

THE CONSTITUTION OF THE UNIVERSITY OF TEXAS AT AUSTIN STUDENT GOVERNMENT

PREAMBLE

We the students of The University of Texas at Austin, in order to establish the official association through which student opinion may be expressed, to investigate student welfare and take appropriate action, to facilitate responsible student participation in the policy and decision-

making processes of the University community, to enhance the quality and scope of the student experience at the University, to ensure responsible and effective participation in the organization of student affairs, to transparently, effectively, and responsibly utilize student fees to promote student welfare, and to provide an educational experience for leadership development for students at the University, do ordain and establish this Constitution for The University of Texas at Austin Student Government.

Article I

MEMBERSHIP AND STRUCTURE

- Sec. 1.1 ORGANIZATION TITLE. This organization of students shall be known as The University of Texas at Austin Student Government.
- Sec. 1.2 MEMBERSHIP ELIGIBILITY TO PARTICIPATE. All students enrolled at the University, as recorded by the Office of the Registrar, are members of and shall be eligible to participate in Student Government, unless otherwise specified in this Constitution.
- Sec. 1.3 GOOD STANDING REQUIRED TO CAMPAIGN AND HOLD ELECTED OFFICE. All students not on scholastic or disciplinary probation, as so recorded by the Office of the Registrar, shall be eligible to campaign for and hold elective office within Student Government.
- Sec. 1.4 REQUIRED PRESIDENTIAL AND VICE PRESIDENTIAL GRADE POINT AVERAGE. The President and Vice President must have an overall grade point average above 2.5.
- Sec 1.5 FULL-TIME STATUS REQUIRED TO CAMPAIGN. A student must be registered as a full-time student, as so defined by the Office of the Registrar, in order to file for and campaign for elective office within Student Government, unless the student is a current officeholder who is granted exception by this Constitution.

Sec. 1.6 FULL-TIME STATUS REQUIRED TO HOLD ELECTED OFFICE. In order to hold an elective office within Student Government, each student must maintain his or her full-time status, unless the officeholder is a graduating student who need only take the courses necessary for graduation, or unless exception is granted in this Constitution.

Sec. 1.7 SEPARATE BUT EQUAL BRANCHES OF STUDENT GOVERNMENT. The governing structure of The University of Texas at Austin Student Government shall consist of the following three separate but equal branches: the executive branch, the legislative branch, and judicial branch.

Article II

FINANCES

Sec. 2.1 STUDENT SERVICES BUDGET COMMITTEE FUNDING. Student Government shall apply for annual funding from the Student Services Budget Committee.

Sec. 2.2 ADOPTION OF OPTIONAL STUDENT FEES FOR REVENUE. Funding may also be generated through optional student fees in accordance with approved procedures for optional Student Services Fees.

Sec. 2.3 ADDITIONAL REVENUE. Additional revenue may be generated as Student Government deems appropriate or necessary in accordance with established University policy.

Sec. 2.4 ENDOWMENTS. Student Government may maintain endowments in accordance with the rules and regulations of The University of Texas at Austin and the procedures outlined within the Student Government Code of Rules and Procedures.

Article III

THE EXECUTIVE BRANCH

Sec. 3.1 VESTMENT OF EXECUTIVE POWER. All executive powers shall be vested in the executive branch of Student Government.

Sec. 3.2 IMPLEMENTATION OF ENACTED LEGISLATION. A primary charge of the executive branch shall be the timely implementation of all legislation enacted by the Assembly of Student Government.

Sec. 3.3 GOVERNING STRUCTURE OF EXECUTIVE BRANCH. The governing structure of the

executive branch of Student Government shall consist of the Executive Alliance, appointed members of the Executive Board, the Cabinet of Policy Directors, the executive staff, and the agencies.

- Sec. 3.4 THE EXECUTIVE BOARD. Standing members of the Executive Board shall include the President and Vice President, who together form the Executive Alliance, as well as other appointed members of the Executive Board, as outlined in the Student Government Code of Rules and Procedures.
- Sec. 3.5 PRESIDENTIAL TERM OF OFFICE. The President shall serve a one year term to begin at noon on the first Tuesday of April and to end the following first Tuesday of April.
- Sec. 3.6 VICE PRESIDENTIAL TERM OF OFFICE. The Vice President shall serve a one year term to begin at noon on the first Tuesday of April and to end the following first Tuesday of April.
- Sec. 3.7 EXECUTIVE BRANCH OFFICERS' TERMS OF OFFICE. All officers of the executive branch, other than the President and Vice President, shall serve until their respective replacements are appointed and approved by the Assembly.
- Sec. 3.8 ELECTION OF THE PRESIDENT. The President shall be elected by the student body at-large during the annual spring Student Government elections.
- Sec. 3.9 REGISTRATION STATUS REQUIRED TO HOLD PRESIDENTIAL OFFICE. During term of office, the President must be registered for at least six (6) semester hours if an undergraduate student, or three (3) semester hours if a graduate student.
- Sec. 3.10 PRESIDENTIAL DUTIES AND RESPONSIBILITIES. The President shall have the following duties and responsibilities:
- (a) Enact resolutions and bills passed by the Assembly by signing them, or refer resolutions and bills back to the Assembly for reconsideration by vetoing them.
 - (b) Faithfully execute all enacted legislation.
 - (c) Represent students before external entities, including but not limited to, the administration of The University of Texas at Austin, the Board of Regents of The University of Texas System, the City of Austin, and the Texas Legislature in a manner consistent with the enacted policies, positions, and stances of Student Government.
 - (d) Serve on, or send a representative to, the committees, boards, and legislative bodies of which the President is a regular standing member.

- (e) Appoint, with the approval of the Assembly, students to serve on the Executive Board, the Cabinet of Policy Directors, the executive staff, and the agencies of Student Government.
- (f) Appoint, with the approval of the Assembly, students to serve on external committees and boards.
- (g) Form ad hoc committees to conduct the business of Student Government when deemed necessary and proper and shall assign the members of such committees.
- (h) At each meeting of the Assembly, give information on the state of the University and Student Government, and recommend to their consideration such measures judged necessary and proper.
- (i) On extraordinary occasions, convene the Assembly in emergency session, giving public notice at least seventy-two (72) hours prior to the convening of the emergency session.

Sec. 3.11 ELECTION OF THE VICE PRESIDENT. The Vice President shall be elected by the student body at-large during the annual spring Student Government elections.

Sec. 3.12 REGISTRATION STATUS REQUIRED TO HOLD VICE PRESIDENTIAL OFFICE. During term of office, the Vice President must be registered for at least six (6) semester hours, or three (3) semester hours if a graduate student.

Sec. 3.13 VICE PRESIDENTIAL DUTIES AND RESPONSIBILITIES. The Vice President shall have the following duties and responsibilities:

- (a) Serve on the committees, boards, and legislative bodies of which the Vice President is a regular standing member.
- (b) Assist the President with assigned responsibilities.
- (c) Assume the Presidency in the event that the President is unavailable to fulfill the duties of the office.

Sec. 3.14 APPOINTMENT OF THE CHIEF OF STAFF. The Chief of Staff shall be appointed by the President, subject to approval by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly.

Sec. 3.15 CHIEF OF STAFF DUTIES AND RESPONSIBILITIES. The Chief of Staff shall have the following duties and responsibilities:

- (a) Monitor all operations of the executive branch of Student Government as defined by the President.

- (b) Recruit and train new officers of the executive branch.
- (c) Provide continuity during the transition of Student Government administrations.

Sec. 3.16 APPOINTMENT OF THE COMMUNICATIONS DIRECTOR. The Communications Director shall be appointed by the President, subject to approval by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly.

Sec. 3.17 COMMUNICATIONS DIRECTOR DUTIES AND RESPONSIBILITIES. The Communications Director shall have the following duties and responsibilities:

- (a) Facilitate the internal and external communications of Student Government.
- (b) Represent Student Government in communications with the enacted policies, positions, and stances of Student Government.

Sec. 3.18 APPOINTMENT OF THE FINANCIAL DIRECTOR. The Financial Director shall be appointed by the President, subject to approval by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly.

Sec. 3.19 FINANCIAL DIRECTOR DUTIES AND RESPONSIBILITIES. The Financial Director shall have the following duties and responsibilities:

- (a) Manage the finances of Student Government according to University rules and regulations.
- (b) Manage sources of funding including events, endowments, and initiatives.
- (c) Develop the annual budget and fiscal reports, and present the annual budget to the Student Services Budget Committee.
- (d) Investigate and suggest methods of acquiring additional sources of funding for Student Government.
- (e) Present to the Assembly a report and recommendation based on the fiscal impact of all bills with the appropriations of funds.

Sec. 3.20 APPOINTMENT OF THE ADVOCACY DIRECTOR. The Advocacy Director shall be appointed by the President, subject to approval by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly.

Sec. 3.21 ADVOCACY DIRECTOR DUTIES AND RESPONSIBILITIES. The Advocacy Director shall have the following duties and responsibilities:

- (a) Lead advocacy initiatives within Student Government.
- (b) Oversee executive officers and external appointments who advocate for the

student perspective.

- Sec. 3.22 APPOINTMENT OF THE ADMINISTRATIVE DIRECTOR. The Administrative Director shall be appointed by the President, subject to approval by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly.
- Sec. 3.23 ADMINISTRATIVE DIRECTOR DUTIES AND RESPONSIBILITIES. The Administrative Director shall have the following duties and responsibilities:
- (a) Create and maintain a record of the activities of Student Government.
 - (b) Distribute all enacted legislation to the appropriate individuals and entities.

Article IV

THE LEGISLATIVE BRANCH

- Sec. 4.1 VESTMENT OF LEGISLATIVE POWER. All legislative powers and authority shall be vested in the legislative branch of Student Government.
- Sec. 4.2 COMPOSITION OF THE ASSEMBLY. The legislative branch shall be comprised of the Student Government Assembly which shall be made up of college and school, University-wide, at-large graduate, and first-year representatives.
- Sec. 4.3 SPEAKER OF THE ASSEMBLY. The Assembly shall be chaired by the Speaker of the Assembly, elected from the membership of the Assembly.
- Sec. 4.4 LEADERSHIP STRUCTURE OF THE ASSEMBLY. The Assembly Board shall serve as the leadership committee of the Assembly.
- Sec. 4.5 COMPOSITION OF THE ASSEMBLY BOARD. Standing members of the Assembly Board shall include the Speaker of the Assembly, who shall chair the board, and the chairs of the standing committees of the Assembly.
- Sec. 4.6 DETERMINING THE NUMBER OF COLLEGE AND SCHOOL REPRESENTATIVES. The total number of college and school representatives shall be annually determined proportionally to the total number of students enrolled in each college at The University of Texas at Austin.
- (a) The total number of college and school representatives shall be determined by the Speaker of the Assembly based upon the enrollment data available from the enrollment figures from the previous fall semester of each school year as published in the annual

Statistical Handbook by the University's Office of Information Management and Analysis.

(b) The total number of college and school representatives shall be determined based upon a 1:1500 ration of college and school representatives at-large to students.

- Sec. 4.7 STATISTICALLY PROPORTIONAL REPRESENTATION OF COLLEGE AND SCHOOL REPRESENTATIVES. Each college and school shall have a number of apportioned representatives to be elected by and charged with representing the students of that college or school. The representatives will serve for one-year terms based upon the proportion of the student body enrolled in the respective college or school. The proportion of representation among the college and school representatives of the Assembly for the respective college or school should be as equal as possible to the proportion of the student body enrolled in the respective college or school (including graduate-only, undergraduate-only, or mixed colleges).
- Sec. 4.8 MINIMUM NUMBER OF HOURS IN-RESIDENCE ELIGIBILITY FOR COLLEGE AND SCHOOL REPRESENTATIVES. Representatives from the colleges and schools must have completed a minimum of twelve (12) semester hours if an undergraduate student or nine (9) hours if a graduate student in-residence at the University.
- Sec. 4.9 ENROLLMENT IN COLLEGE OR SCHOOL ELIGIBILITY FOR COLLEGE AND SCHOOL REPRESENTATIVES. Representatives must be enrolled in the college or school that they represent while filing and while holding office.
- Sec. 4.10 DETERMINING APPORTIONMENT OF COLLEGE AND SCHOOL REPRESENTATIVES. The Speaker of the Assembly shall determine the number of electable seats for each college and school based upon the enrollment data available from the enrollment figures from the previous year of each school year as published in the annual *Statistical Handbook* by the University's Office of Information Management and Analysis.
- Sec. 4.11 UNIVERSITY-WIDE REPRESENTATIVES. Eight (8) University-wide representatives shall be elected at-large by the student body and serve one-year terms in the Assembly.
- Sec. 4.12 MINIMUM NUMBER OF HOURS IN-RESIDENCE ELIGIBILITY FOR UNIVERSITY-WIDE REPRESENTATIVES. University-wide representatives must have completed a minimum of twelve (12) semester hours if an undergraduate student or nine (9) hours if a graduate student in-residence at the University.
- Sec. 4.13 AT-LARGE GRADUATE SCHOOL REPRESENTATIVES. Two (2) representatives shall be

elected from the entire graduate school class at-large and serve one year terms in the Assembly.

- Sec. 4.14 MINIMUM NUMBER OF HOURS IN-RESIDENCE ELIGIBILITY FOR AT-LARGE GRADUATE REPRESENTATIVES. At-large graduate representatives must have completed a minimum of nine (9) semester hours in-residence at the University.
- Sec. 4.15 FIRST-YEAR REPRESENTATIVES. Two (2) representatives shall be elected from the incoming class of undergraduate first-year students (including first-year freshmen and undergraduate transfer students to the University as so defined by the Office of the Registrar) and serve one year terms in the Assembly.
- Sec. 4.16 PUBLIC NOTICE OF ELECTABLE SEATS IN THE ASSEMBLY. The Speaker of the Assembly shall submit the number of electable seats within the Assembly (including University at-large seats) to the Editor of *The Daily Texan* at least four (4) weeks prior to the spring election.
- Sec. 4.17 SPRING-ELECTED REPRESENTATIVES' TERMS OF OFFICE. Representatives from the colleges and schools and University-wide representatives shall begin their terms at noon on the first Tuesday of April and end the following first Tuesday of April.
- Sec. 4.18 FIRST-YEAR REPRESENTATIVES' TERMS OF OFFICE. First-year representatives shall begin their terms at noon on the first Tuesday of October and end the following first Tuesday of April.
- Sec. 4.19 EX-OFFICIO MEMBERSHIP OF THE ASSEMBLY. Ex-officio members of the Assembly include all members of the executive branch, judicial branch, and external appointments. Ex-officio members also include the presidents of the Senate of College Councils, the Graduate Student Assembly, and the Campus Events and Entertainment.
- Sec. 4.20 NAMING OF ADDITIONAL EX-OFFICIO MEMBERS OF THE ASSEMBLY. The Assembly may also name additional ex-officio members outside of those listed within this Constitution.
- Sec. 4.21 EX-OFFICIO MEMBERSHIP OF THE ASSEMBLY TERMS' OF OFFICE. Ex-officio members of the Assembly shall serve one-year terms, to begin from the time they are officially recognized as such, and shall serve without a vote in the Assembly.
- Sec. 4.22 DUTIES, POWERS, AND AUTHORITY OF THE ASSEMBLY. The Student Government

Assembly shall possess the following duties, powers, and authorities:

- (a) The Assembly shall pass legislation to represent the official voice of the student body and define official Student Government policies, positions, and stances.
- (b) The Assembly, as a whole, shall represent and advocate on behalf of all students at the University before any and all audiences including, but not limited to, the administration of The University of Texas at Austin, the Board of Regents of The University of Texas System, the City of Austin, and the Texas Legislature.
- (c) The budget of the Student Government must be presented to and approved by the Assembly.
- (d) The Assembly shall be responsible for the proper and prudent distribution of Student Government funds.
- (e) The Assembly shall maintain funds for distribution to student organizations, to Student Government Agencies, and for special Student Government projects.
- (f) The Assembly shall be responsible for approval of all appointments by the President, unless specified otherwise. The Assembly will vote on each Presidential appointment within fifteen (15) days of appointment by the President. The Assembly may deny approval of a Presidential appointment for good cause shown.
- (g) Any appointment approved by the Assembly may be reversed for good cause shown by a two-thirds majority of total sitting members of the Assembly.
- (h) The Assembly shall have the power to create special agencies to conduct the business of Student Government.
- (i) The Assembly shall have the power to create any appointive office or committee deemed necessary and proper.
- (j) No formal action can be taken by the Assembly without a quorum present, which shall consist of two-thirds (2/3) of the total sitting representatives.
- (k) The Assembly shall have the power to convene itself by written request of one-third (1/3) of the total sitting representatives and to not convene itself by written request of two-thirds (2/3) of the total sitting representatives.
- (l) The Assembly shall meet at least bi-weekly during the fall and spring semesters, on a specific day and time to be set by the Speaker of the Assembly.

Sec. 4.23 COLLEGE OR SCHOOL REPRESENTATIVE VACANCIES. Vacancies of a representative seat of a college or school shall be filled by the respective college council, within a period of thirty (30) days after the seat becomes vacant.

Sec. 4.24 UNFILLED VACANCIES, UNIVERSITY-WIDE, FIRST-YEAR, AND AT-LARGE GRADUATE

VACANCIES. If a vacancy longer than thirty (30) days cannot be filled by the appropriate college council; or if the vacancy is in a University-wide, at-large graduate, or first-year representative seat; the Assembly Board shall fill the vacancy by appointment, subject to the approval of the Assembly.

- Sec. 4.25 APPOINTED REPRESENTATIVE REQUIREMENTS. All appointed representatives must meet the same requirements as the elected representatives.
- Sec. 4.26 PARLIAMENTARY PROCEDURE. The Assembly may determine the rules of its proceedings and parliamentary procedure.
- Sec. 4.27 ASSEMBLY ELECTION OF UNSPECIFIED OFFICERS. The Assembly may elect officers not specified in this Constitution.
- Sec. 4.28 ONE VOTE PER REPRESENTATIVE. Each representative shall have one vote.
- Sec. 4.29 NO SECRET BALLOTS. No secret ballots shall be taken by the Student Government Assembly nor any of its sub-entities and committees.

Article V

THE JUDICIAL BRANCH

- Sec. 5.1 VESTMENT OF JUDICIAL POWER. All judicial powers and authority shall be vested in the Supreme Court of Student Government.
- Sec. 5.2 COMPOSITION OF THE JUDICIAL BRANCH. The judicial branch shall be comprised of the Supreme Court an additional inferior entities as may be deemed necessary and expedient by the Assembly and Supreme Court.
- Sec. 5.3 COMPOSITION OF THE SUPREME COURT. The Supreme Court shall consist of five (5) justices.
- Sec. 5.4 ELECTION OF CHIEF JUSTICE. The Supreme Court shall elect a Chief Justice from among its members by the end of the spring semester of each year. If the office of Chief Justice becomes vacant, the Court shall immediately elect a new Chief Justice from among its members.
- Sec. 5.5 PROHIBITION ON CONCURRENT SERVICE OUTSIDE OF THE JUDICIAL BRANCH. Justices shall not hold any concurrent position within the executive or legislative branches of

Student Government.

- Sec. 5.6 MINIMUM NUMBER OF HOURS IN-RESIDENCE ELIGIBILITY FOR JUSTICES. Justices must have completed at least twelve (12) semester hours in-residence at the University if an undergraduate or nine (9) hours in-residence if a graduate student.
- Sec. 5.7 GOOD STANDING REQUIRED TO SERVE ON SUPREME COURT. Justices must not be on scholastic or disciplinary probation at the time of appointment or while serving.
- Sec. 5.8 LIMIT ON NUMBER OF LAW STUDENTS SERVING AS JUSTICES. No more than three (3) justices shall be students enrolled in the School of Law.
- Sec. 5.9 ACADEMIC LIFETIME APPOINTMENT. Justices shall serve until they resign, become ineligible to serve, or are removed for delinquency to fulfill the duties of office.
- Sec. 5.10 NOMINATION OF NEW JUSTICES WHEN FEWER THAN THREE ARE SERVING. If the Supreme Court consists of fewer than three (3) sitting justices, new justices shall be nominated by the President subject to approval by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly.
- Sec. 5.11 TIMETABLE FOR PRESIDENTIAL NOMINATION OF JUSTICES. The President shall act within four (4) weeks to bring before the Assembly one or more nominees to fill the vacant positions. If an insufficient number of nominees are confirmed by the Assembly to bring the membership of the court to three (3) or more justices, the President shall bring forward one or more subsequent nominees within four (4) weeks of the Assembly's vote.
- Sec. 5.12 NOMINATION OF NEW JUSTICES WHEN MORE THAN THREE ARE SERVING. If the Supreme Court consists of three (3) or more sitting justices, new justices shall be nominated by the sitting justices of the Court and subject to confirmation by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly.
- Sec. 5.13 PRESIDENTIAL REJECTION OF JUDICIAL NOMINATION. If confirmed, the Student Body President may reject the nominee. The President's decision to reject a nominee may be overridden by a three-quarters (3/4) majority vote of total sitting representatives in the Assembly.
- Sec. 5.14 ANTICIPATED VACANCIES ON THE SUPREME COURT. If a vacancy on the Court is

anticipated, the Supreme Court may initiate nomination and confirmation proceedings up to six (6) months in advance of the anticipated vacancy. A nominee confirmed in this way shall not begin serving as a justice until a vacancy in the Court arises.

Sec. 5.15 CLERKS. The Supreme Court shall have the power to select and appoint non-voting clerks to aid the Court. Clerks of the Court shall not be a justice nor a member (other than ex-officio) of the executive or legislative branches of Student Government.

Sec. 5.16 DUTIES, POWERS, AND AUTHORITY OF THE SUPREME COURT. The Student Government Supreme Court shall possess the following duties, powers, and authority:

- (a) No formal action may be taken by the Court without a quorum present which shall consist of at least three (3) sitting justices.
- (b) The Supreme Court shall have sole original and supreme jurisdiction in all cases arising under this Constitution, the Student Government Code of Rules and Procedures and substantive rules, regulations, or bylaws approved by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly; as well as any matter concerning controlling authority upon the acts of Student Government.
- (c) The court shall hear all cases in which any student, faculty member, staff member, administrator, or student organization at The University of Texas at Austin brings an actionable complaint where there is sufficient good cause to believe there has been a material violation of this Constitution, the Student Government Code of Rules and Procedures, or substantive rules, controlling authorities, regulations or bylaws approved by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly.
- (d) Any determination of standing to bring a case before the Court shall require no more than a minimal threshold designed to prevent frivolous complaints.
- (e) Upon a finding that there has been a material violation of this Constitution the Student Government Code of Rules and Procedures, or substantive rules, controlling authorities, regulations or bylaws approved by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly, Supreme Court shall have the power, to issue appropriate rulings in all matters properly brought before it.
- (f) The Supreme Court shall certify the validity of signatures of all petitions filed with Student Government for referendum, initiative, or constitutional initiative in a timely manner.
- (g) The wording of a referendum, initiative, or constitutional initiative submitted by petition may be amended only if approved by the Supreme Court. The Supreme

Court shall not approve the amending of a ballot item if requested less than three (3) weeks in advance of the scheduled election and if the proposed amendment changes the effect or substance of the original petition submitted, or if the amendment significantly alters the original petition in any other way.

- (h) Upon a finding that there has been a material violation of this Constitution or the Student Government Code of Rules and Procedures, or substantive rules, controlling authorities, regulations or bylaws approved by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly, Supreme Court shall have the power to issue appropriate writs (including writs of injunction and writs of mandamus) as necessary.
- (i) The Supreme Court shall have the power to declare null and void any act of Student Government that materially violates this Constitution or the Student Government Code of Rules and Procedures, or substantive rules, controlling authorities, regulations or bylaws approved by a two-thirds (2/3) majority vote of total sitting representatives in the Assembly.

Sec. 5.17 PERSUASIVE VALUE OF SUPREME COURT OPINIONS. Published Opinions and rulings of the Supreme Court shall have persuasive, but not controlling, precedential value in subsequent proceedings of the Supreme Court.

Sec. 5.18 PRECEDENTIAL VALUE OF SUPREME COURT OPINIONS. Published Opinions and rulings of the Supreme Court shall have binding precedential value over subsequent proceedings of the Election Supervisory Board.

Sec. 5.19 ESTABLISHMENT OF SUPREME COURT RULES AND REGULATIONS. The Supreme Court shall establish its own rules of procedure to be included in the Student Government Code of Rules and Procedures.

Sec. 5.20 SUPREME COURT JOURNAL AND OPINIONS. The Supreme Court shall maintain an official journal of its proceedings, and shall issue written opinions in all cases brought before it. The Court shall make all opinions it has rendered publicly available. A Court opinion shall be made publicly available within one (1) week of the Court's decision in each case.

Sec. 5.21 ADHERENCE TO CAMPUS-WIDE ELECTION CODE AND RESERVATION OF AUTHORITY FOR STUDENT GOVERNMENT-SPECIFIC ELECTION CODE. Student Government shall approve and adhere to the provisions of the campus-wide election code, as annually published by the Office of the Dean of Students, in so far as much as it does not contravene the standing provisions of the Student Government-specific campus-wide

election code.

- Sec. 5.22 PROHIBITION ON IMPLEMENTING RULES WITHIN EIGHT WEEKS. No election rules may be enacted within eight (8) weeks prior to an election.
- Sec. 5.23 ORIGINAL JURISDICTION OF ELECTION SUPERVISORY BOARD. Election disputes and grievances shall first be heard by the Election Supervisory Board Organized by the Office of the Dean of Students.
- Sec. 5.24 SOLE APPELLATE AND SUPREME ELECTION JURISDICTION. The Student Government Supreme Court shall possess sole appellate and supreme jurisdiction in all Student Government election disputes.
- Sec. 5.25 APPEALS OF ELECTION SUPERVISORY BOARD DECISIONS. Decisions of the Election Supervisory Board may be appealed and heard by the Supreme Court on the basis that the appellant brings forth an actionable complaint regarding an action or ruling of the Election Supervisory Board.

Article VI

ELECTIONS

- Sec. 6.1 ANNUAL SPRING GENERAL ELECTIONS. General elections shall be held on the Wednesday and Thursday of the week three weeks prior to the start of the University's spring break as reflected by the official University academic calendar.
- Sec. 6.2 VOTE ELIGIBILITY BY THE STUDENT BODY IN GENERAL ELECTIONS. Each student may rank all candidates running for President and Vice President, all candidates running for their respective college or school in the Assembly, and all candidates running for University-wide representative.
- Sec. 6.3 ANNUAL FALL FIRST-YEAR ELECTIONS. Elections for the two (2) representatives from the incoming class of first-year students shall be held on one (1) weekday during the third full week of September.
- Sec. 6.4 FILING FOR FIRST-YEAR ELECTIONS. Filing shall begin the day before the first full day of classes of the fall semester and last for three (3) full weeks.
- Sec. 6.5 CAMPAIGNING FOR FIRST-YEAR ELECTIONS. Campaigning shall begin the day after the

filing deadline and last for one (1) full week. All campaign regulations shall be determined by the election code of the Student Government.

- Sec. 6.6 FIRST-YEAR ELECTION OVERSIGHT. The Supreme Court shall oversee the elections of the First-year representatives.
- Sec. 6.7 CALLING SPECIAL ELECTIONS. The President or the Assembly by a three fourths (3/4) vote shall have the power to call special elections.
- Sec. 6.8 VOTE ELIGIBILITY BY THE STUDENT BODY IN FIRST-YEAR ELECTIONS. First-year students may rank all of the First-year Representative candidates from the incoming class of undergraduate and graduate first-year students.
- Sec. 6.9 CERTIFYING RESULTS OF SINGLE-WINNER ELECTIONS. In calculating the votes of any single-winner race, an instant runoff voting system will be used as enumerated in the Campus-Wide Election Code. The candidate(s) who receives a majority of votes shall be certified in the respective position.
- Sec. 6.10 CERTIFYING RESULTS OF MULTIPLE-WINNER ELECTIONS. In calculating the votes of any multiple-winner race, a single transferable voting system will be used as enumerated in the Campus-Wide Election Code. The candidates who meet or surpass a Droop quota shall be certified in the respective positions. If, at any point in the count, the number of continuing candidates equals the number of remaining unfilled positions, the continuing candidates shall be certified in the respective positions.
- Sec. 6.16 NO MINIMUM NUMBER OF VOTES. There shall be no constitutional provision requiring a minimum number of voters participating in any general or special election in order to validate that election.

Article VII

REMOVAL

- Sec. 7.1 QUALIFICATIONS FOR REMOVAL FROM OFFICE. Officers of the executive, legislative, and judicial branches may be impeached and removed from office for a material failure to fulfill the duties and responsibilities mandated in this Constitution.
- Sec. 7.2 SPONSORSHIP REQUIREMENTS OR IMPEACHMENT LEGISLATION. Impeachment legislation must be sponsored by a voting member of the Assembly.

Sec. 7.3 REMOVAL PROCEEDINGS. In the event of impeachment, removal hearings shall take place in the next meeting of the Assembly as the first order of business. The Chief Justice of the Supreme Court shall preside at such hearings unless the Chief Justice is the subject of the hearing; in which case the rules of procedure of the Supreme Court shall determine the presiding officer. A three-fourths (3/4) majority vote of representatives shall be necessary for removal.

Sec. 7.4 OPEN REMOVAL PROCEEDINGS. Removal hearings shall be open to the public.

Article VIII

INITIATIVE AND REFERENDUM

Sec. 8.1 RIGHT TO STATUTORY INITIATIVE. Students, upon petition of thirty percent (30%) of the total number of valid ballots cast in the most recent general election of Student Government, shall have the right of statutory initiative.

Sec. 8.2 RIGHT TO REFERENDUM. Students, upon petition of ten percent (10%) of the total number of valid ballots cast in the most recent general election of Student Government, shall have the right of referendum.

Sec. 8.3 ASSEMBLY ACTION TO CALL REFERENDUM. The Assembly, by majority vote, may refer any part of pending action to students for a vote at the next election.

Article IX

AMENDMENTS

Sec. 9.1 APPROVAL PROCESS FOR CONSTITUTIONAL AMENDMENTS. Amendments to the Student Government Constitution shall undergo the following process in accordance with the Rules and Regulations of the Board of Regents of The University of Texas System:

- (a) Proposal and approval by a two-thirds (2/3) majority of total sitting representatives of the Student Government Assembly; and,
- (b) Submit a finalized copy of the updated Student Government Constitution with proposed changes noted, a copy of the current Student Government Constitution, notes from the Rules and Regulations Committee and/or other committees involved, and minutes from the Student Government assembly meeting in which

the vote for approval was taken for review to the Senior Administrative Associate;
and,

(c) Approval by the chief student affairs officer of The University of Texas at Austin;
and,

(d) Approval by the Vice President of Student Affairs of The University of Texas at Austin; and,

(e) Ratification of amendments by a simple majority vote of students at the next scheduled Student Government campus-wide election; and,

(f) Approval of amendments by the President of The University of Texas at Austin.

Sec. 9.2 ENACTMENT OF CONSTITUTIONAL AMENDMENTS. Upon receiving final approval by the Student Government Assembly, ratification in a student body referendum, and final approvals, all proposed constitutional amendments shall take immediate effect.

Sec. 9.3 RIGHT TO CONSTITUTIONAL INITIATIVE. Students, upon petition of thirty percent (30%) of the total number of valid ballots cast in the most recent general election of Student Government, shall have the right of constitutional initiative. Such amendments shall be presented to the students at the next scheduled election and shall take effect upon final approvals for constitutional amendments outlined within this section 9.1 of this article.

Sec. 9.4 PUBLIC INSPECTION OF CONSTITUTIONAL AMENDMENTS. Any proposed amendment to this Constitution shall be made available for public inspection a minimum of two (2) weeks prior to the election. A proposed amendment, together with the parts of the Constitution affected, shall be submitted to the Editor of *The Daily Texan* at least one (1) week prior to the election.

Article X

GENERAL PROVISIONS

Sec. 10.1 NO DEFICIT EXPENDITURES. No expenditures shall be allowed that would result in a deficit in any Student Government account.

Sec. 10.2 OATH OF OFFICE. Each officer of Student Government, before entering the execution of his or her office, shall take the Student Government Oath of Office. The Oath of Office shall read, "*I do solemnly swear (or affirm) that I will faithfully execute the office of__ of The University of Texas at Austin Student Government, and will to the best of my ability preserve, protect, and defend the Constitution of the Student*

Government."

- Sec. 10.3 PROHIBITION ON SERVING IN TWO ELECTED POSITIONS OR DUPLICITY OF OFFICERS. Two elective offices shall not be held simultaneously by the same person, nor shall two persons simultaneously hold the same elective office.
- Sec. 10.4 PROHIBITION OF STUDENT GOVERNMENT ENDORSEMENTS. Student Government, as an entity, may not make any endorsements in any student elections, regardless of whether or not that election falls under the jurisdiction of the Student Government election code.
- Sec. 10.5 CONSTITUTIONAL SUPREMACY. This Constitution supersedes all previous constitutions of the Student Government and its ratification nullifies all pending amendments to the current constitution. This Constitution shall take immediate effect when it shall have been ratified by a majority of ballots cast in an election by the members of the student body and approved in accordance with UT System Board of Regents Rule: 50203.
- Sec. 10.6 CONSISTENCY OF TRANSITION. All officials elected under the requirements of the previous constitution shall remain in their respective offices if they do exist and shall exercise their corresponding duties and responsibilities as set forth in this Constitution until their terms of office have expired. Any new offices shall be filled at the soonest possible time.
- Sec. 10.7 RECOGNITION OF HIGHER CONTROLLING AUTHORITIES. This Constitution and its associated rules, regulations, and amendments are subject to provisions of the rules and regulations of The University of Texas at Austin, the Board of Regents of The University of Texas System, laws of the state of Texas, and laws of the United States of America.

History of the Student Government Constitution Amendments, beginning with Spring 2004 Student Body Referendum

Prepared by Becky Carreon, last updated 4/16/2015

**Amended by the Assembly A.B.16 Revising the Constitution, passed 2/10/2004
Approved by Student Body Referendum 1&2 Spring 2004**

**Amended by the Assembly A.B. 14 Changes to the Internal Rules, Bylaws and Constitution of the Student Government, passed 3/2004
Approved by Student Body Referendum 2 Spring 2005**

**Amended by the Assembly A.B. 32 Ensuring More Accurate Representation, passed 3/28/2006
Approved by Student Body Referendum Spring 2007**

**Amended by the Assembly A.B. 18 Changing Constitution-Secretary of the Assembly to Administrative Director passed 02/05/2008
Amended by the Assembly A.B. 14 Amending the Constitution-Modifying the Size of the Assembly and Establishing the University Wide Representatives, passed 10/07/2008
Approved by Student Body Referendum Fall 2008**

**Amended by the Assembly AB Constitutional Changes, passed 9/22/2009
Approved by Student Body Referendum Fall 2009 1454 (93.92%) yes, 94(6.07%)**

**Amended by the Assembly AB 17 Student Government Reform, passed 01/25/2011
Approved by Student Body Referendum 02/10/2011**

**Amended by the Assembly AB 6 Addition of the Assembly Board, passed 03/27/2012
Amended by the Assembly AB 3 Limiting the Definition of First Year Representative to Only Undergraduate Students, passed 11/5/2013
Amended by the Assembly AB 4 Granting Presidential Enactment and Veto Powers over Bills, passed 10/22/2013
Amended by the Assembly AB 5 Establishing University-Wide Membership in Student Government, passed 10/22/2013
Amended by the Assembly AB 6 Creation of At-Large Graduate Student Representative Seats in the Assembly, passed 11/5/2013
Amended by the Assembly AB 7 Clarifying the Extent to which individual Officers of the Student Government May Represent Student Government and/or the Student Body, passed 10/22/2013
Amended by the Assembly AB 8 Clarifying Confirmation Procedures of Justices to the Supreme Court, passed 10/22/2013
Amended by the Assembly AB 9 Updating the Student Government Oath of Office, passed 11/22/2013
Amended by the Assembly AB 10 Recognizing External Controlling Authorities upon Student Government Operations, passed 11/5/2013
Amended by the Assembly AB 11 Establishing the Student Government Code of Rules and Procedures and Abolition of the Internal Rules of Procedure, passed 11/15/13
Amended by the Assembly AB 12 Establishing Protocols of Transparency and Management of Student Government Endowments, passed 11/15/13
Amended by the Assembly AB 14 Establishing a Statistically Proportional Methodology for Apportioning College and School Representation in the Assembly, passed 11/12/2013
Amended by the Assembly AB 15 Clarifying Procedures and Approvals Necessary for Amending the Constitution of Student Government, passed 11/5/2013
Amended by the Assembly AB 17 Abolition of the Bylaws of Student Government and Appropriate Incorporation of the Articles into Other Governing Documents, passed 11/5/2013**

Amended by the Assembly AB 23 Final Amendments and Referring All Proposed Amendments to the Student Government Constitution to Popular Referendum, passed 2/11/2014
Approved by Student Referendums 1 and 2, Spring 2014 Campus Wide elections 2/27/2014
Final Approval by UT System 3/3/2015

Amended by the Assembly AB 18 Amending the Student Government Constitution to Create an Advocacy Director, passed 2/20/2018

Amended by the Assembly AB 19 Amending The Constitution of The University of Texas at Austin Student Government to Implement a Single Transferable Voting System, passed 2/20/2018

Approved by Student Referendums, Spring 2019 Campus Wide elections, March 2018

Approved by the Office of the President, 10/26/2018

Modifications to the Student Government and Campus-Wide Election process, approved by the Dean of Students & VPSA, and President Fenves 12/19/2018