

The Constitution of the Undergraduate Student Government at Stony Brook University

As adopted on April 4th, 2003
As amended on May 13th, 2004
As amended on April 30th, 2005
As amended on February 10th, 2006
As amended on October 27th, 2006
As amended on November 17th, 2006

Preamble

The Undergraduate Student Government at Stony Brook University is an autonomous organization within the University community and derives its power from the Undergraduate Student Body of said University. The Undergraduate Student Government shall work closely with the University Administration to foster a spirit of community, diversity and fellowship, and to create programs and services for the benefit of all members of the campus community. The Undergraduate Student Government shall provide leadership that will ensure the Undergraduate Student voice will be a powerful force in all decisions made at Stony Brook University, and hereby establish this Constitution of the Undergraduate Student Government at Stony Brook University.

Article I: NAME

This organization shall be known as the Undergraduate Student Government at Stony Brook University, to be referred to as the Undergraduate Student Government.

Article II: MEMBERSHIP AND ORGANIZATIONAL STRUCTURE

Section 1 Membership

All Undergraduate Students who pay the Student Activity Fee at Stony Brook University shall be members of the Undergraduate Student Body. All elected officials, appointed officials and those hired by the Executive Council are part of the Undergraduate Student Government.

Section 2 Organizational Structure

- A.** The Undergraduate Student Government shall be comprised of an Executive Branch, a Legislative Branch, and a Judicial Branch.
- B.** Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501 (c) (3) of the

Internal Revenue Code, or corresponding section of any future federal tax code, and the making of distributions to organizations that qualify for funding under the SUNY Chancellor's Guidelines.

- C. No part of the net earnings of the organization shall inure to its benefit, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation of services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under Section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future tax code, or (b) by an organization, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.
- D. Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the country in which the principal office of the organization is then located, as said Court shall determine, which are organized and operated exclusively for such purposes.

Section 3 Equal Opportunity, the Proper Distribution of the Student Activity Fee, and Clubs and Organizations Rights

- A. No person, having qualified for the Undergraduate Student Government membership in the manner prescribed in Article II, Section 1. A. of the Constitution of the Undergraduate Student Government at Stony Brook University, shall be denied the rights and privileges of Undergraduate Student Government membership on the basis of race, religion, sex, color, national origin, age, marital status, disability, or sexual orientation.
- B. No Club, Organization, or entity shall be denied the right to funding from the Undergraduate Student Government on the basis of belief, philosophy, creed, opinion, religion, or political persuasion.
- C. No law abiding Club, Organization, or entity acknowledged by the Undergraduate Student Government shall be denied the right to use its funds to carry out its mission, goals, and activities.

- D.** All Clubs, Organizations, and entities acknowledged by the Undergraduate Student Government are guaranteed the same criteria for student-based funding, provided that the Club, Organization, or entity serves the University's mission, fosters the growth of communities, is open to all members of the Undergraduate Student Body, and is fiscally responsible. Funds shall be used for educational, academic, cultural, recreational, athletic, or social activities, events, and publications which contribute to the spread of ideas, serve the community, and advance the mission, goals, and activities of the acknowledged Club, Organization, or entity.
- E.** The Student Activity Fee must be distributed in a viewpoint neutral manner and with equal protection under the law afforded to all Clubs, Organizations, and entities acknowledged by the Undergraduate Student Government.
- F.** The Undergraduate Student Government shall make no law or policy establishing separate criteria for receiving funding, including on the basis of the viewpoint of the Club, Organization, or entity acknowledged, the types of beliefs and opinions which are being expressed, or the manner in which those ideas are being distributed.
- G.** This Section shall not be construed to mean that funding levels shall be equal for all Clubs, Organizations, and entities. Any Club, Organization, or entity acknowledged by the Undergraduate Student Government and guaranteed the right to funding shall operate with an appropriate level of funding by the Undergraduate Student Government to function effectively in carrying out its mission, goals, and activities. The Undergraduate Student Government shall take into consideration the Club, Organization, or entity's duly adopted Constitution, the written plan for expenditure of allocated funds, the past record of the Club, Organization, or entity's utilization of its allocations, the number of students served by the funded activities of the Club, Organization, or entity, whether the Club, Organization, or entity is in good standing with the Undergraduate Student Government, and considerations of fiscal prudence. This decision may be appealed to the Judicial Branch of the Undergraduate Student Government.
- H.** The enumeration of this Section of certain rights shall not be construed to deny or disparage others retained under law by all Clubs, Organizations, and entities or the students. The Senate shall have power to enumerate and define those rights retained under law consistent with all articles in this Constitution.
- I.** No Club, Organization, or entity shall be denied the right to engage in the free exercise of religion or politics; or of the right to the freedom of speech, or of the press; or the right to peaceably assemble; and to petition any government for a redress of grievances in accordance with established University policy. These rights are guaranteed to all Clubs, Organizations, and entities acknowledged by the Undergraduate Student Government.
- J.** Published, electronically or otherwise, broadcasted or otherwise distributed media on behalf of any Club, Organization, or entity acknowledged by the Undergraduate Student Government shall be acknowledged and treated as a product of free speech, guaranteed to

all people under the New York State and United States Constitutions. Such speech, press, or media shall be granted the same rights given to student media regardless of viewpoint.

- K.** The Undergraduate Student Government may not make any attempt to control or enforce unconstitutional powers on a Club, Organization, or entity. This includes all matters of free speech, expression, message content, viewpoint, and press distribution.

Article III: EXECUTIVE BRANCH

Section 1 Executive Council

The Executive Board of the Undergraduate Student Government shall be known as the Executive Council.

A. Membership

- 1.** The voting members of the Executive Council are:
 - a.** President
 - b.** Executive Vice President
 - c.** Treasurer
 - d.** Vice President of Communications and Public Relations
 - e.** Vice President of Student Life, Programming and Activities
 - f.** Vice President of Clubs and Organizations
 - g.** Vice President of Academic Affairs
- 2.** Ex-officio members:
 - a.** Administrative Director of the Undergraduate Student Government, who shall serve as the faculty advisor.

B. Voting Members Qualifications

- 1.** The President, Executive Vice President and Treasurer – before placement on the ballot and taking office, candidates must be full-time members of the Undergraduate Student Body with sophomore or higher standing, must have attended Stony Brook University for at least two semesters, and must be in good academic standing with minimum grade point averages of 2.75. The same criteria must also be maintained during their term of office.

2. All other members of the Executive Council – before placement on the ballot and taking office, candidates must be full-time members of the Undergraduate Student Body, must have, except for the Freshman Class Senator, attended Stony Brook University for at least one semester, and must be in good academic standing with minimum grade point averages of 2.5. The same criteria must also be maintained during their term of office.

C. Candidacy Period, Election and Term of Office

1. Candidacy Period

- a. The Undergraduate Student Government shall hold a series of leadership workshops relevant to the positions of the Undergraduate Student Government, which candidates seeking election may attend before the elections period starts.
- b. The elected officials and the Elections Board shall coordinate the leadership workshops. An outside office/department may be utilized to help facilitate the workshops.

2. Elections

- a. The voting members of the Executive Council shall be elected before the last day of classes in the spring semester. The Freshman Class Senator, and all vacant positions, shall be elected by October 31st.
- b. Members of the Executive Council are elected by a simple majority (fifty percent, plus one) of votes cast for that position in the Undergraduate Student Government general elections. In the event that no candidate receives a simple majority of the votes cast, a run-off election shall be held between the top two candidates. Procedures for elections are further detailed in the Elections Board Bylaws.
- c. As indicated on the ballot, the duly elected President shall serve as the elected Stony Brook Council Representative in the year there is to be an Undergraduate Representative to the Stony Brook Council.
- d. Vacancy
 - i. In the event that a position of a member of the Executive Council shall become vacant, except the President, before or on October 31st, the Undergraduate Student Government shall conduct an election to fill the vacant position.

- ii. In the event that a position of a member of the Executive Council shall become vacant, except the President, after October 31st, the President shall appoint a new member to that position within two weeks of the occurrence of the vacancy to serve out the unexpired term.
- iii. The vacant position of the President shall be filled by the Executive Vice President. The position of the Executive Vice President shall then become vacant and must be filled by the procedures mentioned in subsections i. and ii.

3. Terms of Office

- a. The term of office for the elected members of the Executive Council shall begin from the end of the spring semester, and shall continue until the end of the following spring semester.
- b. The elected members of the Executive Council shall maintain good academic standing and judicial standing, as defined under Article III, Section 1. B. 1., throughout their term of office.
- c. All Executive Council members must fulfill the minimum of fifteen hours of office hours each week, and said office hours must be publicly posted.
- d. All Executive Council members shall be awarded a flat stipend for their office hours and the award should amount to no less than the minimum wage per hour.
- e. Stipends are paid only for the first fifteen hours of office hours per week.

D. Meetings

- 1. All meetings of the Executive Council must adhere to the New York State Open Meetings Law.
- 2. The Executive Council shall meet at least once every two weeks.
- 3. The President may also call meetings, whenever it is deemed necessary, provided that those meetings adhere to the New York State Open Meetings Law.
- 4. Quorum is necessary for all Executive Council meetings to be official. Quorum shall be defined as a simple majority of the elected Executive Council positions.

E. Executive Council Members Duties and Responsibilities

1. President

- a. Shall be the Chief Executive of the Undergraduate Student Government.
- b. Shall be ultimately responsible for ensuring that the Undergraduate Student Government is operating properly and according to established legislation.
- c. Shall ensure that all the Undergraduate Student Government agencies are fulfilling their created purpose.
- d. Shall be the official representative and spokesperson of the Undergraduate Student Government both inside and outside of Stony Brook University.
- e. Shall supervise the execution of the legislation of the Undergraduate Student Government, and conform to established policy and procedures to carry out this task.
- f. Shall have the power to veto any bill of the Senate according to the procedure provided for in Article IV, Section 1. C. 4.
- g. Shall make all appointments within the Undergraduate Student Government in consultation with the President Pro Tempore of the Senate.
- h. Shall consult with the Executive Council in the fulfillment of the powers and duties outlined above.
- i. Shall be a voting member of the Executive Council.
- j. Shall make at least one written scheduled report per semester to the Senate and the Undergraduate Student Body on the state of the Undergraduate Student Government.
- k. Shall ensure that the Undergraduate Student Government is adequately staffed with professional employees and shall be the official supervisor of the support staff on behalf of the Executive Council, unless otherwise noted.
- l. Shall be a non-voting member of the Senate.

2. Executive Vice President

- a. Shall assume the duties of the President in their absence.

- b.** Shall assist the President in coordinating the operations of the Executive Branch.
- c.** Shall represent the President on occasions designated by the President.
- d.** Shall be a voting member of the Executive Council.
- e.** Shall be the Chair and set the agenda for Senate meetings.
- f.** Shall fulfill those powers and duties delegated to them by the President.
- g.** Shall work closely with the Administrative Director of the Undergraduate Student Government.
- h.** Shall have the responsibility for all official records and correspondence of the Executive Council, the Senate and the Undergraduate Student Government.
- i.** Shall, in conjunction with the Administrative Director, coordinate the clerical and administrative staff/services of the Undergraduate Student Government, to include the recruiting, training and development of said clerical and administrative staff/services.
- j.** Shall appoint a Parliamentarian for the Senate, subject to the approval of the Senate, by the second Senate meeting of the fall semester. The Parliamentarian shall not be a present member of the Undergraduate Student Body.
- k.** Shall coordinate all Presidential appointments, unless otherwise stipulated.
- l.** Shall work closely with the Administrative Director in the area of human resources and its development.

3. Treasurer

- a.** Shall be the Chief Budgetary Officer of the Undergraduate Student Government.
- b.** Shall be responsible for all budgetary/fiscal matters of the Undergraduate Student Government.
- c.** Shall be a voting member of the Executive Council.
- d.** Shall be responsible for the preparation of the annual budget of the Undergraduate Student Government.

- e. Shall submit a report on the state of the finances of the Undergraduate Student Government, to be presented to the Senate at least once each semester. Said report should also be disseminated to the Undergraduate Student Body with the assistance of the Vice President of Communications and Public Relations.
- f. Shall Chair the Senate Budget Committee.
- g. Shall ensure that the Undergraduate Student Government monies are not mishandled, and shall review any Undergraduate Student Government operation whenever they determine that such an audit is necessary.
- h. Shall make certain that a strict inventory is kept on all furniture, equipment, etc. of the Undergraduate Student Government. All capital assets and equipment purchased/owned by groups funded by the Undergraduate Student Government and the Student Activity Fee are part of the inventory for which the Treasurer has responsibility.
- i. Shall communicate to all groups funded by the Undergraduate Student Government and the Student Activity Fee of any changes to budgetary policy and procedures. Said communication is to be done with the assistance of the Vice President of Communications and Public Relations.
- j. Shall work closely with the designated custodial and disbursement agent in expending the Student Activity Fee.
- k. Shall hire the necessary student staff to assist in the fulfillment of their duties and responsibilities.
- l. Shall be a non-voting member of the Senate.

4. Vice President of Communications and Public Relations

- a. Shall be responsible for all communications or the dissemination of information within the Undergraduate Student Government. The foregoing includes the dissemination of information to the members of the Undergraduate Student Government and its acknowledged Clubs, Organizations, and entities.
- b. Shall record and distribute the minutes of the Executive Council meetings.
- c. Shall be a voting member of the Executive Council.

- d. Shall review and distribute the Senate minutes in cooperation with the Executive Vice President.
- e. Shall be in charge of public relations of the Undergraduate Student Government.
- f. Shall fulfill those powers and duties delegated to them by the President.
- g. Shall set up an Office of Communications to assist in the fulfillment of their duties and responsibilities.
- h. Shall Chair the Vetting and Communications Committee.
- i. Shall be responsible for hiring all personnel and managing all matter related to the Undergraduate Student Government media and any other media services, provided for the Undergraduate Student Government and the Undergraduate Student Body.
- j. Shall be a non-voting member of the Senate.

5. Vice President of Student Life, Programming and Activities

- a. Shall be responsible for addressing student life issues.
- b. Shall organize any task force, committee, or ad-hoc positions necessary to assist in addressing student life issues.
- c. Shall work closely with the Office of the Vice President of Student Affairs to further understand the current issues affecting student life. Shall be the Undergraduate Student Government liaison to that office.
- d. Shall be a voting member of the Executive Council.
- e. Shall sit on any Undergraduate Student Government and University committees to address student life issues.
- f. Shall be the Chief Programming Officer of the Undergraduate Student Government. Therefore, shall oversee the Student Activities Board of the Undergraduate Student Government.
- g. Shall advise the Executive Council and the Senate on policy and legislative initiatives that will help enhance programming on campus.
- h. Shall be the Undergraduate Student Government representative on any committees formulated to address programming issues on campus.

- i. Shall work closely with the Student Activities Office to formulate policy in accordance with the optimal support for student planning and activities.
- j. Shall ensure that diversity is reflected in the programs and activities organized under the Student Activity Fee, and that all programs and events are open to the entire Student Body.
- k. Shall be a non-voting member of the Senate.

6. Vice President of Clubs and Organizations

- a. Shall strive to ensure that Clubs, Organizations, and entities acknowledged by the Undergraduate Student Government abide by the policy and procedures of the University and the Undergraduate Student Government. Therefore, shall communicate changes in policy and procedures to acknowledged Clubs, Organizations, and entities.
- b. Shall act as the liaison between the Undergraduate Student Government and its acknowledged Clubs, Organizations, and entities.
- c. Shall be a voting member of the Executive Council.
- d. Shall meet with an Executive Board member of all Clubs, Organizations, and entities at least once per semester.
- e. Shall ensure the continuous training and development of all of the Executive Board members of Clubs, Organizations, and entities.
- f. Shall Chair the Special Services Council Committee.
- g. Shall act as the liaison between the Undergraduate Student Government and the Undergraduate Student Government Supreme Court.
- h. Shall be a non-voting member of the Senate.

7. Vice President of Academic Affairs

- a. Shall coordinate all Undergraduate Student Government operations in the area of academic policy.
- b. Shall be the Undergraduate Student Government representative on all University policy-making bodies concerning Undergraduate academic affairs. Shall find alternative and/or additional student representation when needed.

- c. Shall be a voting member of the Executive Council.
- d. Shall be the Undergraduate Student Government liaison to faculty and administrative members.
- e. Shall create and maintain policy to ensure that the Undergraduate Student Government is effectively responding to academic issues affecting the Undergraduate Student Body.
- f. Shall act as the liaison between the Undergraduate Student Government and the Office of the Vice Provost of Undergraduate Education to further understand the current issues affecting Undergraduate academics.
- g. Shall Chair the University and Academic Affairs Committee.
- h. Shall be a non-voting member of the Senate.

F. Duties and Responsibilities of the Executive Council

- 1. Shall promote and sponsor a range of social, cultural, educational, and service programs, in the interest of the Undergraduate Student Body.
- 2. Shall further the benefits and privileges of the Undergraduate Student Body.
- 3. Shall ensure that the Student Activity Fee is properly allocated and disbursed in accordance with Chancellor's Guidelines, University policy and considerations of fiscal prudence.
- 4. Shall act as a liaison between the Undergraduate Student Body and the University Administration.
- 5. Shall develop additional measures to fulfill all policy, procedures, and legislation of the Undergraduate Student Government.
- 6. Shall delegate additional duties and responsibilities to already established agencies of the Undergraduate Student Government, unless otherwise stated in the Constitution or General Bylaws of the Undergraduate Student Government at Stony Brook University.
- 7. Shall review and approve, by a two-thirds vote of the filled seats, any agency operations manual.
- 8. Shall, at its discretion, hire and maintain a professional staff to assist in the administration of the Student Activity Fee, to oversee the daily functions of the

organization, and to maintain a student friendly environment. Said staff hiring must adhere to the AA/EEO standards. All personnel issues are deemed administrative, and therefore within the realm of the Executive Council. Any termination or other decisions regarding professional staff must be decided by a simple majority vote of the filled seats of the Executive Council. All full-time professional staff is to be contracted for a period not to exceed 2 years, subject to renewal as specified in the bylaws.

Section 2 Representatives to Other Organizations

A. Faculty Student Association Representatives

1. There shall be three student representatives on the Board of Directors of the Faculty Student Association. One representative shall be a member from the Executive Council of the Undergraduate Student Government, designated by the President of the Undergraduate Student Government. The other two representatives shall be elected from the Senate according to the FSA Bylaws, provided that one of the three is a commuter student, and one is a resident student.
2. They shall represent the concerns of the Undergraduate Student Body to the FSA that specifically relate to the function of that corporation.
3. They shall act as the Undergraduate Student Government liaisons to the FSA.
4. Terms of office of the representatives shall be two academic years, starting with the fall semester following the election.

B. State University of New York Student Assembly Delegates

1. The New York State Student Assembly consists of representatives from all the SUNY campuses.
2. Each SUNY campus is allotted one delegate one vote for every 4,000 full-time students during a meeting of the NYSSA.
3. The President of the Undergraduate Student Government shall be one of the delegates to the NYSSA.
4. The President shall appoint respectively, with a two-thirds approval of the Senate, one additional delegate from the Executive Council, one from the Senate, and one from the Judiciary.
5. NYSSA delegates shall represent the needs and concerns of the members of the Undergraduate Student Government and the Undergraduate Student Body to the

elected representative of the NYSSA, who holds a position on the Board of Trustees.

C. Stony Brook Council Representative

1. In fulfilling the requirement of the New York State Education Law, the President of the Undergraduate Student Government shall serve as the Undergraduate Representative to the Stony Brook Council on alternative years, when a Graduate Representative does not fill this position.
2. The Undergraduate Representative shall serve from July 1st to June 30th, following the election.
3. The President shall provide a report to both the Executive Council and the Senate on the proceedings of the Stony Brook Council meetings following said meetings, with due diligence.

Section 3 Undergraduate Student Government Agencies

A. The Undergraduate Student Government shall create agencies to fulfill the following functions:

1. The President may create agencies within the Undergraduate Student Government as according to established legislation.
2. An agency may be independent, quasi-independent, or joint.
 - a. An independent agency is one that is not aligned with the Executive or Legislative Branch of the Undergraduate Student Government. There is limited reporting to either Branch, but the President is ultimately responsible for ensuring that agencies under this category are functioning properly.
 - b. A quasi-independent agency is one that reports to the President. The President is responsible for ensuring that all agencies under this category fulfill their duties and responsibilities. The Executive Vice President may be delegated the supervision of these agencies.
 - c. A joint agency is one that is created by both the President and the Senate, and should be defined as such. The President is responsible for the proper functioning of these agencies. The agencies should also submit reports to the Senate, at least once per month, regarding their duties and responsibilities.

3. The chairs of all agencies shall, except for the Vice Presidents, who serve as heads of agencies, be appointed by the President, and be approved by the Senate by majority vote.

B. Agencies

1. The Elections Board

The Elections Board, an independent agency, shall ensure that all elections within the Undergraduate Student Government are operated properly and fairly, as according to established legislation, policy, and procedures.

2. Undergraduate Student Government Student Activities Board

The Undergraduate Student Government Student Activities Board, a quasi-independent agency, shall provide quality programs and events on behalf of the Undergraduate Student Government, and shall ensure that the Undergraduate Student Government and its respective organizations are doing the same.

- a. The Vice President of Student Life, Programming and Activities, and the Undergraduate Student Government Student Activities Board shall ensure that diversity is reflected in the programs provided by the Undergraduate Student Government Student Activities Board, taking special account of the needs of the various cultural and special interests of Clubs, Organizations, and entities.
- b. In its programming, the Undergraduate Student Government Student Activities Board shall take into special account the needs and desires of the various cultural and special interests of Clubs, Organizations, and entities on campus.

3. Audio/Visual Board

Audio/Visual, a quasi-independent agency, shall provide audio and visual services to the Undergraduate Student Government, and to Clubs, Organizations, and entities.

4. Undergraduate Student Government Events Management Staff

The Undergraduate Student Government Events Management Staff, a quasi-independent agency, shall provide events management services to the Undergraduate Student Government, and to Clubs, Organizations, and entities.

5. Undergraduate Student Government Media

The Undergraduate Student Government Media, a sub-agency of the Communications Department, shall provide media services to the Undergraduate Student Government, and to Clubs, Organizations, and entities.

6. Special Services Council

The Special Services Council, a joint agency, shall review and approve/disapprove Clubs, Organizations, and entities seeking acknowledgement by the Undergraduate Student Government. The Special Services Council may also provide, on request, additional funding to individuals, Clubs, Organizations, and entities for special events.

- a. The approval given by the Special Services Council shall be considered acknowledgement. Acknowledgement shall last for a minimum period of one academic year, during which the Club, Organization, or entity will get its funding from the Special Services Council budget. Clubs, Organizations, and entities may appeal the decision of the Special Services Council as according to the procedures defined in the Special Services Council operations manual.
- b. Clubs, Organizations, and entities may request full Undergraduate Student Government acknowledgement from the Senate after the minimum one academic year period. A two-thirds affirmative vote of the filled seats of the Senate is required for full Undergraduate Student Government acknowledgement, upon recommendation by the Special Services Council. Upon full acknowledgement of a Club, Organization, or entity, said Club, Organization, or entity will be granted a position on the line budget.

C. General Duties and Responsibilities

1. Agencies are to perform according to the specific purpose for which they were established.
2. Shall recommend to the Executive Council any possible revisions to their respective operations manual.
3. Specific duties and responsibilities are set in each agency's operations manual. Those operations manuals are considered a part of the Executive Council's policy and procedures.
4. The Executive Council may delegate additional duties and responsibilities to the agencies, unless otherwise stated in the Constitution or General Bylaws of the Undergraduate Student Government at Stony Brook University.

Article IV: LEGISLATIVE BRANCH

Section 1 Senate

A. Membership

1. The Executive Council

- a.** The Executive Council members, except for the Executive Vice President, are non-voting members of the Senate, with full speaking privileges. They shall be included in all Executive Sessions, unless the Executive Session is for the purpose of assessing a prospective disciplinary action against a particular member of the Executive Council, at which time that member will be excluded.
- b.** The Administrative Director and Parliamentarian shall serve as non-voting members of the Senate, with limited speaking privileges.
- c.** The Senate shall be presided over by the Chair, who shall be the duly elected Executive Vice President.

2. The remaining Senate membership shall be elected by the following method:

- a.** The newly elected Senate, during their first official meeting, shall select a President Pro Tempore, who must be present for the next fall semester. The President Pro Tempore shall preside over the Senate in the absence of the Chair. In the absence of both the Chair and the President Pro Tempore, the Senate shall not be permitted to hold a meeting.
- b.** The President, or their designee, of the Commuter Student Association shall be the Senator representing the Commuter Student Association.
- c.** The President, or their designee, of the Residence Hall Association, an independent student association, shall be the Senator representing the Residence Hall Association.
- d.** Sixteen representatives are to be elected from the following colleges, in proportion to the number of Undergraduates in each college. Each college is to have at least one representative.
 - i.** Health Science Center Undergraduates
 - ii.** College of Engineering and Applied Sciences
 - iii.** College of Arts and Sciences (includes Undergraduate Students who are not enrolled in any of the above listed colleges)

- e. A representative from each Undergraduate academic class.
 - i. Freshman Class Senator
 - ii. Sophomore Class Senator
 - iii. Junior Class Senator
 - iv. Senior Class Senator

B. Election and Term of Office

1. Elected Senators shall be elected in the following manner:
 - a. Senators receiving the highest total number of votes from their constituency shall be elected to the Senate.
 - b. Should any Senate positions be vacant before or on October 31st, the Undergraduate Student Government shall conduct an election to fill the vacant positions.
 - c. Should any Senate positions be vacant after October 31st, the President of the Undergraduate Student Government, along with the President Pro Tempore of the Senate, shall appoint the remaining membership.
2. Senators shall be elected before the end of the spring semester for the next academic year. The term of a Senator shall be from the beginning of the fall semester until the end of the spring semester of said next academic year, with the exception of the President Pro Tempore, who shall serve until the beginning of the fall semester of said next academic year when a new President Pro Tempore is selected. Senators who have filled vacancies shall serve until the end of the spring semester of the academic year in which they were appointed.
3. Senators – before placement on the ballot and taking office, candidates must be full-time members of the Undergraduate Student Body, and must be in good academic standing with minimum grade point averages of 2.5. The same criteria must also be maintained during their term of office.
4. Senators may only represent one constituency in the Senate, as defined in Article IV, Section 1. A.
5. Prospective Senators must intend to be members of the Undergraduate Student Body at Stony Brook University for the full academic year of their term of office.

6. The Elections Board of the Undergraduate Student Government, with the assistance of the Executive Vice President, shall ensure that all of the above is properly adhered to.

C. Duties and Responsibilities of the Senate

1. The primary role of the Senate is to promulgate legislation beneficial to, and in the best interest of, Stony Brook University's student population, and to work closely with the Executive Council to ensure that legislation is properly implemented. The Senate shall have the power to write legislation in a simple majority vote of the filled seats of the Senate. Senate legislation shall include, but not be limited to, any bylaws of the Executive Council, the Senate, or the Judiciary.
2. A matriculated student at Stony Brook University, and Clubs, Organizations, and entities, may call for a special bill to be brought to the floor of the Senate by presentation to the Chair of the Senate a petition containing the signatures of no less than one percent of the total membership of the Undergraduate Student Body.
3. Every bill that shall have passed the Senate shall, before it becomes law, be presented to the President, following the adjournment of the Senate meeting in which it was passed; if the President approves, they shall sign it; but if not, they shall return it, with their objections, to the Senate, who shall enter the objections at large on their agenda, and proceed to reconsider it. If any bill shall not be vetoed by the President by its next scheduled Senate meeting of the semester, the same bill shall be law, in like manner as if they had signed it, unless the Senate by their adjournment prevents its veto, in which case it shall not be law. The Senate may override a Presidential veto of legislation by a two-thirds vote of those present. This must be done within two consecutive meetings after the veto has been announced. The vetoed bill will appear under old business on the agenda, with "Presidential Veto Exercised" next to it.
4. Any Senate decision to override the veto can be overturned by a simple majority vote of the ballots cast in a general election.
5. The Senate shall have the power to write resolutions, which shall be enacted by a simple majority vote. A resolution shall be defined as an expression of the will of the Senate; it is not binding, and it cannot be vetoed.
 - a. Simple resolutions may be enacted on issues of importance to the Undergraduate Student Body in regards to academic policy, student rights, and student welfare.
 - b. The Senate may review any policy and/or procedure enacted by the Executive Council. The Senate may enact "force resolutions" relevant to

said policy and/or procedure, to express its approval or disapproval. A “force resolution” is an expression of the will of the Senate about any policy and/or procedure enacted by the Executive Council. It outlines the Senate’s will to the Executive Council, and why it is for or against said policy and/or procedure. Since a resolution is not generally bind, policy and/or procedure may only become void if they violate legislation. That violation, if any, should be clearly expressed in the resolution. Policy and procedure of the Executive Council shall include any operations manual of agencies within the Undergraduate Student Government.

6. Shall create ad-hoc positions, task forces, and committees to take action on issues of importance to students.
7. Shall review the operations of all Clubs, Organizations, and entities acknowledged and funded by the Undergraduate Student Government.
8. Shall review and approve, by a two-thirds vote of the filled seats of the Senate, the budget of the Undergraduate Student Government.
9. Shall approve or disapprove requests from Clubs, Organizations, and entities for additional funding, taking into account relevant recommendations from the Senate Budget Committee. All additional funding requests must first go to the Senate Budget Committee, which then makes a recommendation to the Senate whether to approve or disapprove.

D. Duties and Powers of the Senators

1. All duly elected Senators shall complete a training of parliamentary procedures and other relevant leadership skills prior to the first meeting of the Senate.
2. Senators shall investigate and represent the concerns and opinions of the constituency they represent. Senators shall bring those concerns and opinions to the Senate to be addressed appropriately.
3. Shall participate in the functions and responsibilities of the Senate including, but not limited to, Senate meetings, a minimum of two office hours, standing committees, and budget subcommittee meetings.
4. Voting members of the Senate shall serve on at least one budget subcommittee, and one of the standing committees, for the duration of their term of office.

E. Meetings

1. The Senate shall meet at least twice per month during the fall and spring semesters, with exceptions for the summer semester, vacations and breaks.

- a. A quorum is necessary for any meeting to be conducted. A quorum shall be defined as the presence, in person or by written, signed and validated proxy, of a simple majority of the filled voting seats of the Senate.
 - b. All meetings shall be held in accordance with the New York State Open Meetings Law.
 - 2. The Executive Vice President of the Undergraduate Student Government, the Chair, shall preside over the Senate. The Chair may only vote to break a tie. In the absence of the Chair, the President Pro Tempore shall preside over the Senate.
 - a. The President Pro Tempore shall be annually elected by the second Senate meeting of the fall semester by a simple majority vote of the filled seats of the Senate. The President Pro Tempore shall be elected from among the current Senators.
 - b. Powers reserved to the Chair:
 - i. The Chair has the final say on any procedural issue in the chamber, and the right to make decisions on matters of procedure. The only power denied to the Chair is to reject a Motion to Appeal the Decision of the Chair, after it has been seconded.
 - ii. All meetings of the Senate shall conform to Robert's Rules of Order, which includes that a Parliamentarian always be present.
 - iii. The Chair shall designate (subject to the unanimous consent of the Senate) a time for the training of all Senators on Robert's Rules of Order before the first meeting of the Senate. Senators not in compliance with this order will relinquish their voting rights until said compliance is achieved.

F. Committees

- 1. There shall exist two types of committees within the Senate as follows:
 - a. **Standing Committees**
 - i. These Committees are permanent committees.

- ii. Members of these Committees shall be appointed according to a process developed by the Executive Vice President and the President Pro Tempore.
- iii. All proposed legislation must first go through a relevant Standing Committee before the Senate votes on that legislation.
- iv. The following Standing Committees shall exist within the Senate:
 - 1. Rules and Legislative Review Committee
 - 2. University and Academic Affairs Committee
 - 3. Vetting and Communications Committee
 - 4. Special Services Council Committee
 - 5. Senate Budget Committee
- v. New Standing Committees can be established within the Senate through the amendment procedure stated in Article XI.
- vi. The duties and responsibilities of all the above Committees are given in the General Bylaws of the Undergraduate Student Government at Stony Brook University.

b. Ad-hoc Committees

- i. These Committees are appointed for a limited purpose and time, not to exceed one academic year.
- ii. Ad-hoc Committees can be established by a simple majority vote of the Senate.

Article V: JUDICIAL BRANCH

Section 1 Structure

- A. The Judicial Branch shall be known as the Judiciary.
- B. There shall be one court; it shall be known as the Supreme Court.

Section 2 Supreme Court

A. Appointment of Justices

1. The President shall nominate and appoint the Justices, subject to confirmation by a simple majority of those present and voting at the Senate meeting.
 - a. The Chief Justice shall be chosen by the President from among the appointed Justices, and shall require a two-thirds majority of those Senators present to be confirmed.
2. Appointments should be made before the end of the spring semester, for the next academic year.
3. The Supreme Court shall be comprised of seven Justices, one of whom shall be the Chief Justice.

B. Criteria for the Justices

1. The Justices shall be full-time members of the Undergraduate Student Body at Stony Brook University.
2. The Justices shall be in good academic standing with minimum grade point averages of 2.75 at the time of their nomination, and shall be maintained during their term of office.

C. Terms of Office and Appointment

1. The term of office for the Chief Justice shall be one academic year from the day they are approved by the Senate. After said academic year the Chief Justice will resume being an associate Justice until their term expires, as outlined in Article V, Section 2. C. 2.
2. The term of office of the seven Justices shall be two academic years from the day they are approved by the Senate.
3. All Justices shall be appointed at least two weeks prior to the end of the term of the Justice they are replacing.
4. Nominations to fill all vacancies in the Judiciary shall be made within thirty days.

D. Duties and Powers of the Supreme Court

1. The Supreme Court shall have jurisdiction over all interpretations of this Constitution, all legal issues arising of impeaching of Senate members and

Executive Council members, and all matters between the Executive Council and the Senate.

2. The Supreme Court shall have the power to review any legislation brought before it, in order to determine whether or not it is in accordance with this Constitution. The Supreme Court's decision on any legislation, policy or procedure is final.
3. To bring a case before the Supreme Court, an individual must have standing. Standing is defined as being a member of the Senate or the Executive Council, or a member of the Undergraduate Student Body directly affected by the issue being brought to trial.
4. Those issues limited to hearings of the Supreme Court are as follows:
 - a. Elections
 - b. Impeachment
 - c. Student Activity Fee
 - d. All other issues of substance arising
5. The Chief Justice shall provide a regular report to the Senate once per month, and provide a special report to the Senate after each Judicial Board Meeting.

Section 3 Meetings

- A. All hearings of the Judiciary shall be in accordance with the New York State Open Meetings Law.
- B. A quorum of Judiciary meetings shall be defined as a simple majority of the filled seats.
- C. There shall be written records of all decisions agreed on by the Judiciary.

Article VI: CLUBS AND ORGANIZATIONS

Section 1 Constitution

- A. Each Club and Organization shall establish a Constitution subject to the review of the Judiciary.

Section 2 Duties and Powers of Clubs and Organizations include, but are not limited to, the following:

- A. Shall inform their constituents of relevant University wide issues.
- B. The Executive Board members of the Clubs and Organizations shall be responsible for addressing the concerns of their constituents, and, when necessary, forwarding those concerns to the Executive Council.
- C. Shall appropriate monies granted to the Club or Organization by the Undergraduate Student Government.

Article VII: BUDGET PROCESS

Section 1

- A. The Treasurer of the Undergraduate Student Government shall initiate the annual budgetary process of the Undergraduate Student Government. The budgetary process is outlined in detail in the financial policies of the Undergraduate Student Government.
- B. The process shall end no later than April 30th of the spring semester.
- C. The Treasurer shall be the Chair of the Senate Budget Committee of the Undergraduate Student Government. This Committee shall be in charge of coordinating the budget process and producing a draft annual budget with the Treasurer. The annual budget shall be submitted to the Senate for approval.
- D. The Senate Budget Committee shall set up Budgetary Hearings with the Clubs, Organizations, and entities before it decides on a draft budget. The Office of the Treasurer shall schedule said hearings.
- E. The Senate may modify the proposed annual budget of the Undergraduate Student Government, prior to its approval. The approval shall be completed by April 15th of the spring semester.
- F. The approved budget by the Senate shall be submitted to the Vice President of Student Affairs for final approval.
- G. Should the Senate be unable to meet or to complete its task by the stated deadline, the Executive Council shall proceed on behalf of the Senate.
- H. Deadlines regarding the budget process may be extended by recommendation of the Treasurer, approval of the Senate, and after consultation with the Vice President of Student Affairs.

Article VIII: IMPEACHMENT

Section 1 Executive Council Members

- A. An Executive Council member may only be impeached by a three-fourths vote of the filled seats of the Senate.
- B. An Executive Council member who has been impeached shall be tried in the Supreme Court. The Supreme Court can remove the Executive Council member by a three-fourths vote of its filled seats.
- C. An Executive Council member may be impeached and removed for material violations of this Constitution, legislation, policy or procedures of the Undergraduate Student Government, or a wrongful act of substance.
- D. Executive Council members who are up for impeachment shall require a 48-hour notice by the official bringing up the charges for impeachment.

Section 2 Senate Members

- A. A Senate member may only be impeached by a three-fourths vote of the filled seats of the Executive Council.
- B. A Senate member who has been impeached shall be tried in the Supreme Court. The Supreme Court can remove the Senate member by a three-fourths vote of its filled seats.
- C. A Senate member may be impeached and removed for material violations of this Constitution, legislation, policy or procedures of the Undergraduate Student Government, or a wrongful act of substance.
- D. Senate members who are up for impeachment shall require a 48-hour notice by the official bringing up the charges for impeachment.

Section 3 Judiciary Members

- A. The impeachment of a Judiciary member shall be initiated in the Senate, and shall require a three-fourths vote of the filled seats of the Senate. Upon passing the Senate, the trial and removal of a Judiciary member will require a three-fourths vote of the Executive Council.
- B. A Judiciary member may be impeached and removed for material violations of this Constitution, legislation, policy or procedures of the Undergraduate Student Government, or a wrongful act of substance.
- C. Judiciary members who are up for impeachment shall require a 48-hour notice by the official bringing up the charges for impeachment.

Article IX: REFERENDA

Section 1 Initiation and Approval

- A. There shall be four types of referenda:
1. Advisory Funding Referendum – referendum on the use of the Student Activity Fee, including whether a Club, Organization, or entity shall be budgeted money. Advisory funding referenda are not binding on the Undergraduate Student Government, in accordance with the SUNY Chancellor’s Guidelines.
 2. Amendment Referendum – referendum dealing with amendments to the Constitution. This type of referendum is enumerated and shall be carried out in accordance with Article XI, Section 1 of this Constitution. Amendment referenda are binding on the Undergraduate Student Government.
 3. Student Activity Fee Referendum – referendum on the amount of the Student Activity Fee. This type of referendum may be placed on or removed from the ballot by two-thirds votes of those present at the Senate and the Executive Council meetings, or by a petition of fifteen percent of the membership of the Undergraduate Student Body, and shall pass by a simple majority of votes cast at the ballot in a general election. Student Activity Fee referenda are binding on the Undergraduate Student Government.
 4. Mandatory Student Activity Fee Question – Once every two years, during the spring election for President, the Undergraduate Student Government shall have a referendum on whether the Student Activity Fee shall be mandatory or voluntary, in accordance with the SUNY Chancellor’s Guidelines. This type of referendum shall pass by a simple majority of votes cast at the ballot. A Mandatory Student Activity Fee Question may be held in addition to holding this type of referendum once every two years, provided that a two-thirds majority of those present at the Senate and the Executive Council meetings agree, and such determination shall take effect for the following academic year. Mandatory Student Activity Fee Questions are binding on the Undergraduate Student Government.
- B. An advisory funding referendum may be placed, removed, replaced, or reinstated on the ballot by a simple majority vote of those present at the Senate and the Executive Council meetings, or by a petition of fifteen percent of the membership of the Undergraduate Student Body.

Article X: SUMMER SENATE

Section 1 Membership

- A. The President of the Undergraduate Student Government and the President Pro Tempore of the Senate shall appoint ten members to serve on the Summer Senate, based on the proportionality guidelines previously noted under Article IV, Section 1 A. 3. d.

Section 2 Duties and Powers of the Summer Senate

- A. The Summer Senate shall meet at least once during each summer session.
- B. All legislation passed by the Summer Senate is only binding for the remainder of the summer sessions.
- C. The Summer Senate shall approve the summer budget by a two-thirds vote of the filled seats of the Summer Senate.

Section 3 Presiding Officer and Agenda

- A. The Executive Vice President of the Undergraduate Student Government shall be the Chair and set the agenda for the summer Senate meetings; in their absence, the President Pro Tempore shall preside.

Article XI: AMENDMENT

Section 1 Adoption

- A. To initiate an amendment, either a petition of one-third of the Undergraduate Student Body, or a two-thirds vote of the filled seats of the Executive Council and a two-thirds vote of the filled seats of the Senate, must be accomplished.
- B. A two-thirds vote in the affirmative by the members of the Undergraduate Student Body who partake in the vote by referendum shall be required to adopt an amendment to this Constitution.

Article XII: ADOPTION OF THIS CONSTITUTION

If ratified by a simple majority vote of the ballots cast in a general election of the Undergraduate Student Government, this Constitution shall immediately take effect.