

Agendum
Oakland University
Board of Trustees Formal Session
April 1, 2015

REVISED OAKLAND UNIVERSITY STUDENT CONGRESS CONSTITUTION
Recommendation

1. **Division and Department:** Student Affairs and Enrollment Management
2. **Introduction:** The Oakland University Student Congress (OUSC) is recognized by the Board of Trustees (Board) as an organization to advise the President in regard to policies and programs relating to student life. Pursuant to the Board's Bylaws, the OUSC shall be organized and shall function in accordance with such Constitution of the OUSC as may be approved or amended by Board resolution.

The OUSC is the representative body of the students at Oakland University. The OUSC Constitution and Bylaws are the governing documents, and over the course of time the demographics, size and needs of the student body have changed.

The Student Program Board (SPB) is part of the Executive Board of Student Congress. The SPB is a standing committee of OUSC that strives to enhance student life by providing high quality and diverse programs, activities and events for the Oakland University community.

A committee composed of a variety of students, staff and faculty was formed to examine the impact of the SPB becoming an independent organization. The committee proposed constitutional updates and recommended independence of SPB to the OUSC Legislature where it was unanimously supported. Subsequently a student body election was held during the Fall 2014 semester and proposed constitutional amendments passed with over 80% of the votes.

In addition, three positions have been added to the Executive Board which are Legislative Affairs Director, Diversity and Inclusion Director and Marketing Director, among other executive, legislative and judicial membership revisions.

3. **Previous Board Action:** The Board of Trustees approved the Student Congress Constitution on June 16, 1994, and amended it on April 11, 1996, April 5, 2006, and September 12, 2007.
4. **Budget Implications:** None.
5. **Educational Implications:** None.
6. **Personnel Implications:** None.

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7. **University Reviews/Approvals:** This recommendation was reviewed by the Interim Vice President for Student Affairs and Enrollment Management and the Office of Legal Affairs.

8. **Recommendation:**

WHEREAS, the Oakland University Board of Trustees recognizes the Oakland University Student Congress as an organization to advise the President in regard to policies and programs relating to student life; and

WHEREAS, the Oakland University Student Congress is organized and functions in accordance with such Constitution of the Oakland University Student Congress as may be approved or amended by resolution of the Oakland University Board of Trustees; and

WHEREAS, over the past seven years the demographics, size and needs of the Oakland University Student Body have changed; and

WHEREAS, the needs, therefore, of the Oakland University Student Congress have likewise changed to effectively and efficiently represent the student body; and

WHEREAS, there was a critical need for outdated policies and procedures to be revisited; and

WHEREAS, the membership procedures of the executive, legislative and judicial branches of the Oakland University Student Congress needed to be more clearly defined; and

WHEREAS, it has been determined that the Student Program Board will no longer be under the jurisdiction of the Oakland University Student Congress and will be retained as a direct funded student group; and

WHEREAS, during the Fall 2014 semester, the student body of Oakland University voted to approve amendments to the Constitution of the Oakland University Student Congress by attaining a margin of 80%; now, therefore, be it

Oakland University Student Congress Constitution

We, the students of Oakland University, in order to provide a central student government responsive to the needs of the students, bring forth to the Board of Trustees of Oakland University, the following Oakland University Student Congress Constitution. The University Student Congress, in accordance with the rules and regulations set forth in this Constitution and the Bylaws of the ~~Board of Trustees of Oakland University~~ **Student Congress**, shall maintain the integrity and individuality of students, advocate policies which shall best serve students, protect and defend the rights of students, and provide an official vote and voice for all Oakland University students.

Article I. Congressional Elections and Eligibility

- A. Any enrolled student with good academic and disciplinary standing shall be eligible to seek and maintain membership or position in the Legislative, Executive, or Judicial Branches. To maintain such membership or position a student need not be enrolled during ~~Spring or Summer semesters~~ **semester**.
- B. Elections for the student-elected positions within the Legislative and Executive Branches of University Student Congress shall be held every Winter semester.
- C. Each student enrolled at the time of any election shall have the right to cast one vote for a Presidential/Vice Presidential ticket and **up to** twenty-five votes for Legislators.
- D. The term of office for ~~University Student Congress~~ **elected members** shall begin with the second legislative body meeting prior to the end of Winter semester. The new Congress must hold two (2) meetings before the end of Winter semester.

Article II. Executive Branch

- A. Composition
 1. The Executive Branch of University Student Congress shall consist of:
 - a. One Student Body President and one Student Body Vice President, elected as a ticket by a plurality vote of the students voting in the election and **upon validations**.
 - b. An Executive Board, appointed by the Student Body President, consisting of:
 - i. Administrative Assistant.
 - ii. Student Activities Funding Board Chairperson.
 - ~~iii. Student Program Board Chairperson.~~
 - iii. Financial Affairs Director.
 - iv. Student Services Director.
 - v. **Legislative Affairs Director.**
 - vi. **Diversity and Inclusion Director.**
 - vii. **Marketing Director.**
 - ~~viii. One other position that the President shall so designate, as outlined in the Bylaws.~~
 - c. **The Student Body President may appoint any number of additional Executive Board positions. The University Student Congress Bylaws shall name their positions and their subsequent duties.**
 - i. **Any Executive Board position appointed by the Student Body President must be approved by the Legislature.**
 2. Individuals appointed to an Executive Board position must be approved by the Legislative branch.
 3. Executive Board members are to be appointed pursuant to the procedures outlined in the University Student Congress Bylaws. ~~An Executive Board member must be an enrolled student with good academic and disciplinary standing~~ **An Executive Board member must be an enrolled student with an minimum of six (6) credits in Fall and Winter semesters for undergraduates, four (4) credits for Fall and Winter semesters for graduates, meet eligibility of student organization officers in Center for Student Activity's policies and be in good disciplinary standing.** The duties of Executive Board members are defined in the University Student Congress Bylaws and each Executive Board member is required to comply with the duties of his or her position.
- B. Elected officers
 1. Student Body President.

- a. Shall serve as the ~~chief spokesperson~~ **primary representative** of the student body of Oakland University.
 - b. Shall carry out the policies and measures of the University Student Congress in accordance with the Constitution, the Bylaws and Oath of Office.
 - c. Shall make recommendations to the Legislative Branch of the University Student Congress.
 - d. May break tie votes in the Student Congress Legislative Body meetings.
 - e. May veto any Congressional legislation. Vetoes must be presented in writing to the Steering Chairperson within one week of the Congress' approval of the legislation.
 - f. Shall ~~select~~ **present** individuals to fill all Executive Board positions and submit them to the University Student Congress Legislature for approval.
 - g. **Shall** retain non-voting status on all Congressional committees.
 - h. **Shall** oversee and report on the fiscal solvency of the University Student Congress.
 - i. **Shall** represent the University Student Congress and the student body at all appropriate forums and functions, including, but not limited to, all Board of Trustees meetings.
 - j. **Shall appoint, select or otherwise elect student members to every University governance body and standing ad-hoc committee which provides for student representation as needed.**
 - k. **Shall advise the University President on all issues, matters and/or concerns he/she wishes to bring before the University Student Congress.**
 - l. **Shall select a new Vice President in the event that the position of Vice President becomes vacant.**
 2. Student Body Vice President.
 - a. **Shall** assist the President in carrying out policies and measures of the University Student Congress.
 - b. **Shall** assume the office of University Student Body President in the event that the position of President becomes vacant.
 - c. **Shall** serve as chairperson of all University Student Congress meetings.
 - d. **Shall** represent University Student Congress ~~at the university, local, state, and national levels~~ in conjunction with the President **when representing the student body of Oakland University.**
 - e. **May** represent the President in his or her absence.
 - f. **Shall retain non-voting status on all congressional committees.**
 - g. **May serve as an ex-officio member of ad-hoc congressional court.**
- C. Impeachment of Executive Branch members
1. Any Executive Branch member may be impeached based on charges of violation of this Constitution or its Bylaws **to be handled by the Congressional Court.**
 2. ~~In cases of Executive impeachment, the Judiciary Committee shall appoint two Executive Board members as voting members of the committee until a decision is reached on the issue; the Executive Board member being charged may not be the person appointed to the committee.~~

Article III. Legislative Branch

A. Composition

1. The Legislative Branch of University Student Congress shall be composed of voting members as follows:
 - a. Twenty-three members elected at-large by the student body.
 - b. All members must maintain good academic and disciplinary standing.
 - e. ~~The President of Residence Halls Council or his/her designee shall serve as an ex-officio member.~~ **An elected member of Residence Hall Association (RHA) shall serve as a voting member.**

- d. ~~The President of Commuter Council or his/her designee shall serve as an ex-officio member.~~ **An elected member of Greek Council shall serve as a voting member.**
 2. The University President or his/her designee shall serve as an ex-officio and non-voting member of University Student Congress.
- B. The rights and responsibilities of the Legislative Branch shall be to:
1. Initiate proposals or make recommendations to ~~the University President, University agencies, and the student body at large~~ on all matters relevant to the general welfare of the student body and University.
 2. Recommend University policy in areas of concern to students as well as ~~disseminate and~~ communicate information regarding University policies to students.
 3. Share with the University Senate the responsibility for consideration of University policy in areas which involve both academic and student life concerns.
 4. ~~Have the right to take formal notice of any action taken by the University or any representative thereof, and by resolution, to comment on any such action.~~ **Pass resolutions to comment on any actions and issues that affect academic and student life concerns.**
 5. ~~Appoint, select or otherwise elect student members to every University governance body and standing ad-hoc committee which provides for student representation as needed.~~
 5. Have the right to override a presidential veto by a two-thirds affirmative vote of those members present and voting. This vote must take place at the next Congress meeting following the exercise of that veto.
 6. Establish and maintain policies and procedures for the effective operation of all aspects of the University Student Congress.
 7. ~~Advise the University President on all issues, matters and/or concerns he/she wishes to bring before the University Student Congress.~~
 8. Conduct business in accordance with the regulations, procedures, and duties outlined in this Constitution, the University Student Congress Bylaws, and Oath of Office.
- C. Termination of office.
1. Removal due to absence.
 - a. Any Legislator who accumulates three (3) unexcused absences from meetings of University Student Congress during either Fall semester or Winter semester **the term of office** shall automatically be brought up for removal by the Judiciary Committee Chair.
 - b. **To remove any member of the Legislature shall require a two-thirds vote of the total voting membership.**
 2. Impeachment.
 - a. Any Legislator may be impeached based on charges of violation of this Constitution or its Bylaws. The charges must be presented to the Judiciary Committee, which will proceed according to its own guidelines as outlined in the Bylaws.
 3. ~~To remove any member of the Legislature shall require a two thirds vote of the total voting membership. A Legislator being charged shall not receive a vote on their removal decision.~~
 3. ~~Resignations.~~ **Resignation.**
 - a. Any resignation written by a member of University Student Congress shall take effect immediately, unless otherwise stipulated by the resignation letter.

Article IV. Appointed Agents

- A. The Student Body President may appoint any number of Appointed Agents, who shall hold ~~Executive Board-level positions but~~ **that** are not considered members **part** of the Legislative or Executive Branches. The University Student Congress Bylaws shall name appointed agent positions and their subsequent duties.
- B. **All members must maintain good academic and disciplinary standing.**

Article V. Judicial Branch

A. Composition and Dissolution

1. The Judicial Branch of the University Student Congress shall consist of a ~~Congressional Court, hereinafter referred to as "the Court," composed as follows~~ **an ad-hoc Congressional Court, hereinafter referred to as "The Court", composed as follows:**
 - a. One (1) Chief Justice of the Congressional Court. **The Chief Justice is the Judiciary Committee Chair, who shall serve as an ex-officio officer.**
 - b. ~~Four (4) Associate Justices of the Congressional Court.~~ **Three (3) or five (5) associate justices of The Congressional Court.**
 - c. Members must be either current undergraduate or graduate students at Oakland University. **Based on availability members must be two (2) or four (4) undergraduate or graduate students at Oakland University with no current involvement in the University Student Congress and one (1) current faculty or staff member.**
 - d. ~~All members must meet eligibility requirements outlined in Article I, Section A of this Constitution.~~
2. **The Court shall dissolve once it has reported its decision to the Legislature.**

B. Appointment Procedure and Confirmation Process

1. ~~Within one (1) month of a vacancy occurring on the Court, the Student Body President shall submit a nominee of their choice to the Judiciary Committee of the University Student Congress Legislature for consideration.~~
2. ~~The Judiciary Committee shall be responsible for interviewing and questioning the nominee and issuing a recommendation on the nomination to the Legislature.~~
 - a. ~~The Judiciary Committee must hold between two (2) and five (5) hearings at which the nominee will be engaged in a 'questions and answers' session. These hearings must be open to the public and shall follow a formal procedure, as established by the Committee Chair.~~
 - b. ~~All members of the Judiciary Committee, including the Chair, as well as the nominee must be present for each hearing. Should any of the aforementioned persons not be present, a hearing cannot be held. Should any member have to depart a hearing before the scheduled end, the hearing shall immediately end and must reconvene at a time convenient for all involved.~~
 - c. ~~Upon completion of the nominee's final hearing, the Judiciary Committee must take a vote of recommendation prior to sending the nomination to the full Legislature for consideration.~~
 - d. ~~Even if a nominee receives a vote of "Not Recommended," meaning at least a simple majority of the Judiciary Committee has voted against the nomination, the nomination must still be sent to the full Legislature for consideration.~~
3. ~~Upon receiving the recommendation of the Judiciary Committee, the University Student Congress Legislature shall debate the nomination during three (3) of its public meetings; a section of the agenda shall be devoted to questions and answers of a judicial nominee by the full Legislature.~~
 - a. ~~At the first meeting at which a nominee's appointment is considered, the Chair of the Judiciary Committee shall present the recommendation of the committee, announce the vote total for and against the nominee, and briefly summarize the opinions of the Committee.~~
 - b. ~~Questions and answers of a judicial nominee at a meeting of the Legislature shall have no time limits.~~
 - c. ~~At the conclusion of the third hearing by the Legislature, the full Legislature shall vote on the appointment of the nominee.~~

~~d. A nominee must garner a two-thirds (2/3) vote of the Legislators present for approval. e. Should a nominee fail to garner the necessary votes for approval, the Student Body~~

~~President may re-nominate the same individual once in each Congressional term, if the nominee has garnered at least half the votes of the Legislature, or select a new nominee. The process shall then be repeated.~~

~~C. Term of Office~~

~~1. A Justice of the University Student Congress' Court shall hold their position until such time as they complete their undergraduate degree (or, if they are a graduate student, their graduate degree), opt~~

~~to resign from their position, withdraw from the University during any Fall or Winter semester, or are removed from their position.~~

~~2. If a Justice who is an undergraduate receives an undergraduate degree and then returns to Oakland University as a graduate student, if they wish to hold a position on the Court again they must complete the nomination process again.~~

B. Appointment Procedure and Confirmation Process

1. The Judiciary Committee Chair shall select nominees for the Court.

2. Upon receiving the recommendation of the Judiciary Committee Chair, the University Student Congress Legislature shall debate the nomination during one (1) of its public meetings; a section of the agenda shall be devoted to questions and answers of each judicial nominee by the full Legislature.

a. The Judiciary Committee Chair shall make the recommendation of the potential composition of the Court.

b. At the conclusion of the hearing by the Legislature, the full Legislature shall vote on the appointment of the nominee(s).

c. A nominee must garner a two-thirds (2/3) vote of the Legislators present for approval.

C. Enumerated Powers and Restrictions

1. The Court alone shall hear and decide challenges to the constitutionality of University Student Congress legislation, and to the constitutionality of provisions of the University Student Congress Bylaws; such challenges may be filed by any Oakland University student, faculty, or staff.

2. The Court shall have the final, but not sole, interpretive power over the language of all bills, resolutions, rules, policies, and procedures of the University Student Congress.

3. The Court shall hear appeals of Judiciary Committee decisions regarding any issues heard by the Committee, but that do not involve a question of constitutionality.

4. The Court must issue, publish, and transmit to the Congressional Archivist its opinions regarding challenges heard by the Court.

5. Court members must faithfully adhere to the governing document(s) of the Court, but are not bound to rules which contravene the policies set forth in this Constitution.

6. It is recommended, but not required, that Court members not attend meetings of the University Student Congress Legislature; should a Court member elect to attend a meeting of the Legislature, they should not under any circumstances address the Legislature regarding any business which might be brought before the Court.

7. The Court shall only have authority over the elections of the University Student Congress insofar as the members of the various committees involved in the electoral process may appeal disciplinary action taken against them to the Court. The Court will not decide the outcome of any election.

a. The Court may decide the constitutionality of ballot initiative questions.

8. The Court shall have no authority to rule on any issue which lies outside the jurisdiction of the University Student Congress.

F. Impeachment and Removal

~~1. Members of the Court may be charged with violation of the duties outlined in this Constitution or the Court's governing documents.~~

~~2. Charges against a member of the Court shall be filed with the Judiciary Committee, which shall follow the judicial procedure outlined for all members of the University Student Congress in the Congress' Bylaws; no members shall be added to the Judiciary Committee for the consideration of the charges, as in a case involving the Executive Branch.~~

~~3. Should any justice be impeached and their removal recommended to the Legislature, a vote of 2/3 of the legislators present shall be necessary to remove.~~

D. Operational Guidelines/Governing Documents

1. Operational guidelines shall be created for the Court by the University Student Congress Judiciary Committee and approved by the Legislature, detailing any items not covered in this Constitution; such guidelines shall ~~not~~ be made a part of the University Student Congress Bylaws.
2. Operational guidelines shall be passed as Congressional legislation, shall require two readings for approval or amendment, and shall remain effective from year to year.

Article VI. University Senate

- A. The University Student Congress shall be responsible for appointing students, who may or may not be University Student Congress legislators, to fill seats on the University Senate and its committees that are reserved for student representation. The University Student Congress Bylaws shall name the procedures that will be followed to determine these appointments.

Article VII. Committees

A. Standing Committees.

1. Student Activities Funding Board (SAFB).
- ~~2. Student Program Board (SPB).~~
3. Student Services Committee (SSC).
4. Legislative Affairs Committee (LAC).
5. Elections Commission (EC).
6. Steering Committee.
7. Judiciary Committee.
8. Research and Review Committee.
9. Scholarship Committee.

B. Composition and duties of standing committees.

1. The SAFB, ~~SPB~~, SSC, LAC, and EC shall be chaired by a member of the Executive Board and need not be exclusively composed of members of the Legislature.
2. The Legislature shall elect Steering, Judiciary, Research and Review, and Scholarship Chairpersons. The chairpersons must be members of the Legislative Branch of University Student Congress and shall be non-voting members of their respective committees. The committees shall be exclusively composed of up to five (5) Legislators.
3. The duties of the committee members are defined in the Bylaws of the University Student Congress and each committee member is required to comply with the duties of his or her position.

C. Non-Legislative Body committee chairpersons may introduce legislation or make motions which:

1. Add members to their committees.
2. Amend the operating guidelines to which the committee adheres.

D. Additional committees under University Student Congress jurisdiction may be formed in accordance with the University Student Congress Bylaws.

Article VIII. Meeting Procedures

- A. Quorum and absences.
1. The quorum requirement for meetings of the Legislature shall be satisfied when a simple majority of seated Legislators, ~~inclusive~~ **exclusive** of the Residence Halls Council representative and the Commuter Council representative **any ex-officio members**, are present.
 2. If quorum is not established within thirty minutes of a scheduled meeting time, those members not present shall be charged with an absence. All members present will be counted as present and dismissed.
 3. If quorum is established at the roll call, Legislators shall be charged with an absence if they are not present fifteen (15) minutes after the completion of the roll call.
 4. Legislators shall be charged with a tardy if they arrive after the completion of the roll call, but before the fifteen minute time limit. Two (2) tardies will be considered an absence.
- B. Conduct of Congress meetings.
1. Congress meetings shall be conducted in accordance with the most recent official edition of Robert's Rules of Order, except as this Constitution or its Bylaws may provide.
 2. The Student Body Vice President shall preside over all meetings of Student Congress, and be charged with interpreting and enforcing orderly parliamentary procedure. The Steering Chair shall assume the powers and duties of chairperson in the absence of the Vice President, while retaining all the duties and powers of a Legislator.
 3. Unless otherwise stipulated by this Constitution or its Bylaws, all votes of the Legislature shall require majority approval of those members present and voting.
- C. Submission and approval of business.
1. All business to be placed on the agenda must be submitted, in writing, to the Steering Chairperson prior to the approval of the agenda.
 2. All items concerning Congressional finances or the Bylaws shall have two readings, at least seven days apart, before being put up for a final vote by the Legislature.
- D. Special meetings.
1. A special meeting of the University Student Congress may be called by the Steering Committee for one stated purpose, and must be given at least two (2) days public notice.

Article IX. Vacancies

- A. When a Legislative position becomes vacant due to resignation or removal, the Research and Review Committee shall submit candidates who have applied to Student Congress to fill those vacancies. ~~The Legislature shall approve the appointments if the candidate has fulfilled the requirements outlined in the University Student Congress Bylaws.~~ **Candidates who have fulfilled the requirements outlined in the University Student Congress Bylaws shall be approved by majority vote of the Legislature.**
- B. Executive ~~Branch~~ **Board** vacancies shall ~~be temporarily filled by a person selected and confirmed by the Legislature~~ **remain vacant** until a permanent replacement can be nominated by the Student Body President **and confirmed by the Legislature.**
- C. **Should the positions of President and Vice President become vacant, the Steering Committee Chair shall assume the position of President until a special election is held.**

Article X. Referenda

- A. University Student Congress shall hold a campus-wide referendum following authorization by the Legislature. The referendum question shall have two readings at least seven days apart before being ~~put up~~ **submitted** for a final vote by the Legislature; a majority vote of the Legislature is needed to approve the creation of the referendum question.
- B. The student body may initiate a referendum, to be carried out by University Student Congress, by filing a petition to University Student Congress, totaling at least ~~one-third of the number of valid ballots cast in the previous General Election.~~ **1,000 currently enrolled Oakland University students.**
- C. ~~Questions submitted to referendum.~~ **The referendum** shall be adopted by University

Student Congress if approved by a simple majority of those voting on the question referendum.

- D. Any referendum to appear on a ballot must be promoted by at least one publicized campus-wide Open Forum.

Article XI. Amendment Procedure

- A. Amendments to this Constitution may be enacted by:
 - 1. The University Student Congress by:
 - a. Conducting a first and second reading of the proposed amendment at publicly announced meetings of the University Student Congress at least seven days apart.
 - b. An affirmative vote of two-thirds of the Legislature.
 - c. A majority vote of those students voting in a student referendum.
 - d. Obtaining ratification by the Board of Trustees.
 - 2. The student body by:
 - a. The collection of petition signatures totaling two-thirds of the total number of votes cast in the previous presidential election.
 - b. A majority vote of those students voting in a student referendum.
 - c. Obtaining ratification by the Board of Trustees.
- B. Amendments to this Constitution's Bylaws may be enacted by:
 - 1. A first and second reading of the proposed Bylaws or amendment at publicly announced meetings of the University Student Congress at least seven days apart.
 - 2. An affirmative vote of two-thirds of the University Student Congress Legislature.
 - 3. ~~Legislation altering SAFB and SPB guidelines may only be introduced for Legislative approval by Legislators who are committee members or the committee's chairperson.~~
Introducing legislation altering SAFB guidelines. These may be introduced for approval only by Legislators who are committee members or the committee's chairperson.
- C. Any amendment to the Bylaws must be written within the scope of authority set forth in this Constitution.
- D. Amendments which change or remove any position within Congress will not take effect until such time as that position becomes vacant, or the current Congressional session ends.

Oakland University Student Congress Constitution

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Article I. Congressional Elections and Eligibility

- A. Any enrolled student with good academic and disciplinary standing shall be eligible to seek and maintain membership or position in the Legislative, Executive, or Judicial Branches. To maintain such membership or position a student need not be enrolled during Summer semester.
- B. Elections for the student-elected positions within the Legislative and Executive Branches of University Student Congress shall be held every Winter semester.
- C. Each student enrolled at the time of any election shall have the right to cast one vote for a Presidential/Vice Presidential ticket and up to twenty-five votes for Legislators.
- D. The term of office for elected members shall begin with the second legislative body meeting prior to the end of Winter semester. The new Congress must hold two (2) meetings before the end of Winter semester.

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- B. Elected officers
 1. Student Body President.

- a. Shall serve as the primary representative of the student body of Oakland University.
 - b. Shall carry out the policies and measures of the University Student Congress in accordance with the Constitution, the Bylaws and Oath of Office.
 - c. Shall make recommendations to the Legislative Branch of the University Student Congress.
 - d. May break tie votes in the Student Congress Legislative Body meetings.
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 - f. Shall present individuals to fill all Executive Board positions and submit them to the University Student Congress Legislature for approval.
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 - b. Shall assume the office of University Student Body President in the event that the position of President becomes vacant.
 - c. Shall serve as chairperson of all University Student Congress meetings.
 - d. Shall represent University Student Congress in conjunction with the President when representing the student body of Oakland University.
 - e. May represent the President in his or her absence.
 - f. Shall retain non-voting status on all congressional committees.
 - g. May serve as an ex-officio member of ad-hoc congressional court.
- C. Impeachment of Executive Branch members
 1. Any Executive Branch member may be impeached based on charges of violation of this Constitution or its Bylaws to be handled by the Congressional Court.

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 - a. Any resignation written by a member of University Student Congress shall take effect immediately, unless otherwise stipulated by the resignation letter.

Article IV. Appointed Agents

- A. The Student Body President may appoint any number of Appointed Agents, who shall hold positions that are not considered part of the Legislative or Executive Branches. The University Student Congress Bylaws shall name appointed agent positions and their subsequent duties.
- B. All members must maintain good academic and disciplinary standing.

Article V. Judicial Branch

- A. Composition and Dissolution
 1. The Judicial Branch of the University Student Congress shall consist of an ad-hoc Congressional Court, hereinafter referred to as "The Court", composed as follows:
 - a. One (1) Chief Justice of the Congressional Court. The Chief Justice is the Judiciary Committee Chair, who shall serve as an ex-officio officer.
 - b. Three (3) or five (5) associate justices of The Congressional Court.
 - c. Members must be either current undergraduate or graduate students at Oakland University. Based on availability members must be two (2) or four (4) undergraduate or graduate students at Oakland University with no current involvement in the University Student Congress and one (1) current faculty or staff member.
 2. The Court shall dissolve once it has reported its decision to the Legislature.
- B. Appointment Procedure and Confirmation Process
 1. The Judiciary Committee Chair shall select nominees for the Court.
 2. Upon receiving the recommendation of the Judiciary Committee Chair, the University Student Congress Legislature shall debate the nomination during one (1) of its public meetings; a section of the agenda shall be devoted to questions and answers of each judicial nominee by the full Legislature.
 - a. The Judiciary Committee Chair shall make the recommendation of the potential composition of the Court.
 - b. At the conclusion of the hearing by the Legislature, the full Legislature shall vote on the appointment of the nominee(s).
 - c. A nominee must garner a two-thirds (2/3) vote of the Legislators present for approval.

C. Enumerated Powers and Restrictions

1. The Court alone shall hear and decide challenges to the constitutionality of University Student Congress legislation, and to the constitutionality of provisions of the University Student Congress Bylaws; such challenges may be filed by any Oakland University student, faculty, or staff.
2. The Court shall have the final, interpretive power over the language of all bills, resolutions, rules, policies, and procedures of the University Student Congress.
3. The Court shall hear appeals of Judiciary Committee decisions regarding any issues heard by the Committee, but that do not involve a question of constitutionality.
4. The Court must issue, publish, and transmit to the Congressional Archivist its opinions regarding challenges heard by the Court.
5. Court members must faithfully adhere to the governing document(s) of the Court, but are not bound to rules which contravene the policies set forth in this Constitution.
6. It is recommended, but not required, that Court members not attend meetings of the University Student Congress Legislature; should a Court member elect to attend a meeting of the Legislature, they should not under any circumstances address the Legislature regarding any business which might be brought before the Court.
7. The Court shall only have authority over the elections of the University Student Congress insofar as the members of the various committees involved in the electoral process may appeal disciplinary action taken against them to the Court. The Court will not decide the outcome of any election.
 - a. The Court may decide the constitutionality of ballot initiative questions.
8. The Court shall have no authority to rule on any issue which lies outside the jurisdiction of the University Student Congress.

D. Operational Guidelines/Governing Documents

1. Operational guidelines shall be created for the Court by the University Student Congress Judiciary Committee and approved by the Legislature, detailing any items not covered in this Constitution; such guidelines shall not be made a part of the University Student Congress Bylaws.
2. Operational guidelines shall be passed as Congressional legislation, shall require two readings for approval or amendment, and shall remain effective from year to year.

Article VI. University Senate

- A. The University Student Congress shall be responsible for appointing students, who may or may not be University Student Congress legislators, to fill seats on the University Senate and its committees that are reserved for student representation. The University Student Congress Bylaws shall name the procedures that will be followed to determine these appointments.

Article VII. Committees

A. Standing Committees.

1. Student Activities Funding Board (SAFB).
2. Student Services Committee (SSC).
3. Legislative Affairs Committee (LAC).
4. Elections Commission (EC).
5. Steering Committee.
6. Judiciary Committee.
7. Research and Review Committee.
8. Scholarship Committee.

B. Composition and duties of standing committees.

1. The SAFB, SSC, LAC, and EC shall be chaired by a member of the Executive Board and need not be exclusively composed of members of the Legislature.
2. The Legislature shall elect Steering, Judiciary, Research and Review, and Scholarship Chairpersons. The chairpersons must be members of the Legislative Branch of University Student Congress and shall be non-voting members of their respective committees. The committees shall be exclusively composed of up to five (5) Legislators.

3. The duties of the committee members are defined in the Bylaws of the University Student Congress and each committee member is required to comply with the duties of his or her position.
- C. Non-Legislative Body committee chairpersons may introduce legislation or make motions which:
1. Add members to their committees.
 2. Amend the operating guidelines to which the committee adheres.
- D. Additional committees under University Student Congress jurisdiction may be formed in accordance with the University Student Congress Bylaws.

Article VIII. Meeting Procedures

- A. Quorum and absences.
1. The quorum requirement for meetings of the Legislature shall be satisfied when a simple majority of seated Legislators, exclusive of any ex-officio members, are present.
 2. If quorum is not established within thirty minutes of a scheduled meeting time, those members not present shall be charged with an absence. All members present will be counted as present and dismissed.
 3. If quorum is established at the roll call, Legislators shall be charged with an absence if they are not present fifteen (15) minutes after the completion of the roll call.
 4. Legislators shall be charged with a tardy if they arrive after the completion of the roll call, but before the fifteen minute time limit. Two (2) tardies will be considered an absence.
- B. Conduct of Congress meetings.
1. Congress meetings shall be conducted in accordance with the most recent official edition of Robert's Rules of Order, except as this Constitution or its Bylaws may provide.
 2. The Student Body Vice President shall preside over all meetings of Student Congress, and be charged with interpreting and enforcing orderly parliamentary procedure. The Steering Chair shall assume the powers and duties of chairperson in the absence of the Vice President, while retaining all the duties and powers of a Legislator.
 3. Unless otherwise stipulated by this Constitution or its Bylaws, all votes of the Legislature shall require majority approval of those members present and voting.
- C. Submission and approval of business.
1. All business to be placed on the agenda must be submitted, in writing, to the Steering Chairperson prior to the approval of the agenda.
 2. All items concerning Congressional finances or the Bylaws shall have two readings, at least seven days apart, before being put up for a final vote by the Legislature.
- D. Special meetings.
1. A special meeting of the University Student Congress may be called by the Steering Committee for one stated purpose, and must be given at least two (2) days public notice.

Article IX. Vacancies

- A. When a Legislative position becomes vacant due to resignation or removal, the Research and Review Committee shall submit candidates who have applied to Student Congress to fill those vacancies. Candidates who have fulfilled the requirements outlined in the University Student Congress Bylaws shall be approved by majority vote of the Legislature.
- B. Executive Board vacancies shall remain vacant until a permanent replacement can be nominated by the Student Body President and confirmed by the Legislature.
- C. Should the positions of President and Vice President become vacant, the Steering Committee Chair shall assume the position of President until a special election is held.

Article X. Referenda

- A. University Student Congress shall hold a campus-wide referendum following authorization by the Legislature. The referendum question shall have two readings at least seven days apart before being submitted for a final vote by the Legislature; a majority vote of the Legislature is needed to approve the creation of the referendum question.

- B. The student body may initiate a referendum, to be carried out by University Student Congress, by filing a petition to University Student Congress, totaling at least 1,000 currently enrolled Oakland University students.
- C. The referendum shall be adopted by University Student Congress if approved by a simple majority of those voting on the referendum.
- D. Any referendum to appear on a ballot must be promoted by at least one publicized campus-wide Open Forum.

Article XI. Amendment Procedure

- A. Amendments to this Constitution may be enacted by:
 - 1. The University Student Congress:
 - a. Conducting a first and second reading of the proposed amendment at publicly announced meetings of the University Student Congress at least seven days apart.
 - b. An affirmative vote of two-thirds of the Legislature.
 - c. A majority vote of those students voting in a student referendum.
 - d. Obtaining ratification by the Board of Trustees.
 - 2. The student body:
 - a. The collection of petition signatures totaling two-thirds of the total number of votes cast in the previous presidential election.
 - b. A majority vote of those students voting in a student referendum.
 - c. Obtaining ratification by the Board of Trustees.
- B. Amendments to this Constitution's Bylaws may be enacted by:
 - 1. A first and second reading of the proposed Bylaws or amendment at publicly announced meetings of the University Student Congress at least seven days apart.
 - 2. An affirmative vote of two-thirds of the University Student Congress Legislature.
 - 3. Introducing legislation altering SAFB guidelines. These may be introduced for approval only by Legislators who are committee members or the committee's chairperson.
- C. Any amendment to the Bylaws must be written within the scope of authority set forth in this Constitution.
- D. Amendments which change or remove any position within Congress will not take effect until such time as that position becomes vacant, or the current Congressional session ends.