

# Constitution

*of the Rutgers University Student Assembly*

<b>Table of Contents</b>	<b>3</b>
<b>Preamble</b>	<b>6</b>
<b>Article I: Powers of the Student Government</b>	<b>6</b>
Section I: Purpose of the Student Government	6
§-I.1 General Purpose of the Student Government	6
§-II.2 Authority of the Student Government	6
§-II.3 Professional School Governing Councils	7
<b>Article II: Structure of the Student Government</b>	<b>7</b>
Section I: Branches of the Student Government	7
§-I.1 The Three Branches	7
Section II: Membership of the Branches	8
§-II.1 Exclusivity of Membership	8
<b>Article III: The Assembly</b>	<b>8</b>
Section I: Bylaws of the Assembly	8
§-I.1 Bylaws of the Assembly	8
§-I.2 Rules Committee of the Assembly	9
Section II: Duties and Responsibilities of the Assembly	9
§-II.1 General Responsibilities	9
§-II.2 Legislation Passed by the Assembly	9
Section III: Structure of the Assembly	10
§-III.1: Number of Seats in the Assembly	10
§-II.2: Seats Belonging to School of Arts and Sciences (SAS)	10
§-III.3: Seats Belonging to other Academic Units	11
§-III.4 Seats belonging to Special Populations	12
§-III.5 Role of the Vice President	12
Section IV: Leadership of the Assembly	13
§-IV.1 Executive Committee	13
§-IV.2 Officers of the Assembly	13
§-IV.3 SAS Senators	14
	<u>1</u>

Section V: Membership to the Assembly	14
§-V.1 Membership to the Assembly	14
<b>Article VI: The Office of the President</b>	<b>15</b>
Section I: Purpose of the Office of the President	15
§-I.1 Purpose of the President	15
Section II: Powers of the President	15
§-II.1 Powers of the President	15
Powers of the President include	15
Section III: Qualifications of the President	16
§-III.1 Qualifications of the President	16
Section IV: The Vice President	16
§-IV.1 Qualifications of the President	16
Section VI: Membership to the President’s Cabinet	16
§-IV.1 Creation of Positions on the President’s Cabinet	16
§-IV.1 Appointment of the President’s Cabinet	17
<b>Article V: The Judicial Board</b>	<b>17</b>
Section I: Purpose of the Judicial Board	17
§-I.1 Purpose of the Judicial Board	17
Section II: Powers of the Judicial Board	17
§-II.1 Powers of the Judicial Board	17
Section III: Membership of the Judicial Board	18
§-III.1 Membership of the Judicial Board	18
§-III.2 Appointment of the Judicial Board	18
<b>Article VI: Elections</b>	<b>19</b>
Section I: Tickets	19
§-I.1 Presidential Tickets	19
§-I.2 Election of the President and Vice President	19
§-I.3 Election of the Representatives	19
Section II: Process of Elections	20
§-II.1 Timeline of Elections	20
§-II.2 Elections Guidelines	20
The Student Government shall specify a standard set of rules governing elections titled the Elections Guidelines. The creation of and all subsequent changes to these rules must be agreed to by three-fourths (¾) of the Assembly.	20
<b>Article VII: Removal from Office</b>	<b>20</b>
Section I: Impeachment	20

§-I.1 Impeachment	20
§-I.2 Impeachment for Reason of Attendance	20
<b>Article VIII: Constitutional Amendments</b>	<b>21</b>
Section I: Submission of an Amendment	21
§-I.1 Submission of an Amendment	21
<b>Article IX: Legislative Questions and Referenda</b>	<b>21</b>
§-I.1 Legislative Question Structure	21
§-II.1 Legislative Question Structure	22
§-II.2 Passage of Referenda	22
<b>Article X: General Provisions</b>	<b>22</b>
Section I: Federal, State, and Local Laws	22
§-I.1 Federal, State, and Local Laws	22
Section II: University Regulations	23
§-II.1 University Regulations	23

# Constitution

*Of the Rutgers University Student Assembly*

## Preamble

We, the undergraduate students of Rutgers-New Brunswick *[removed: Piscataway]*, as an integral component of the University community, hereby establish through this Constitution a federated undergraduate student government to ensure the vitality of student participation in the *[added: shared]* governance of Rutgers, The State University of New Jersey. To provide *[removed: campus-wide]* advocacy on behalf of student concerns; to secure for students an active role in deciding official policies and priorities; to effectively disburse student activity fees; and to provide a forum for the open expression of student ideas and opinions, we hereby establish the Rutgers University Student Assembly *[added:(hereafter known as the Student Government).]*

Continuing in a tradition of student government dating back to 1894, The Assembly shall serve as the official voice of the student body of Rutgers University- New Brunswick.

## Article I: Powers of the Student Government

### Section I: Purpose of the Student Government

#### §-I.1 General Purpose of the Student Government

1. The Rutgers University Student Assembly shall act as the official liaison between the students of Rutgers New Brunswick and all external bodies *[removed:the faculty and administration of Rutgers University, the Cities of New Brunswick and Piscataway, and the State of New Jersey]*. The Student Government shall advocate and promote student interests, hear concerns, and propose solutions. The Student Government shall further serve as a resource center for students; and shall disburse student fees to registered student organizations *[removed: according to recommendations by the Allocations Committee.]*

#### §-II.2 Authority of the Student Government

2. The authority of the Student Government is derived from this constitution and its ratification by the undergraduate students of Rutgers University-New Brunswick*[removed: Piscataway]* and from the recognition of the administration and faculty of Rutgers University as the primary student governing organization of the students of Rutgers-New Brunswick*[removed:*

*Piscataway*].

### **§-II.3 Professional School Governing Councils**

3. Professional schools may have their own respective representative councils, independent of The Assembly, having legislative powers and an executive board, and internally elected representatives to serve on The Assembly. Membership shall be comprised of the professional school constituency. These councils may determine their preferred governance structure.
  - a. Should the students of a professional school or similar unit desire to form a new representative council that will be recognized by and hold seats on The Assembly, they must submit a petition signed by 10% of their student body and appeal to The Assembly. The Assembly must approve their formation by a 2/3 majority vote of voting Assembly members present.

**Previous Constitution:** Changes bracketed

***Rationale:** No substantive changes were made, language was updated to reflect current naming policies.*

## **Article II: Structure of the Student Government**

### **Section I: Branches of the Student Government**

#### **§-I.1 The Three Branches**

1. The Student Government shall have three distinct branches, which are the legislative assembly (*hereafter known as the Assembly*), the executive office of the President (*hereafter known as the President*), and the judiciary (*hereafter known as the Judicial Board*).

**Previous Constitution:** Previously, the Assembly was the only branch of student government. It contained some elements of other branches within it, but no formal distinctions, with the potential exception of RUSA Allocations.

***Rationale:** This is likely the largest change to be made to RUSA. After study of many student governments across the Big Ten and other institutions, we have found that a two to three-branch system is the most effective form of student government. We believe that this new format is the best way to embody the student part in student government because it allows for different styles of leadership and*

*presents more opportunities for more students. We believe that this new format is also the best way to embody the government part of student government, because it emphasizes fairness, checks and balances, and efficiency, as well as concentrating the student voice into effective policy and programming. It is important to note that the two branches are being added to the Assembly. Many parts of this constitution are reflective of the old constitution and last year's proposed changes.*

## **Section II: Membership of the Branches**

### **§-II.1 Exclusivity of Membership**

1. No member of any branch may hold a position in another branch. However, members of the executive office of the President or the judiciary may participate in Assembly committees, under any rules the Assembly may prescribe.

**Previous Constitution:** There are a few rules about who may hold a certain position in the past Constitution, however no representative or officer in the Assembly may have two votes.

***Rationale:*** *In a new three-branch system, to ensure proper checks and balances, we believe that no member should be part of two branches.*

## **Article III: The Assembly**

### **Section I: Bylaws of the Assembly**

#### **§-I.1 Bylaws of the Assembly**

1. The Assembly shall establish a document of Bylaws to govern its operations.
  - a. Amendments to these Bylaws must be made through a resolution agreed to by  $\frac{2}{3}$  vote of the Assembly.
  - b. All bylaws must be consistent with this Constitution, and where discrepancies exist, this Constitution takes precedence.
  - c. In cases where discrepancies exist between Bylaws and bills, bills that have taken effect shall take precedence.

**Previous Constitution:** These were the Standing Rules.

***Rationale:** Standing Rules refer more to ad-hoc determinations of procedure. Bylaws are a more effective term for the rules of the Assembly. No substantive changes were proposed.*

### **§-I.2 Rules Committee of the Assembly**

2. There shall be a Rules Committee of the Assembly. The Rules Committee shall be responsible for the enforcement of the Bylaws. The Parliamentarian shall serve on this committee. The Assembly may assign other duties and responsibilities to this committee.

**Previous Constitution: This was the Internal Affairs Committee.**

***Rationale:** We believe that committees are a matter for the Bylaws, not the Constitution. However we do believe that there must always be a committee that enforces the rules and recommends members for removal.*

## **Section II: Duties and Responsibilities of the Assembly**

### **§-II.1 General Responsibilities**

1. The Assembly shall be composed of representatives. It shall operate through committees and general body meetings. Each voting member of the Assembly shall have one vote in general meetings of the Assembly. The Assembly shall have legislative power representing the students of Rutgers New Brunswick.
2. The Assembly shall be required to keep a public record of its proceedings, except when matters require secrecy. Upon request of one-fifth of the members present, the votes of each member shall be entered into the record.

**Previous Constitution: No substantive differences.**

***Rationale:** Saw no reason to change.*

### **§-II.2 Legislation Passed by the Assembly**

2. The Assembly may produce two types of legislation, Bills and Resolutions.
  - a. A bill is legislation that takes an action or intends to take an action. This includes, but is not limited to appropriations or spending bills.
    - i. Any legislation affecting any body other than the Assembly shall be a bill.
  - b. A resolution is legislation that expresses the opinion of The Assembly.

- i. The Assembly may sanction its members for disorderly behavior by resolution. While the Assembly may limit or remove debate privileges from a member, the Assembly may not remove the voting privileges of its members.
  - c. The Assembly may amend its Bylaws through resolutions agreed to by two-thirds vote.
  - d. The Assembly may adopt specific apportionment procedures for distribution of representatives among different constituencies, consistent with this constitution by three-fourths vote.
  - e. The Assembly shall have the power to legislate through bills on any matter not otherwise prohibited in this constitution or enumerated to the President or the Judicial Board.
3. Every bill passed by The Assembly shall be presented to the President. If the President approves it, the President shall sign it and it will take effect immediately; otherwise, the President shall return it with a veto, listing his objections, to The Assembly. If it is afterwards approved by two-thirds of The Assembly it shall take effect immediately. If the President neither signs it nor vetoes it within seven days, it shall take effect immediately.
  - a. If any bill presented to the President shall contain items of appropriation of money, the President shall be able to veto in whole or any item in part. If the President vetoes this appropriations bill in part, this shall be referred to as a line item veto.
  - b. The Assembly may re-approve any specific line item veto by two-thirds vote. Then it shall take effect immediately.

**Previous Constitution:** The Assembly previously was able to pass legislation as a single body, and the Executive Committee was able to approve legislation to hit the body floor.

*Rationale:* This keeps the power to pass legislation in the body, but allows for executive input as well, with an override.

## **Section III: Structure of the Assembly**

### **§-III.1: Number of Seats in the Assembly**

1. There shall be up to eighty (80) voting seats in the Assembly.
2. The Assembly may specify the qualifications and requirements necessary to hold office in its Bylaws.

**Previous Constitution:** There was no formal limit to the amount of seats in the Assembly. The Committee believes that a number should be chosen in order to determine appropriate proportions.

*Rationale:* The chosen number of 80, plus new positions on the other two branches makes for a government that is similarly sized.

## **§-II.2: Seats Belonging to School of Arts and Sciences (SAS)**

2. Thirty (30) voting seats shall be filled by students from the School of Arts and Sciences.
  - a. Unless otherwise specified by the Assembly by three-fourths vote, these seats shall be equally distributed by class year, so that there are ten (10) seats for each of the sophomore, junior and senior classes
  - b. For the purposes of allocation, all off-campus students and commuters will be considered one “campus.” The then allocated seats shall be divided equally between the off-campus and commuter population. By three-fourths vote the Assembly may adopt a different reasonable manner by which to allocate these seats.
    - i. The Judicial Board may review challenges to the reasonableness of the method of allocation the Assembly chooses and if such allocation is unreasonable the representatives shall be allocated in accordance with the method specified in this constitution, unless the Assembly adopts a different method that is reasonable in accordance to the procedures in this document.

**Previous Constitution:** Seats were distributed across the campuses, reflecting the different campus communities and constituencies that once were.

***Rationale:** While we understand the motivations of the previous Constitution, those previous identities are not as strong as they once were. Campus caucuses may be held within the bylaws, however students from different schools live on different campuses. The student also does not necessarily choose housing assignments. We have chosen to leave the allocation method to the Assembly's decision ultimately, but instituting a high bar of agreement.*

## **§-III.3: Seats Belonging to other Academic Units**

3. Thirty (30) voting seats shall be filled by students from all academic of Rutgers University and be allocated as follows:
  - a. Five (5) of the seats shall be filled by appointment of one voting representative by each of the following Governing Councils
    - Pharmacy Governing Council
    - Engineering Governing Council
    - School of Environmental and Biological Sciences Governing Council
    - Mason Gross Governing Council
    - Rutgers Business Governing Association
  - b. Twenty-five (25) seats shall be allocated to all academic units, with the exception of the School of Arts and Sciences of Rutgers University, in accordance to the population of

students of each of the schools as determined by the Office of the Registrar, New Brunswick. Each academic unit shall receive at least one (1) seat.

**Previous Constitution:** Previously, Professional School representatives were selected and appointed by Governing Councils, who had the power to appoint, discipline, and dismiss them as was saw fit. This allows each Governing Council one appointee, but requires that other representatives from these academic units are elected directly by their constituent students as RUSA representatives. Also seats were only included for academic units with Governing Councils.

***Rationale:*** *This element of student government came from other Big Ten institutions that had different professional schools with separate governing councils. The best analogy of this is to think of the Governing Councils as state governments and RUSA as the federal government of the student body. Representatives to either should be distinct as both governments have different responsibilities and different goals, as well as dealing with different issues that face the student body. This proposed change expands the opportunity to all students at Rutgers University, not just those with Governing Councils.*

#### **§-III.4 Seats belonging to Special Populations**

4. Twenty (20) seats shall be allocated to Special Population Organizations by a manner of the Assembly's choosing. No more than 20 seats shall be awarded to Special Populations, and no Special Population may hold more than one seat.

**Previous Constitution:** The method of choosing Special Populations Representatives is the same, however the number was uncapped, meaning there could be an unlimited amount of representatives.

***Rationale:*** *To promote efficiency and cap the overall size of the student government we believe that the Assembly cap the amount of special populations that get representation. We have sometimes observed attrition and poor attendance from these representatives. Some representatives are extremely active and involved members of RUSA, and those representatives should retain their seats. Organizations that are represented in RUSA have an obligation to be actively involved and to help ensure that the student voice is heard.*

#### **§-III.5 Role of the Vice President**

5. The Vice President may cast the tie-breaking vote when the Assembly is equally divided.

**Previous Constitution:** Previously the President had the tie-breaking vote.

***Rationale:** Because the President retains veto power, the Vice President receives the tie-breaking vote.*

### **§-III.6 Vacant Seats**

6. Vacant Seats may be filled in a manner agreed to by the Assembly.

**Previous Constitution:** The previous method of filling vacancies is by internal election.

***Rationale:** We believe that the Assembly, when needed, should choose this method. It can be established in the Bylaws, but should not be in the Constitution.*

## **Section IV: Leadership of the Assembly**

### **§-IV.1 Executive Committee**

1. There shall be an Executive Committee of the Assembly composed of Speaker of the Assembly, a Parliamentarian, a Secretary of the Assembly, all committee chairs of the Assembly, and any other officers the Assembly may determine in its Bylaws. The Executive Committee shall determine the legislative agenda for the Assembly.

### **§-IV.2 Officers of the Assembly**

2. The officers of the Assembly shall include the Speaker, the Parliamentarian, and the Secretary. The Assembly may provide for additional officers, with such duties and responsibilities as determined by the Assembly.
  - 2.1. **Presiding Officer:** the Vice-President shall serve as the presiding officer of the Assembly and chair the meetings of the Assembly.
  - 2.2. **Parliamentarian:** The Parliamentarian is a voting member of the Assembly who advises the Speaker in the administration of the Assembly. They shall be internally elected by the Representatives of the Assembly in the first meeting after the results of the elections are released. The Parliamentarian shall serve as an ex-officio member of the Rules Committee; The Parliamentarian shall be responsible for ensuring the Assembly properly follows parliamentary procedure and coordinating with the Rules Committee to enforce the Assembly Bylaws.
  - 2.3. **Secretary:** The Secretary of the Assembly is a voting member of the Assembly who shall maintain all internal and external communication among the Assembly membership, the Executive Committee, the general public, and all other external bodies. They shall be internally elected by the Representatives of the Assembly in the first meeting after the

results of the elections are released. The Secretary shall record minutes of Executive Board and Assembly meetings, providing notice to the public of all Assembly meetings and proceedings, and maintaining the attendance records of Assembly membership.

**Previous Constitution:** Previously, this was the Executive Board, including the President, Vice President, Treasurer, Secretary, Parliamentarian, Chief of Staff, Senate Leader, Big Ten Liaison, and all Committee Chairs.

***Rationale:** We have retained much of the structure of the previous executive board, making slight changes so that the Executive Committee is tailored to the administration of the Assembly. The Vice President now presides over the Assembly, with all powers enumerated in the Bylaws. All other members of the Executive Committee are internally elected. These are all the positions that are required by the Constitution, more can be in the Bylaws.*

### **§-IV.3 SAS Senators**

3. SAS Senators shall be chosen by the SAS Representatives in a manner agreed to by a majority of those Representatives.
  - a. The President shall appoint at minimum, one (1) SAS Senator, who must be confirmed by the Assembly by internal vote.

## **Section V: Membership to the Assembly**

### **§-V.1 Membership to the Assembly**

1. Eligible candidacy shall be open to all undergraduate Rutgers University undergraduate students.
  - a. Eligibility must comply with federal laws prohibiting discrimination on the basis of race, religion, color, national origin, ancestry, age, sex, sexual orientation, gender identity and expression, disability, atypical hereditary cellular or blood trait, marital status, civil union status, domestic partnership status, military service, political affiliation, and veteran status, and any other category protected by law.
  - b. Eligibility must comply with all regulations of Rutgers University regarding participation in co-curricular involvement.
  - c. Students that do not successfully attain a seat on The Assembly through the election process shall not be prohibited from participating in any open meeting.
  - d. Students running for a seat dedicated to a Class year must have been a member of that Class year for at least one academic semester prior to the election.
  - e. Students running for a seat dedicated to an academic unit must have been a matriculating student of that academic unit for at least one academic semester prior to the election.

**Previous Constitution:** Same requirements.

*Rationale:* No substantive changes.

## **Article VI: The Office of the President**

### **Section I: Purpose of the Office of the President**

#### **§-I.1 Purpose of the President**

1. The office of President is the highest elected office in the student government. The President serves as the leader of the Executive Branch of the student government, and is the Student Government's chief executive. The President and their cabinet are responsible for executing and implementing all RUSA policies.

**Previous Constitution:** The president was previously the presiding officer of the Assembly and of the Executive Board.

*Rationale:* We believe that the importance of the student government requires that it undergo a division of labor and specialization of work. The new executive department will be responsible for administering implementation of RUSA policy. This does not mean that members of the Student Government lose their ability to be part of initiatives. The executive branch serves as the manager of these initiatives, and can act on the behalf of the entire student body when it does so. The Assembly and President may focus on some different things, or there may be considerable overlap.

### **Section II: Powers of the President**

#### **§-II.1 Powers of the President**

1. Powers of the President include
  - a. All official external representation of the student government,
  - b. Appointment of other members of the executive branch,
  - c. Appointment of at least one SAS Senator,
  - d. Appointment of members of the judicial board,
  - e. Appointment of all representatives other than SAS Senators on bodies external to RUSA as required by said bodies,
  - f. Signing and vetoing bills passed by the Assembly, and

- g. Preparing the budget of the student government.

**Previous Constitution:** You can find the full list of powers in Section 5.03 of the previous constitution.

***Rationale:*** The President is the head of the executive branch and is the supreme officer of that branch.

## **Section III: Qualifications of the President**

### **§-III.1 Qualifications of the President**

1. For a student to hold the office of President, they must be: A non-graduating, matriculating undergraduate student of Rutgers University- New Brunswick.

**Previous Constitution:** Must have been a current RUSA member.

***Rationale:*** We believe that any student should be able to run for the office of president.

## **Section IV: The Vice President**

### **§-IV.1 Qualifications of the Vice President**

1. For a student to hold the office of Vice President, they must be: A non-graduating, matriculating undergraduate student of Rutgers University- New Brunswick.

**Previous Constitution:** Similar to President

***Rationale:*** Same as President

## **Section VI: Membership to the President's Cabinet**

### **§-IV.1 Creation of Positions on the President's Cabinet**

1. All positions in the Cabinet (defined as all positions that are not the President and Vice President), must be created by legislation passed by the Assembly
  - a. The Assembly must designate a position to serve as the Treasurer of the Student Government.

**Previous Constitution:** No cabinet positions. Some Executive Board members were appointed such as Chief of Staff.

***Rationale:** The Office of the President will be made up of staff chosen for the job by the President. This gives the President the ability to specialize how the office works.*

#### **§-IV.1 Appointment of the President’s Cabinet**

1. The President shall appoint all members of the Cabinet, and the Assembly must confirm each appointment.

**Previous Constitution:** Not specified.

***Rationale:** Cabinet members can be brought in from different areas, even other student organizations entirely. This allows RUSA to access a larger pool of leaders with different styles. Also RUSA can offer leadership positions to members who do not wish to be part of the election process, but wish to help RUSA complete its goals.*

## **Article V: The Judicial Board**

### **Section I: Purpose of the Judicial Board**

#### **§-I.1 Purpose of the Judicial Board**

1. The judicial board shall serve as the judicial branch of the Student Government.

**Previous Constitution:** Not in previous Constitution

***Rationale:** The Judicial Board is a concept used in some student governments that exists to adjudicate conflicts between the other branches and between any external bodies. We do not anticipate any conflicts, but should they arise, there is a mechanism to handle them. This also allows any student or group to bring a challenge to a RUSA decision.*

### **Section II: Powers of the Judicial Board**

#### **§-II.1 Powers of the Judicial Board**

1. The Judicial Board shall have the following powers:
  - a. The Judicial Board shall serve as the final board of appeals to all decisions of the Elections Committee.

- b. The Judicial Board shall maintain a comprehensive record of every official ruling made. Unless the Board rules that matters require secrecy, all proceedings shall be a matter of public record.
- c. The Judicial Board shall interpret this constitution and may rule upon the constitutionality of legislation or other official actions of elected or appointed officials.
- d. The Assembly may create inferior courts to this board, legislate the rules of procedure for the board, as well as define the jurisdiction and enforcement powers of the Judicial Board through appropriate legislation.

**Previous Constitution:** Not in previous Constitution.

*Rationale:* These further explain the points made above.

## **Section III: Membership of the Judicial Board**

### **§-III.1 Membership of the Judicial Board**

1. The judicial board shall be composed of five (5) justices. They shall reach a decision by a majority. One of them shall be the presiding justice and shall be called the Chief Justice. Each justice shall serve for a period of good behavior, not exceeding four (4) years. While in office, each justice must maintain the status of an undergraduate student at Rutgers New Brunswick.
  - a. No member of the judicial board may run for any elected office under this constitution.

**Previous Constitution:** Not in previous Constitution.

*Rationale:* We believe that five is the optimal number of individuals to ensure a fair decision-making process. To prevent allegiance to particular Presidents as a means of political influence, members of the Judicial Board are given longer terms. The Assembly retains the right to confirm and impeach justices.

### **§-III.2 Appointment of the Judicial Board**

2. At any time when there are less than five justices or the position of the Chief Justice is vacant, the President shall nominate a candidate for approval. This candidate shall become a justice of the Judicial Board by agreement of the majority-voting members of The Assembly.

**Previous Constitution:** Not in previous Constitution.

*Rationale:* The President, acting as the highest officer of the student government will appoint these individuals to be confirmed by the Assembly.

# Article VI: Elections

## Section I: Tickets

### §-I.1 Presidential Tickets

1. Presidential and vice presidential candidates must run together on a ticket.

**Previous Constitution:** This system was used last year, albeit with the treasurer as a part of the ticket.

*Rationale:* The committee feels that the President and Vice President should be elected together in a ticket rather than allowing members to run for individual positions. We removed treasurer because we believe that the duties of the treasurer lend themselves more to an appointed official than that of an elected one.

### §-I.2 Election of the President and Vice President

2. The Presidential ticket shall be elected by popular vote. The electorate shall be the undergraduate student body of Rutgers University- New Brunswick

**Previous Constitution:** Similar to last year, but treasurer was removed.

*Rationale:* No substantive changes besides removal of treasurer, explained above.

### §-I.3 Election of the Representatives

3. Representatives shall be elected by the constituency they represent as decided by the seat allocation procedure selected by the Assembly

**Previous Constitution:** Similar to previous Constitution.

*Rationale:* No substantive changes. No matter which way the Assembly chooses to allocate its seats, representatives are elected to serve a particular constituency, whether it is a class year, a professional school, or a campus.

## **Section II: Process of Elections**

### **§-II.1 Timeline of Elections**

1. There shall be one elections period during the year, occurring during the Spring Semester. All externally elected positions shall be elected during this period. This includes the President, Vice President, and all Representatives.

### **§-II.2 Elections Guidelines**

2. The Student Government shall specify a standard set of rules governing elections titled the Elections Guidelines. The creation of and all subsequent changes to these rules must be agreed to by three-fourths ( $\frac{3}{4}$ ) of the Assembly.
  - a. The Judicial Board may review the guidelines and all changes made to the guidelines.

## **Article VII: Removal from Office**

### **Section I: Impeachment**

#### **§-I.1 Impeachment**

1. The Rules Committee of the Assembly shall have the sole power to recommend impeachment.
2. The Assembly shall have the sole power to try any impeachment upon recommendation of the Rules Committee. Two-thirds of the members present and voting of The Assembly shall be required to find the respondent responsible and remove a person from office. The members of the Rules Committee shall not participate in this vote.

**Previous Constitution:** Same process with internal affairs committee.

***Rationale:*** Saw no reason to change.

#### **§-I.2 Impeachment for Reason of Attendance**

3. Upon a finding by the Rules committee that a member of the Assembly violated the attendance guidelines, that member's attendance record can be put up for review by the Judicial Board. Should the Judicial Board confirm the findings of the Rules committee, that member's Assembly seat shall become vacant. The Judicial Board may only overturn the findings of the Rules committee provided there existed circumstances that substantially prevented that member's attendance or by finding the Rules Committee's conclusion was factually inaccurate. When

evaluating the findings of the Internal Affairs Committee the Judicial Board shall provide due deference to the Rules Committee.

**Previous Constitution:** Similar to current process of expedited removal.

*Rationale:* Saw no reason to change.

## **Article VIII: Constitutional Amendments**

### **Section I: Submission of an Amendment**

#### **§-I.1 Submission of an Amendment**

1. Any member of The Assembly may submit an amendment to this constitution. If the amendment is approved by two-thirds of the members present and voting of The Assembly, then it shall be proposed to the student body.
  - a. Two percent (2%) or more of the total combined number of undergraduate Rutgers New Brunswick/Piscataway students, as determined by the Office of the New Brunswick Registrar, may propose amendments to this Constitution via petition.
  - b. Any proposed amendment must be ratified by the majority of students in the next election. Upon ratification, the Amendment shall be deemed part of this constitution.

**Previous Constitution:** Same as previous constitution.

*Rationale:* Saw no reason to change.

## **Article IX: Legislative Questions and Referenda**

### **Section I: Legislative Question Structure**

#### **§-I.1 Legislative Question Structure**

1. The majority of the Assembly may propose legislation or pose referendum questions directly to the student body. The student body, at large, shall vote on this legislation at the next election. By petition of two percent (2%) or more of the total combined number of undergraduate Rutgers New Brunswick/Piscataway students, as determined by the Office of the New Brunswick Registrar, undergraduate students may propose legislation or pose referendum questions to the entire student body.

**Previous Constitution:** Same as previous constitution.

*Rationale: Saw no reason to change.*

## **Section II: Referendum Structure**

### **§-II.1 Legislative Question Structure**

1. The referendum is the highest decision-making instrument available to Rutgers University students. It must be used to raise or lower student activity fees or any fee assessed to support student organizations recognized by The Assembly. A majority vote shall decide a referendum question and may only be overturned by a subsequent referendum in the same manner. Referendum questions must be explicitly written and once approved by The Assembly shall not be revised in any way. No referendum results shall be construed to limit the functions of any organ of The Assembly except as explicitly stated in the referendum question. The Assembly must approve all rules and regulations. The Rules Committee must oversee all referenda.

**Previous Constitution: Same as previous constitution.**

*Rationale: Saw no reason to change.*

### **§-II.2 Passage of Referenda**

2. Upon receiving the majority of the student vote, any referendum shall be deemed passed. A referendum question shall be placed on the ballot if the majority of The Assembly members present vote for approval. Upon receiving the majority of the student vote, any legislation proposed via this process shall have the same force as a bill signed by the President and cannot be repealed by the current legislative body, except by another legislative question.

**Previous Constitution: Same as previous constitution.**

*Rationale: Saw no reason to change.*

## **Article X: General Provisions**

### **Section I: Federal, State, and Local Laws**

#### **§-I.1 Federal, State, and Local Laws**

1. The Assembly shall abide by all laws of the State of New Jersey and the United States as well as any local statutes, which may affect the actions of The Assembly.

**Previous Constitution:** Same as previous constitution.

*Rationale:* Saw no reason to change.

## **Section II: University Regulations**

### **§-II.1 University Regulations**

2. The Assembly shall abide by all rules and regulations of the University, including those that apply to non-discrimination and equal opportunity. This Assembly shall abide by all applicable rules and regulations of the University and under the privileges granted by the Department of Student Affairs and by the rules and regulations of the Board of Governors.

**Previous Constitution:** Same as previous constitution.

*Rationale:* Saw no reason to change.