITTEES

Section 1. Joint Committees

There shall exist committees, with a membership of an equal number of Senators and Executive Appointees, that shall be charged with the formulation of policy of the Student Government Association. Those committees shall be the same in name and number as the Cabinet Departments of the Executive Branch.

Section 2. Committee Status

- A. Each joint committee shall be considered a committee of the Senate, and shall have all authorities afforded to standing committees of the Senate, including the power to refer legislation to the Senate, upon passage in said committee.
- B. Each committee member, whether a Senator or Executive Appointee, shall be vested with full voting rights within a joint committee, each member having one vote.
- C. Each joint committee shall have two co-chairpersons, one from the Executive Cabinet as appointed by the President and one Senator selected by the Senate Executive Committee. Each co-chairperson shall have the power to call a meeting with a quorum of joint committee members.

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- D. The Secretary of the Executive Cabinet and the Chairperson of Senate shall serve as ex-officio members of each joint committee, with the authority to place business items on the agenda of the joint committees.

ARTICLE V – BUDGET AND ALLOCATIONS

Section 1. Budget

- A. The President shall present a line item operating budget to the Interim Senate or the full Senate, if possible, for preliminary approval no later than June 30. If the President fails to comply, the Interim Senate shall have the power to put in place an operating budget for the months of July, August, and September.
- B. The President shall present to the Senate a complete line item budget and a budget narrative by the first full Senate meeting of the fall semester, for approval. If the President fails to comply, the Senate shall have the power to charge the Appropriation and Revenue Committee to construct a budget.
- C. The budget shall contain an operating expense allocation for each of the three branches of government.
- D. Upon passage of the budget, all Executive Branch funds must be used for the specific purposes stated in the line item budget, and budget narrative. All unused funds must be returned to the budget under Senate Allocations.
- E. All bills passed by the Senate and any contracts made by the President shall be only payable under the current fiscal year being July1 to June 30.

Section 2. Report of the Comptroller

- A. The Comptroller shall present an updated budget report at least once a month at the Senate meeting, and shall present an updated budget report at least once a month to the Appropriation and Revenue Committee.
- B. The Comptroller report shall include the following:
 - 1. The remaining available funds for each separate line item.
 - 2. A report detailing the current balance of each of the three university accounts. (#2, #3, #9)
 - 3. The projected surplus or deficit.

Section 3. Budget Review

The Comptroller shall present to a joint committee of Operations and Evaluations, and Appropriations and Revenue Committees, a balanced six-month budget summary at the first Senate meeting in the Spring Semester.

Section 4. Fiscal Policy

- A. Funding Guidelines
 - 1. Student Government may allocate funds solely to students
 - 2. Students may not request funds for, nor may they be reimbursed for expenses incurred from the following categories:
 - a. Taxes
 - b. Subscriptions
 - c. Management and consulting fees
 - d. Outside organization membership dues

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- e. Donations directly to charities
 - f. Events and/or organization which discriminate against any group of students
 3. All students may be required to finance a portion of the the expenses by supplementary income.
 4. If said money is used to purchase capital equipment, such equipment is property of the student body. Sale of said capital equipment is prohibited.
- B. Requirements of Groups and/or Organizations for requesting funds.
1. 100% rule: If Student Government is providing 100% of the funds for an event the following shall be announced at the event, and printed on all material concerning the event: —This event is funded by your University of Kentucky Student Governmentll
 2. If funding for an event is less that 100% then the following shall be announced at the event, and printed on all material concerning the event: —This event is partially funded by your University of Kentucky Student Government.
- C. At the end of the fiscal year, any Student Government student fee funds over \$60,000 shall be transferred to the UK general scholarship fund. These funds can be allocated to another campus initiative if agreed upon by the current SGA President, Vice President, Senate President and all members of the interim Senate.

ARTICLE VI – ELECTIONS

Section 1. Types of Elections

- A. The President, Vice-President, and Senators At-Large shall be elected by the entire membership of the student body in an election held on the Wednesday and Thursday two weeks before Spring Break, hereinafter known as the Spring Elections.
- B. Senators At-large shall be divided into two categories based on classification:
 1. Undergraduate Senators At-large shall be elected only by current undergraduate students.
 2. Graduate/professional Senators At-large shall be elected only by current graduate/professional students.
- C. College Senators shall be elected by students in their respective colleges in the Spring Elections.
- D. The Freshman Senators shall be elected by and from the Freshman class by the Wednesday and Thursday of the tenth week of classes during the Fall Semester. The Wednesday/Thursday date shall be determined by the Senate President.
- E. All candidates for office must meet the requirements for that office. It shall be a condition precedent to the attainment of a chief leadership position in any branch of government that the individual shall be a member of Student Government.
- F. A special election shall be held if the Supreme Court invalidates or nullifies an election.

Section 2. Election Oversight and Administration

- A. There shall be an Elections Board of Supervision and an Election Investigator.
- B. The Elections Board of Supervision shall consist of at least five members. Each member shall be selected through an application process or ~~shall be~~ nominated by the Student Body President and then approved by a majority vote in the Operations and Evaluations Committee and a majority of the Student Senate. This board will be responsible for the administration of Spring and Freshmen elections, including:
 1. Adequately conducting the election, including:

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- a. Submitting to the Student Senate, no less than eight weeks before the Spring Elections and three weeks prior to the Freshmen Elections, the polling locations, times, and zones where campaigning is prohibited, which the Student Senate shall amend and approve by majority vote.
 2. Insuring the constitutional eligibility of the candidates.
 3. Establishing and enforcing election rules and regulations consistent with this Constitution.
 4. Delivering the election results to the Supreme Court and the Election Investigator for Certification, and subsequently announcing the results of the elections.
 5. Distributing copies of all election rules and regulations at the first candidates' meeting. Subsequent to the distribution of these rules, and until the certification of an election, the Board of Supervision shall establish no new election rules or regulations without giving explicit and timely notice to candidates.
- C. Members of the Elections Board of Supervision may neither hold nor seek any other position in the Student Government Association, nor hold membership on the Supreme Court or hold the Office of Election Investigator.
- D. There shall be an Elections Investigator appointed by the Chief Justice of the Student Government Supreme Court.
1. The Investigator shall have the power to challenge any election or candidate for good cause on behalf of any candidate or student eligible to vote in that election.
 2. Any candidate or other student wishing to challenge a candidate or election must file a claim to show good cause with the Investigator or his/her designee, who, upon a showing good cause, must:
 - a. Develop an investigation to discover any evidence supporting the claim.
 - b. File and prosecute the claim with the Supreme Court.
 - c. If the Election Investigator does not find good cause for the claim, the student may appeal that determination at the Election Review Hearing.
- E. In the case of a tie for any office other than the President and Vice President, the current Senate shall certify the winner by majority vote. In the case of a tie for the office of President and Vice President, a ~~special~~ runoff election shall be held.

Section 3. Filing Requirements and Procedures

- A. The period for filing for a ballot position in the Spring Elections shall start no later than six (6) weeks prior to the first election day and shall run continuously for a period of two weeks.
1. The Elections Board of Supervision may extend the deadline for those races in which no candidate has filed before the above deadline by a majority vote.
- B. All persons running for an office are required to submit an application, a petition, and a deposit to the Chairman of the Elections Board of Supervision. The candidate may designate the exact variation of his or her name that appears on the ballot in the application. The Board of Supervision shall prohibit frivolous and fictitious names from appearing on the ballot. This form cannot be changed or handed in after the last time for filing.
- C. To appear on the ballot as a ticket for President and Vice-President, each ticket must obtain 500 signatures from members of the student body and submit the petition with his/her application. The petition must contain a date of birth for each respective student ~~having~~ who signed the document in order to allow the Elections Board of Supervision to verify their enrollment at the University of Kentucky.
- D. To appear on the ballot for Undergraduate Senator At-large, each candidate must obtain two hundred (200) signatures from members of the student body and submit the petition with his/her application. The petition must contain a date of birth for each respective student ~~having~~ who signed the document in

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order to allow the Election Board of Supervision to verify their enrollment at the University of Kentucky. To appear on the ballot for graduate/ or professional Senators At-large, each candidate must obtain one hundred (100) signatures from graduate/ or professional students and submit the petition with his/her application. The petition must contain each student's date of birth to enable the Elections Board of Supervision to verify the enrollment of the person signing the petition.

- E. To appear on the ballot for Freshman Senator or College Senator, with the exception of Graduate School Senators, each candidate must obtain signatures from the greater of two (2) percent of the eligible voters for their respective seat or twenty-five (25) students and submit the petition with his/her application. The petition must contain a date of birth for each respective student ~~having~~ who signed the document in order to allow the Election Board of Supervision to verify their enrollment at the University of Kentucky.
- F. To appear on the ballot for Graduate School Senator, each candidate must obtain signatures from the greater of one-half (0.5) percent of the eligible voters for their respective seat or twenty-five (25) students and submit the petition with his/her application. The petition must contain a date of birth for each respective student ~~having~~ who signed the document in order to allow the Election Board of Supervision to verify their enrollment at the University of Kentucky.
- G. The application form shall also be accompanied by a thirty dollar (\$30.00) deposit of which twenty-five dollars (\$25.00) will be refunded only if the candidate removes all of his or her campaign literature from campus no later than 6:00 p.m. Friday after the last voting location closes.

Section 4. Candidates Meeting

- A. The Elections Board of Supervision shall establish a meeting for all candidates at which the rules, regulations, pertinent meeting dates, and duties and responsibilities of a Student Government Representative—as well as the goals of the Student Government Association—will be presented to the candidates.
 - 1) The candidate or agent thereof will be required to sign in and be present at the end of the meeting when roll is called.
 - 2) If a candidate or agent thereof does not attend and remain present for the duration of the meeting, the candidate's name will not appear on the ballot.
 - 3) All candidates and agents thereof are responsible for being familiar with and following all federal, state, and University rules and regulations (including all information in the meeting as well as the UK Student Government Constitution) for campaigning and elections.

Section 5. Expenditures

- A. The Student Government Senate shall have the power to establish maximum expenditures for all elections. Any changes to statutes regarding expenditures shall take effect the following school year.

Section 6. The Regulation of Candidate Conduct

- A. In order to ensure the fair and orderly conduct of elections, the Senate may establish rules that govern the conduct of all Student Government candidates.
- B. The Senate must use its discretion in establishing an appropriate and specific penalty, or range of penalties, for the violation of any campaign rule.
 - 1. Penalties may include forfeiture of fees, fines, the disqualification of a specific number or portion of votes cast for a candidate or ticket, disqualification of the candidate or ticket, or any other appropriate sanction within the scope of the Student Government's authority.
- C. The Supreme Court will impose prescribed penalties through the process defined in Section 9 of this

Article.

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D. Additions or changes to the campaign rules will become effective immediately.

Section 7. Elections Timeline

- A. Elections for Student Body President and Vice-President, Senators At-Large, and College Senators shall be held on the Wednesday and Thursday two weeks before Spring Break, with the exception of special elections, which shall be held at the determination of the Supreme Court.
- B. The Freshman Senators shall be elected by the Freshmen class on a Wednesday and Thursday between the seventh and tenth weeks of classes in the Fall Semester. The Wednesday/Thursday date shall be determined by the Senate President.
- C. At the close of each voting day, all ballot boxes and/or voting machines will be sealed. A member of the Elections Board of Supervision and a representative from the Office of Student Organizations and Activities will be present to open the ballot boxes and/or voting machines.

Section 8. Voting Procedures

- A. Full- and part-time students shall be permitted to vote once per election provided they are eligible to vote.
- B. An act shall be passed annually by a majority of the Senate and the signature of the Student Body President establishing the voting method, which shall include a minimum of two polling locations and may include online voting.
 - 1) A "polling location" constitutes a location in which students can vote in elections using technology provided by UKSGA. The locations will be under the direct supervision and control of the Elections Board of Supervision.
 - 2) "Polling area" constitutes an area within 25 feet of the designated polling locations set by the Elections Board of Supervision.
 - 3) "Online Voting" constitutes a voting system that allows voters to vote from any computer connected to the internet.
- C. There shall be no consultation or campaigning in the voting area. Such activity will be grounds for a student's vote being disqualified UNLESS such student is a candidate, in which case a higher penalty may be imposed. Poll workers will record the name and I.D. number of the person engaging in such activity. The Elections Board of Supervision shall post a sign at each poll with the exact wording in the sentences above notifying voters of this prohibition.
- D. The Student Body President and Vice President shall be voted on and elected by ticket. No list of members of senatorial slates shall be printed on the ballot.
- E. No other tickets shall be permitted. Senatorial candidates, including Freshman Senators, College Senators, Graduate Senators-at-Large and Senators-at-Large, may only seek office on independent platforms, and may not be affiliated with or endorse Presidential and Vice Presidential tickets.
- F. A ticket is defined as two or more candidates campaigning jointly. Senatorial campaigns should be independent from all other Senatorial Campaigns. Senatorial Candidates cannot appear on campaign materials with other candidates, including but not limited to, banners, posters, handbills, social media accounts, and other promotional materials. Senatorial Candidates may not exhibit support, electronic, verbal or written, for other candidates running in their election or candidates running in the Presidential/Vice Presidential Election.
- G. Presidential and Vice Presidential tickets and campaigns must be exclusive and divorced from all Senatorial campaigns, including on campaign websites, social media, and during handbilling, or through verbal, electronic or written communication.

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H. Senatorial Candidates may not campaign with or for another candidate via website, social media, during handbilling, or through verbal, electronic or written communication.

I. A candidate is to be held liable for all campaign staff.

1) "Campaign staff" is defined as any person or party making a coordinated effort to benefit the candidate in an election.

J. Each voter shall be allowed to vote for a Presidential/Vice Presidential ticket, the maximum number of Senators At-large based on their classification, and the maximum number of candidates permissible in that individual's college.

K. A write-in vote shall be valid only if the vote names an eligible candidate.

L. Poll workers should enforce these voting regulations and report any violations to the Elections Board of Supervision.

Section 9. Determining a Winner in Presidential/Vice-Presidential Election

- A. A Presidential/Vice-Presidential ticket shall be declared winner if they receive fifty (50) percent plus one or more vote of votes cast in the election.
- B. If no ticket receives fifty (50) percent plus one or more vote of votes cast in the election, the ticket that receives the most votes shall be declared winner if the margin of victory is greater than or equal to ten (10) percent of votes cast.
- C. If no ticket receives fifty (50) percent plus one or more ~~vote of~~ votes cast in the election AND the margin of victory is not greater than or equal to ten (10) percent of votes cast, a runoff election in which the top two tickets shall be on the ballot shall be held in a timely fashion as determined by the Elections Board. The ticket that receives a simple majority (fifty percent plus one) of votes cast shall be declared winner.

Section 10. Election Challenges and Violations

A. Each candidate or President/ Vice President ticket shall submit any documentation required by the campaign and election rules along with a phone number and email address at which the candidate may be reached to the Election Investigator or his/her designee ~~by 5:00 p.m. on the Friday following the election~~ by the date and time set by the Elections Board of Supervision at the Candidates Meeting or it may be communicated at a later date through direct communication by the Elections Board of Supervision to each candidate.

- 1. Failure to submit required documentation by ~~5:00 p.m. on the Friday~~ the specified date and time following the election will result in a penalty to be determined by statute.

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- B. The Election Investigator will review all documentation submitted by candidates to ensure compliance with all campaign rules.
- C. Any student who believes that a violation of election or campaign rules has occurred may file a claim for good cause with the Election Investigator before ~~5:00 p.m. on the Monday following the election.~~ the date and time set by the Elections Board of Supervision.
- 1) When in the Election Investigator's judgment, ~~his/her~~ their independent investigation or any student claim shows that there is good cause to believe a violation has occurred, the Election Investigator will give notice to the candidate involved in the alleged infraction and will provide a concise written statement of the reasons for that finding.
 - 2) If the Election Investigator does not find good cause for a student complaint, the Election Investigator will notify the complaining student of that finding and will provide the complaining student with a concise written statement of the reasons for that finding. The Election Investigator will also inform the complaining student that the student may appeal that finding to the Supreme Court at the Election Review Hearing. The Election Investigator will also inform each candidate or ticket of each student complaint alleged against that candidate or ticket.
 - a. Any student wishing to appeal a claim where the Election Investigator finds no cause may send an appeal in writing to the Election Investigator no later than 24 hours in advance of the Elections Review Hearing. The Election Investigator will then forward the appeal to the Supreme Court.
 - b. The Supreme Court may review the appeal and determine whether or not the appeal has merit. If the Supreme Court determines the appeal has merit, the claim may be heard before the Supreme Court.
 - c. If an appeal is filed, candidates mentioned in the claim must be notified that there is potential for the claim to be heard in the Supreme Court no later than 24 hours in advance of the Elections Review Hearing.
 - 3) The Election Investigator will make all good cause determinations and provide all notifications required in this section at least 48 hours before the Elections Review Hearing.
 - a. A statement sent to the email address provided by candidates in subsection (A) will satisfy the statement of findings and notice requirements pertaining to candidates.
 - b. Notice and statement of findings may be provided to a complaining student at the student's university email address, unless the student provides another email address to be used for this purpose.
 - c. At the Election Investigator's discretion, any requirement for notice or statement of findings may be satisfied by actual service of the notice or statement in writing.
- D. ~~Wednesday~~ Within a week of the last day of the election, the Supreme Court will convene the Election Review Hearing on a day or days specified by the Elections Board of Supervision at the Candidates Meeting. The Chief Justice will ~~cause~~ set the time and place of the Election Review Hearing ~~to be~~ and post it at the Student Government Office at least 24 hours before the hearing.

At the Election Review Hearing:

1. The Election Investigator will present the statements required in subsections (C.1) and (C.3) of this section and any additional material of relevance to the Supreme Court. The Election Investigator will present his/her findings in those cases in which the Investigator found good cause individually. Each candidate or ticket implicated in those cases will be afforded an opportunity to respond to the Election Investigator's findings.
2. Any student who filed a timely complaint with the Election Investigator per subsection (C.2) for which the Election Investigator did not find good cause will be permitted to contest the Election Investigator's finding. The Election Investigator and any candidate or ticket implicated in such

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complaint will be permitted an opportunity to respond.

3. The Supreme Court will review the Election Investigator's good cause determination for each case. If the Court finds that there is good cause to believe that a violation has occurred in any case, the Court will advise the affected parties of its finding and of the range of penalties provided by this constitution or by statute for the alleged offense(s). The Court will then make a ruling on each individual claim.

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4. The Chairperson of the Elections Board of Supervision or his/her designee will present the results of the election vote to the Supreme Court for certification. The Supreme Court will certify the election by a simple majority vote of the justices present.
5. Unless a gross irregularity has occurred which affects the validity of all races in a given election, those races unaffected by the irregularity shall otherwise be certified.

ARTICLE VII – REFERENDA

Section 1. Referenda and Initiatives

The Student Senate shall adopt rules to provide for referenda and initiatives.

Section 2. Challenges

Any student may challenge the validity of the referendum or initiative on the grounds of irregularity in the referendum procedure, a violation of the referendum rules, or for false and misleading statements publicized by either side of the issue by submitting in writing to a member of the Referendum Board or his/her designate no later than 4:00 pm, on the fifth day of classes following the announcement of the results of the referendum.

ARTICLE VII: GENERAL STUDENT ASSEMBLY

Section 1. General Student Assembly

A meeting of the entire membership shall be known as the General Student Assembly.

Section 2. Meetings

- A. The President of the Student Body or the Student Senate shall have the power to call meetings of the General Student Assembly for a specific purpose. Any member may require the prompt convocation of the General Student Assembly by presenting the President of the Student Body a petition signed by one thousand (1000) members.
- B. All meetings of the General Student Assembly shall be announced. The place, time, and purpose of all meetings of the General Student Assembly shall be announced in the campus newspaper prior to the meeting.

Section 3. Procedures

- A. The Senate President shall preside over all meetings of the General Student Assembly. B. Five hundred (500) members of the Student Body shall constitute a quorum.
- C. The Student Senate may provide procedures for the conduct of business. Where the Student Senate is silent, the parliamentary authority shall be Robert's Rules of Order.

ARTICLE IX – CONFLICT OF INTEREST

- A. Unless explicitly permitted elsewhere in this Constitution, no student shall simultaneously hold positions in more than one branch of the Student Government Association. A position on a joint committee shall not be construed as a position in the other branch.

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- B. This article may not be construed as to affect the rights afforded members of Joint Committees of the Legislative and Executive Branches.

ARTICLE X: AMENDMENT PROCESS

- A. The Student Government Association Constitution can be amended by a three-fourths (3/4) majority vote at two consecutive meetings of the Student Senate where quorum is present. These votes are not subject to Presidential veto. The amendment shall become effective immediately following its final passage.

ARTICLE XI: RATIFICATION

Section 1. Enactment

- A. In order to enact this Constitution into law, a two-thirds (2/3) majority of the Student Senate must vote in favor of adopting it at each of two Senate meetings in which quorum is present and proper notice of said meetings is given to the Student Body.

Section 2. Revocation

- A. Ratification of this Constitution shall revoke all previous Constitutions of the Student Government Association and subsequent amendments in their entirety.

Section 3. Effective Date

- A. Once duly ratified under Section 1 of this article, this constitution shall come into force on January 1, 2001.

Section 4. Exceptions

- A. The following exceptions shall be recognized upon ratification of this Constitution:
1. All elected and appointed officials holding office on the date this Constitution is deemed to take effect shall continue in their respective office until the expiration of their term.
 2. All justices serving on the date this Constitution is deemed to take effect shall continue in their respective capacity on the Supreme Court subject to the term limitations at the time of their original appointment.
 3. All contracts and any other obligations or claims legally enforceable against the Student Government Association at the time this Constitution is deemed to take effect will be respected.

ARTICLE XII: STUDENT GOVERNMENT AWARDS, SCHOLARSHIPS, AND GRANTS

The Student Government Association shall allocate funds for the following awards each fiscal year:

Section 1. Zumwinkle Student Rights Award

- A. Zumwinkle Student Rights Award will be bestowed on those students, faculty and staff members that have done the most to promote and protect student rights on campus during each academic year. A three hundred dollar gift accompanies this award. The award is in honor of Robert Zumwinkle, former Vice-Chancellor of Student Affairs.

Section 2. J.W. Patterson Outstanding Senator Award

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- A. This award will be bestowed on the most outstanding Senator during the academic year that has made the most significant contributions to the Student Government Association. This award is in honor of J.W. Patterson, the faculty advisor of the Student Government Association.

Section 3. Student Government Dedication Award

- A. This award will be bestowed on one Executive Branch member recognized by the Student Government Association as the most dedicated non-elected member of the Executive Branch.

Section 4. Lyman T. Johnson Odyssey Award

- A. This award will be bestowed each academic year on a student who has, by their actions; exemplified a high degree of personal integrity and a commitment to the betterment of the community or campus.; The recipient shall be awarded a fifteen hundred dollar (\$1500) academic stipend in both the fall and spring semesters of the following academic year. The award is in honor of Lyman T. Johnson, the first African-American student to be admitted to the University of Kentucky.

Section 5. Student Government Association Scholarships

- A. At least three thousand dollars (\$3000) to be allocated toward University of Kentucky Student Government Association Student Scholarships. The senate shall elect a committee of five to establish criteria and applications for the scholarships.
- B. Additional Student Government Association Scholarships may be provided for in the budget approved by the Student Senate.

Section 6. Student Government Association Grants

- A. At least five thousand dollars (\$5000) shall be placed in a fund to award student parents with assistance in financing child care. Awards shall be bestowed on those students who exhibit financial need and desire to better their own lives and the lives of their family through attainment of high education.