

**Doc. T04-007, as amended**

*Passed by the Board of Trustees on August 4, 2004*

**UNIVERSITY OF MASSACHUSETTS LOWELL  
STUDENT GOVERNMENT ASSOCIATION CONSTITUTION**

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**PREAMBLE**

Recognizing that improvements can be made in the operation of the University and of the University community in general, specifically regarding the student body and its members; and that as students we have the obligation, right, and power to work for constructive change; and that this can be best accomplished by organizing our energies and resources;

Therefore: We, the students of the University of Massachusetts Lowell, in order to create a representative form of student government; to maintain academic freedom, academic responsibility, and student rights; and to enhance educational, social and cultural opportunities; do establish this Constitution of the University of Massachusetts Lowell Student Government Association.

In establishing this body, we are merely delegating the powers herein mentioned to those governing bodies and officers herein described. It is our right to reclaim these powers and end this government or this constitution, or to overrule any decisions made by these bodies or officers at any time.

**ARTICLE I: NAME**

The name of this organization shall be the Student Government Association of the University of Massachusetts Lowell, herein referred to as the SGA.

**ARTICLE II: PURPOSE**

Section 1. The SGA shall exist to:

- A. Serve as the voice and instrument of the will of the student body.
- B. Serve as the protector of the rights and interests of the members of the student body, and of the student body as a whole.
- C. Promote understanding and cooperation between the student body and other components of the university community as well as institutions outside the university.
- D. Coordinate communications between the student body of this university and those of other institutions, in particular those other institutions also within the state higher educational system.
- E. Request consultation before any office of the University takes action on important matters that greatly impact or affect the student body.

### **ARTICLE III: CONSTITUENCY AND MEMBERSHIP**

- Section 1. The SGA shall exist to serve those students who are enrolled as an undergraduate and pay the Operating Fee as defined by the Office of the Registrar, including both full-time and part-time students.
- Section 2. A person must be a full-time matriculated student to be eligible for election or appointment to any SGA position.
- Section 3. The word “student” as used in this Constitution shall mean “member of the SGA constituency.” The phrase “student body” as used in this Constitution shall mean “SGA constituency”.

### **ARTICLE IV: THE REPRESENTATION OF THE SGA**

- Section 1. The SGA shall consist of:
- A. The President and Vice-President shall be voting members. The Student Trustee shall be a voting member and count for quorum.
  - B. Six senators from each of the following colleges/schools who shall each have one vote: College of Fine Arts, Humanities and Social Sciences, Francis College of Engineering, Kennedy College of Sciences, Manning School of Business, and College of Health Sciences.
  - C. The Senior Class Officers who, through their President or designee, will have one vote.
  - D. Twelve At-Large members, representing the diverse University Community will each have one vote.
- Section 2. Consistent with applicable policies of the Board of Trustees of the University, the Preamble and all other provisions of the Constitution, its bylaws, the SGA policy and judgments of the Governance Committee:
- A. By a majority vote, the SGA shall have the power to:
    - a. Act on such bills, resolutions, authorizations, and appropriations as it deems necessary to further the purposes of the SGA.
    - b. Establish and suspend such special and standing committees as it sees fit, with the ultimate power and responsibility resting in the SGA.
    - c. Recognize student organizations according to guidelines established by the SGA.
    - d. Approve the annual budget submitted by the Finance Committee.
  - B. By a 2/3 vote the SGA shall have the power to:
    - a. Adopt laws that further describe the procedures and policies set forth in this Constitution.
    - b. Impeach any office-holder, excluding the Student Trustee but including the Senior Class Officers, of the SGA.
    - c. Override any appropriation of SGA funds by the Finance Committee if such funds were distributed without complying with the Board of Trustee policies, this Constitution or its bylaws.

### **ARTICLE V: SENIOR CLASS OFFICERS**

- Section 1. The Senior Class shall elect a President, Vice President, Secretary and Treasurer. These officers shall promote the interests and welfare of their class, the University and the constituency of the SGA conducting activities such as a “Senior Week” of events, raising funds and promoting the good will of the Senior Class and the University.
- Section 2. Officers of the Senior Class shall be elected by and from their class in the Spring semester before their final academic year of study or in the Fall semester during their

- final academic year of study.
- Section 3. Offices not filled after these elections will be made available via the SGA appointment process. Appointees must be in their final academic year of study.
- Section 4. The Senior Class President shall be responsible for delivering an address about the state of their class at the first SGA meeting of each semester, and also for reporting any actions undertaken to the SGA.
- Section 5. The Senior Class President, or designee, shall be the voting member of the Senior Class for the SGA.
- Section 6. The Senior Class Officers shall represent a link of historical background for incoming students.

#### **ARTICLE VI: SGA COMMITTEES**

- Section 1. The SGA shall have the right to establish or suspend standing and special Committees as it shall see fit. Standing committees shall deal with issues of long term implications and of a recurring nature such as Governance, Finance, Events, Campus Life and Environment, Academic Affairs and Wellness and/or Public Relations.
- Section 2. Committee Chairs will be appointed by the President of the SGA, with the approval of the full SGA. Committee chairs must be selected from the current senators.
- Section 3. The Committee Chairs, may, subject to the approval of the SGA and the committees, appoint students who are not Senators to their perspective committee as voting members, with the exception of the Finance Committee. Non senators shall not exceed 1/3 of the individual committee membership. Furthermore, all Senators shall sit on at least two standing committees.
- Section 4. All committee meetings shall be open to the public, except when outstanding privacy concerns take priority, as listed in the bylaws. Beyond any rules for procedures set by the SGA, committees may keep their own internal procedure, but shall follow SGA bylaws with regard to quorum, voting, etc. All actions undertaken by committees shall be made known to the SGA, in both a written and verbal manner. The SGA shall have authority over all committee decisions and actions. Whenever a dispute arises between any SGA committees due to overlapping of jurisdiction in a matter, the SGA shall decide how the committees shall proceed.

#### **ARTICLE VII: EXECUTIVE BOARD**

- Section 1. The Executive Board shall consist of the SGA President, Vice President, Student Trustee and the Chairs of any standing committee such as Governance, Academic Affairs, Events, Campus Life and Environment, Public Relations, Health and Wellness and/or Finance. A student must serve as a member of the SGA before they may run for, or be appointed to, an Executive Board position, with the exception of the Student Trustee.
- Section 2. The members of the Board shall, in their individual capacities, perform the duties of their respective offices. As a group, they shall be responsible for directing and informing the student body, particularly the other SGA members, in order to accomplish common objectives in the best manner possible. It is also their duty to meet and exchange ideas and information.
- The members of the Board shall be responsible for representing the interests of the SGA to appropriate government agencies and persons, and for keeping the SGA and the student body informed of governmental affairs outside of the University which have an impact on the SGA or its members.

Section 3. The President shall:

- A. Be the ceremonial, executive, and administrative head of the SGA.
- B. Be the chairperson of the Executive Board.
- C. Appoint elected senators to the position of Chair for all SGA committees, with approval of SGA.
- D. Represent the student body at all official University events as requested.
- E. Maintain information packets for the orientation of new Senators.

Section 4. The Vice President shall:

- A. Assist the President in all undertakings.
- B. In the absence of the President, exercise the powers of that office.
- C. Become the President when and if that office is declared vacant.
- D. Oversee the work of the standing committees of the SGA.
- E. Maintain a record of committee attendance.
- F. Be the Chairperson of the full SGA meetings.

Section 5. Committee Chairs - general responsibilities

The Chair of any standing committee shall:

- A. Be responsible for setting the Committee meeting dates and times.
- B. Be responsible for setting the Committee meeting agenda.
- C. Report to the SGA any and all suggestions, actions or decisions of the Committee through written meeting minutes as well as verbal reports.
- D. Appoint the Vice-Chairperson and any other positions as deemed necessary from within the Committee members.
- E. Recognize voting and non-voting members of their committee.
- F. Serve as, or appoint, liaisons to appropriate University offices and student organizations.
- G. Be responsible for upholding the laws associated with each standing committee.

Section 6. The Executive Board shall:

- A. Function as the Emergency Committee during the vacation period and in other cases where immediate action needs to be undertaken and the regular committees of SGA cannot meet.
- B. Be available to represent the SGA at University wide functions.

## **ARTICLE VIII: THE STUDENT TRUSTEE**

Section 1. The Student Trustee shall uphold the Board of Trustee Bylaws.

Section 2. The Student Trustee shall sit on the SGA, Executive Board, and the Emergency Committee as a voting member, and shall count for quorum.

## **ARTICLE IX: MEETINGS OF THE SGA**

Section 1. All meetings of the SGA are open to the public unless an outstanding privacy concern takes priority, as outlined in the bylaws.

Section 2. Meetings of the SGA shall be held at least twice a month while classes are in session if at all possible.

Section 3. Special meetings of the SGA may be called by the President or by petition to the Chair of SGA by 5 voting SGA members. Notice shall be given to all SGA members at least 48 hours in advance of the meeting.

Section 4. All questions and remarks shall be addressed to the Chair. Only after all SGA members have been given the opportunity to address an issue shall the Chair consider recognizing members of the audience, who may be subject to reasonable time constraints.

- Section 5. Robert's Rules of Order shall be adhered to by the SGA except when it conflicts with the provisions made in this Constitution, modification supplementary to its SGA policy, or bylaws.
- Section 6. A binding referendum on any decision made by the SGA shall be held whenever 500 or more students petition for it. A nonbinding referendum on matters affecting the student body shall be held whenever 500 or more of the student body petition for it. The SGA may initiate a referendum of the general student body as supported by a vote of the SGA. Such a referendum shall be conducted by the Offices of Student Activities and Leadership and Dean of Students to ensure that the process is conducted in a fair and timely manner.
- Section 7. Attendance will be taken at the beginning of each SGA meeting.
- Section 8. A Senator, Senior Class Officer or an At-Large Member may be excused for up to 3 full absences at the discretion of the President or their designee.
- Section 9. Committee meeting minutes will be accepted by a vote of all outstanding minutes during an SGA meeting. Such an acceptance will also include any and all motions and/or actions undertaken at the meeting as specified in said minutes.

#### **ARTICLE X: QUORUM REQUIREMENTS**

- Section 1. A quorum of over 50% of the voting members of the SGA must be present at a SGA meeting in order for the SGA to officially meet and conduct business.
- Section 2. A quorum of over 50% of the voting members of each Committee, standing or temporary, shall be present at a meeting in order for the Committee to officially meet and conduct business.

#### **ARTICLE XI: ELECTION AND APPOINTMENT PROCESSES**

- Section 1. It shall be the responsibility of the offices of Student Activities and Dean of Students to conduct elections for the appropriate SGA positions.
- Section 2. All members of the SGA must swear the oath of office which, shall be:  
"I (state your name), knowing the responsibilities of the office that I am about to assume, promise to perform to the best of my ability its duties. I swear to uphold the Student Government Association Constitution."
- Section 3. The Vice President or designee shall administer the oath of office to all the newly elected or appointed members.
- Section 4. All members must be sworn in when receiving a new position or after re-election to a previously held position.
- Section 5. Unless otherwise specified in this Constitution, the term of office of any elected SGA member shall be one academic year. Members who have been appointed will serve in that office until the end of the academic year in which they were appointed.
- Section 6. No member shall be allowed to hold more than one voting position in the SGA at one time, nor will any person serve as a chairperson of more than one committee at a time.
- Section 7. If, after elections, any offices remain vacant, the Vice President, or their designee, shall release applications for the vacant positions. Such applications shall be considered "rolling" as long as seats remain open, except when nominations are in progress. The Governance Committee shall review any such applications for presentation to the SGA.
- Section 8. Anyone holding an office in the Executive Board may not hold office as Editor-In-Chief of the newspaper, or as a Senior Class officer.
- Section 9. All SGA members, including the Senior Class Officers, shall be accountable for the

performance of their duties, including maintaining but not limited to presenting a professional and constructive attitude to those they represent and to those they interact with.

- Section 10. Any office holder who, during the term of their office, at any time has less than a 2.0 cumulative grade point average or, less than 12 academic credits, except as otherwise exempted by the University, shall forfeit that office, which shall be declared vacant and filled according to procedures in the SGA Bylaws. The SGA Advisor shall have the authority to verify the eligibility requirements of officeholders. The Executive Board must be advised of the status of officeholders not meeting these requirements.
- Section 11. Further Election procedures will be stated in the attached Election Guidelines.

## **ARTICLE XII: REMOVAL FROM OFFICE**

### **Section 1. Recall:**

- A. Any elected or appointed member of the SGA, including a Senior Class Officer but excluding Student Trustee, is subject to removal from office by a recall of the student body.
- B. College senators and Senior Class officers, shall be recalled when 2/3 of those voting, which is limited to the members of the Senator's college, or members of the Senior Class, vote to recall. Such action is to be initiated by a petition of 100 members of the said college or class.
- C. The President and Vice President may be recalled when 2/3 of those students who actively vote, vote to recall. Such action is to be initiated by a petition of 500 current undergraduate students. Validity of student status of signatories for inclusion on such a referendum will be verified by the Office of Student Activities if there is a challenge to the validity of the petition.

### **Section 2. Impeachment:**

- A. **Vote to impeach and bring to trial:**  
At any time, a member of the student body can call for a vote of impeachment against any SGA member including the Senior Class officers. A copy of such charges will be delivered to the said member of SGA. The Governance Committee will investigate and determine whether the complaint is trial-worthy. If said member is a member of the Governance Committee, said member shall stand down from their position until said member has been released from the charges or convicted.
- B. **Trial Procedure:**  
If the findings of the Governance Committee warrant it, an Ad Hoc Committee, appointed by the President and made up of Senators shall accept the findings of the Governance Committee and prepare for a fair and full hearing of the charges. If the President or Vice President is being impeached the SGA advisor shall appoint the committee. A vote for impeachment will be taken by the full Senate after charges and evidence have been presented to the full Senate and the accused has had an opportunity to respond to the charges. The burden of proof will lie with the accuser.
- C. **Vote to Convict:**  
Impeachment quorum count for moving the impeachment proceeding forward will be 3/4 of the complete membership of the SGA. The vote to convict for impeachment shall be 2/3 of the impeachment quorum of the SGA. If the 2/3 vote for impeachment is not achieved, the said officer is released from all charges incurred.

### **Section 3. Resignation:**

All elected and appointed members of the SGA shall retain the right to resign from their office at any time. Resignations must be in writing and delivered to the SGA President and the Vice President or designee two weeks in advance of the resignation's taking effect. A letter of resignation will render the former officer ineligible for an SGA position for the remainder of the academic year.

### **ARTICLE XIII: FACULTY ADVISORS**

- Section 1. The SGA shall have as a primary advisor the Dean of Student Affairs or their designee.  
Section 2. The SGA reserves the right to have secondary advisors, which must be a member of the University's faculty, staff, or administration. Alumni advisors may also be considered.

### **ARTICLE XIV: CLUBS AND ORGANIZATIONS**

- Section 1. The Governance Committee shall make available guidelines for writing club/organization constitutions.  
Section 2. Any student club or organization, recognized by the SGA or which falls under SGA jurisdiction for recognition, which does not currently have an approved constitution on file with the SGA shall be required to submit one. Any current constitutions that have been previously approved shall remain in effect as originally implemented.  
Section 3. Club/organization constitutions submitted to the SGA shall be turned over to the Governance Committee of the SGA, which will evaluate the constitution and approve or reject said constitution.  
Section 4. Upon approval of the constitution:  
A. The club/organization becomes eligible to use University facilities, as well as facilities under SGA control, subject to applicable rules and regulations. Copies of these rules and regulations shall be made available through the SGA office and any other location for easy access.  
B. The club/organization becomes eligible for funding through the Finance Committee. The SGA shall have full disclosure of all clubs' budgets which receive funding from the SGA.

### **ARTICLE XV: MEDIA PROTECTION**

The student leadership, including but not restricted to the Executive Board and the SGA, shall not take any measures that infringe upon the editorial prerogative of any campus media organization. Likewise, no legislation shall be passed nor funding restricted for the purpose of infringing upon editorial prerogative.

### **ARTICLE XVI: STUDENT GOVERNMENT ASSOCIATION POLICY**

The SGA may from time to time see fit to declare certain statements to be statements of SGA policy, so long as they do not conflict in any way with this Constitution or Board of Trustees policy. A 2/3 vote of the total membership of the SGA is required for passage of such a measure, provided that public notice of the proposed bill is posted at least one week prior to its consideration. Once in effect, the statement shall have the same effect and force as the Constitution itself.

### **ARTICLE XVII: REFERENDUM**

- Section 1. A binding referendum on any decision made by the SGA shall be held whenever 500 or more students petition for it. A nonbinding referendum on matters affecting the student body shall be held whenever 500 or more of the student body petition for it. The SGA may initiate a referendum of the general student body as supported by a vote of the SGA.  
Section 2. The offices of Student Activities and Leadership and Dean of Student Affairs or their designee shall be responsible for conducting the referendum to ensure that the process

is conducted in a fair and timely manner.

## **ARTICLE XVIII: AMENDMENTS TO THIS CONSTITUTION**

- Section 1. This Constitution may be amended by a 2/3 vote of the total membership of the SGA at two consecutive meetings and with the approval of the Board of Trustees provided that:
- A. These meetings must be held at least three full days apart.
  - B. Public notice of the proposed amendment is posted at least one full week prior to its initial consideration.
  - C. The SGA must be made aware of the Amendment's consideration as part of the Agenda at least one week in advance.
  - D. A potential amendment may be written by any voting member of the SGA.
- Section 2. The SGA may order a referendum by the student body be held in addition to the above described vote by the SGA. The Governance Committee may order that a referendum be held if it deems the amendment to be of a nature or scope that will alter the nature of the Constitution. Such referendums shall require a majority vote for passage.

## **ARTICLE XIX: BYLAWS**

- Section 1. Bylaws shall outline the purpose, policies and procedures of individual committees within the SGA.
- Section 2. All standing committees shall have active bylaws at all times.
- Section 3. Rewriting of bylaws are subject to a majority vote by the Committee in question, followed by a 2/3 vote by the SGA.

## **ARTICLE XX: IMPLEMENTATION OF THIS CONSTITUTION**

This Constitution shall be considered to be temporarily in effect after it has been approved by a 2/3 vote of the SGA at two consecutive meetings, held at least three days apart. Approval is also subject to a referendum of the student body, if one is ordered in the manner described in the current Constitution. This Constitution shall not be considered in permanent effect until approved by the Board of Trustees. Once implemented, this Constitution shall not be subject to other club/organization constitution policy. Review of the entire Constitution shall only be required on request of the Board of Trustees or a petition by 500 students. If such a request for review arises, a sub-committee shall be established to review this Constitution.

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