

The Constitution of the  
**STOUT STUDENT ASSOCIATION**

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## **PREAMBLE**

- A. We the students of the University of Wisconsin-Stout, in order to provide for the development of an effective student democracy through responsible student participation in policy development, decision making, and the promotion of campus justice, do ordain and establish this constitution of the Stout Student Association, herein after referred to as the S.S.A.

## **Article I. MEMBERSHIP**

### **Section 1.01 Association Membership**

- A. A student shall automatically become a member of the S.S.A. upon enrollment at University of Wisconsin-Stout and/or payment of the Segregated University Activity Fee.
- B. All S.S.A. members shall be given the right to vote in all S.S.A. university wide elections.

### **Section 1.02 Divisional Membership**

- A. The S.S.A shall have three branches to ensure a balance of powers is not overstepped in one branch:
  - I. The Legislative Branch, discussed in Article III.
  - II. The Executive Branch discussed in Article IV.
  - III. The Judicial Branch, discussed in Article V.

## **Article II. DECLARATION OF STUDENT RIGHTS**

- A. Student conduct rules governed by state law and are found in three chapters of the University of Wisconsin System Administrative Code which apply statewide to all University of Wisconsin campuses and students. These are commonly referred to as UWS Chapter 14 (academic conduct), UWS Chapter 17 (non-academic conduct) and UWS Chapter 18 (conduct on University lands).

### **Section 2.01 General Rights**

- A. A student's rights and responsibilities begin when they enroll in a UW System school and continues throughout their academic career; some of the conduct rules apply even while off campus in Menomonie, during school vacations, or away from Menomonie. This means that a student may be held responsible for their under these rules in the surrounding community, while on semester or summer break, on weekends, or while away from the campus.

- B. Because these rules apply to all UW-System students and facilities, a UW-Stout student who engages in misconduct (for example, against a UW-River Falls student or while visiting the UW-Eau Claire campus) is subject to these rules as if they engaged in the conduct on our campus or toward a UW-Stout student. Discipline imposed under these rules applies at all UW System campuses.
- C. The U.S.S. shall insure that every member of the University community be granted fundamental due process.
- D. The U.S.S. shall ensure the student rights are communicated and respected on and off campus.

### **Section 2.02 Academic Misconduct**

- A. Academic misconduct is a vital issue concerning all members of the University of Wisconsin-Stout community. Those who engage in academic misconduct, and those who ignore it when they become aware of it, threaten the integrity of the University and of the educational process. This section provides information for students on what academic misconduct is and how our campus responds when there is an allegation of academic misconduct.

### Part A. Pending Allegations

- A. If it is alleged that you engaged in misconduct you have the right to participate in the adjudication process by telling your side of the story, presenting evidence in support of your story, and having your story given full consideration by the investigator.
- B. Academic misconduct (UWS Chapter 14) allegations are typically investigated by the course instructor (although University Investigating Officers may fill this role if necessary).
- C. The investigating officer will offer to discuss the matter with the student and will consider all information before deciding that misconduct occurred or imposing sanctions.
  - I. The purpose of this meeting is to review with the student the evidence for the investigator's belief that the student engaged in misconduct and to allow the student to respond.
  - II. A student cannot be forced to participate in such a meeting, but the investigating officer may make a decision based on the available evidence if the student chooses not to discuss the matter.
- D. If the investigating officer concludes that the student did violate University rules, and if the student disagrees with the description of the misconduct and/or the sanction imposed, the student has the right to an appeal.

### Part B. Investigative Process

- A. If your instructor suspects you of academic misconduct, **they** will request to meet with you as the beginning of the investigation process.
  - I. During this meeting, your instructor will explain why **they** believe you may have committed academic misconduct and will share the evidence they have.
  - II. They will then give you time during the meeting to respond and provide your perspective on the matter.
- B. If your instructor concludes that no misconduct occurred or that no penalty is warranted, this meeting will end the matter.
- C. If after this investigatory meeting they conclude that you are responsible and that a penalty is warranted, **they** will provide you with a letter detailing your sanction.

### Part C. Sanctions

Sanctions are intended to address the inappropriate behavior in a constructive, developmental, and educational manner. Sanctions hold students accountable for behaviors which violate university policies. Criteria for assigning sanctions are determined by several factors: the

severity of the misconduct, the nature of the incident, and the student's prior conduct record.

The following 10 sanctions are permitted under UWS Chapter 14:

- I. An oral reprimand;
- II. A writer reprimand presented only to the student;
- III. An assignment to repeat the work, to be graded on its merits;
- IV. A lower or failing grade on the particular assignment or test;
- V. A lower grade in the course;
- VI. A failing grade in the course;
- VII. Removal of the student from the course in progress;
- VIII. A writer reprimand to be included in the student's disciplinary file;
- IX. Disciplinary probation; or
- X. Suspension or expulsion from the university

## Part D. Appeal Process

- A. Students who disagree with the determination of misconduct and/or the sanctions imposed by the instructor or investigating officer have rights to an academic misconduct hearing as described in UWS 14.07(8).
  - I. The student who is alleged of misconduct has the right to present evidence and witnesses that are directly relevant to the case at the hearing.
    - a. Students should plan to introduce their most important evidence first
  - II. Alleged violators have the right to question witnesses and evidence presented by the Investigating Office or Instructor.
- B. There is a lesser burden of proof required which the Examiner or Committee will determine its finding.
  - I. For UWS Chapter 14 hearings, the burden of proof that must be met is “clear and convincing evidence” if the sanction sought is suspension or expulsion.
  - II. For all other Chapter 14 hearings, the burden of proof required is “a preponderance of the credible evidence.”
- C. The hearing committee has the authority to dismiss the case should the faculty Member or Investigating Officer not convince, based on the burden of proof, that academic misconduct as described in Chapter 14 occurred.
- D. If they determine that misconduct occurred, they have full authority to either uphold the sanction, lessen the sanction, or in some case raise the sanction (a committee cannot however impose an expulsion or suspension sanction if it was not first recommended by the Instructor or Investigating Officer).
- E. For sanctions less than probation, the accused student has 10 days from receipt of electronic notification or written letter in which to contact the Dean of Students Office (130 Bowman Hall, 715-232-1181) and request a hearing before a Hearing Committee.
  - I. If not requested in writing within 10 days, the sanction proposed by the Instructor or Investigating Officer stands as final.
- F. Most hearings will last one hour or less in order to accommodate our student, faculty and staff committee members’ busy schedules.
  - I. In order to keep the hearing on task, the hearing examiner or committee chair may impose time limits.
- G. The Hearing Committee will usually consist of one faculty member, one academic staff member, and two students selected from a pool appointed by appropriate campus governance groups.



- I. The hearings may continue even if one of these members is absent. A Hearing Examiner appointed by the Chancellor will chair the committee.

## **Section 2.03 Nonacademic Misconduct**

### **Part A. Pending Allegations**

- A. If you are accused of misconduct you have the right to participate in the adjudication process by telling your side of the story presenting evidence in support of your story, and having your story given full consideration by the investigator.
- B. Non-academic misconduct (UWS Chapter 17) allegations are investigated by University Investigating Officers from the Dean of Students Office or from Student Life Services who are appointed for this purpose by the Chancellor.
- C. The investigator will send the student an offer to discuss the matter before deciding that misconduct occurred or imposing sanctions.
  - I. The purpose of this meeting is to review with the student the report that the student engaged in misconduct and to allow the student an opportunity to respond.
- D. A student may choose not to participate in such a meeting, but the investigator will make a decision based on the available evidence if the student chooses not to discuss the matter.
- E. If the investigator concludes that the student did violate University Chapter 17, and if the student disagrees with the sanction imposed, the student always has the right to a hearing.

### **Part B. Investigative Process**

- A. Upon receipt of an incident report, an Investigating Officer appointed by the Chancellor reviews it to determine if further investigation is warranted. If an investigation is called for, the student will be notified by letter (usually sent via electronic correspondence) of the alleged misconduct and asked to set up a meeting.
  - I. During the meeting, the incident will be reviewed, and the student will be given the opportunity to share his/her perspective.
  - II. Additionally, questions will be asked relevant to the incident to determine the facts. An explanation of the policy and the violation will be presented, and the student's behavior will be discussed.
- B. If the student fails to appear at the meeting or declines to meet, the case will be determined by the information contained in the report.

### **Part C. Sanctions**

- A. After the student conduct meeting, the student will be notified in writing (usually transmitted electronically) of the findings of the investigation.
  - I. If it is determined that no misconduct occurred, the matter will be considered resolved and no further action will be taken.
  - II. If the student is found responsible and no further action will be taken. If the student is found responsible for misconduct, the decision letter will specify the recommended sanction.
- B. Sanctions are intended to address the inappropriate behavior in a constructive, developmental, and educational manner balancing the needs of the university and the student.
- C. Sanctions hold the students accountable for behavior which violate university policies. Criteria for assigning sanctions are determined by several factors: the severity of the misconduct, the nature of the incident, and the student's prior conduct record.
- D. The following sanctions are permitted under UWS Chapter 17:
  - I. A written reprimand.
  - II. Denial of specified university privileges.
  - III. Payment of restitution.
  - IV. Educational or service sanctions, including community service.
  - V. Disciplinary probation.
  - VI. Imposition of reasonable terms and conditions on continued student status.
  - VII. Removal from a course in progress.
  - VIII. Enrollment restrictions on a course or program.
  - IX. Suspension.
  - X. Expulsion.
- E. For alcohol related incidents, parental notification may accompany sanctions listed above.

#### **Part D. Alcohol Consumption and Conduct Violations**

- A. Behavior outside the residence halls (students residing in the residence halls are subject to residence hall policy for conduct occurring in the halls) and off campus which violates UW System Administrative Code Chapter 17 or 18 (see Student Rights & Responsibilities) and/or results in citation by city, university, or county law enforcement officers, will be addressed by university judicial officials when, in the judgment of the investigating officer, the alleged conduct is any of the following:
  - I. Dangerous conduct.
  - II. Forgery or falsification.

- III. Illegal use or distribution of alcoholic beverages.
  - IV. Violation of criminal law.
  - V. Unauthorized use or property damage.
  - VI. Serious or repeated violations of municipal law.
  - VII. Disruption of university authorized activities.
  - VIII. Violation of university rules.
- B. Some examples of these behaviors include:
- I. Underage Alcohol Consumption Citations.
  - II. Using a false ID.
  - III. Furnishing to minors.
  - IV. Selling without a license.
  - V. Vandalism.
  - VI. Driving Under the Influence.
  - VII. Disorderly Conduct.
  - VIII. Battery
- C. The University also has the authority to contact parents in any situations involving alcohol. UW-Stout will notify parents on all 2<sup>nd</sup> alcohol violations regardless of the nature of the violation.
- D. Depending on the frequency or severity of the behavior, the university can impose sanctions that prevent a student from being enrolled at the university.

### **Part E. Appeal Process**

- A. Students who disagree with the sanction proposed by the investigating officer have rights to a non-academic misconduct hearing as described in UWS 17.12.
- B. The student has a choice between a hearing before a Hearing Examiner (an administrator appointed for such purpose by the Chancellor) or before a hearing committee.
  - I. The committee is chaired by a hearing examiner.
  - II. Committees are usually comprised of two students, one faculty, and one academic staff member appointed by the appropriate campus governance groups.
  - III. The hearing may proceed even if one member is absent.
- C. If the sanction is University Suspension or Expulsion, the hearing is automatic (unless the student waives his or her right to the hearing in writing).
  - I. The accused student should contact the Dean of Students Office (130 Bowman Hall) in writing within 10 days to indicate their hearing choice.

- II. If the student does not exercise their right to choose a hearing type within 10 days, a Hearing Examiner will be assigned.
- D. For sanctions less than suspension from the university, hearings are not automatic.
  - I. The accused student will have 10 days in which to contact the Dean of Students Office in writing if they wish to request a hearing.
  - II. If not requested within 10 days, the sanction proposed by the Investigating Officer stands as final.
- E. A minimum of five (5) days before the hearing the student and hearing committee or examiner will receive any copies of the investigating officer's explanation of the findings and other documentation on which the determination of misconduct and resulting recommended sanctions were based.
  - I. Students planning to call witnesses should notify the Investigating Officer or Dean of Students Office at least five (5) days before the scheduled hearing.
  - II. If the investigating officer plans to call witnesses, that list will also be shared.
    - a. These materials are confidential and must not be shared with others.
- F. If the student wishes to have a written statement or any other documentation included in the packet to the examiner or committee, they should contact the Investigating Officer or Dean of Students Office at least 5 days before the scheduled hearing.
- G. The Hearing
  - I. Students should plan to introduce their most important evidence first.
  - II. The student accused has the right to present testimony and witnesses that are directly relevant to the case (character witnesses will not be allowed in most cases).
  - III. Alleged student violators have the right to question witnesses and evidence presented by the Investigating Officer.
  - IV. In most cases hearings will last one hour or less in order to accommodate our student, faculty and staff committee members' busy schedules.
  - V. In order to keep the hearing on task, the hearing examiner or committee chair may impose time limits.
  - VI. Hearings are not the same as a courtroom and all parties will be asked to show respect for the others testifying.
  - VII. There is also a lesser burden of proof required in which the Examiner or Committee will determine its finding.

- a. For UWS Chapter 17 hearings, the burden of proof that must be met is “clear and convincing evidence” if the sanction sought is suspension or expulsion (except in cases where sexual harassment or sexual assault are alleged).
  - b. For all other Chapter Hearings, the burden of proof required is “a preponderance of evidence.”
- VIII. The Hearing Examiner or committee has the authority to dismiss the case should the Investigating Officer not convince, based on the burden of proof that non-academic misconduct as described in Chapter 17 occurred.
- IX. If they determine that misconduct occurred, they have full authority to either uphold the sanction, lessen the sanction, or in some case raise the sanction.
  - a. A committee cannot however impose an expulsion or suspension sanction if it was not first recommended by the Investigating Officer.

## Article III. LEGISLATIVE BRANCH

### Section 3.01 University Student Senate

- A. All legislative powers herein granted shall be vested in the University Student Senate of the S.S.A., hereinafter referred to as the U.S.S.
- B. One congress may not dictate legislation to be acted upon by a future congress.
- C. Voting power is vested to the senate concerning legislative matters of the S.S.A.
  - I. Simple majority of the voting membership of the U.S.S. shall constitute a quorum.
  - II. A vote consisting of the majority of the U.S.S. shall constitute the decision of the U.S.S.
- D. The University Court shall invalidate legislation only for violation of university policy or S.S.A., state, or federal constitutions.
- E. The U.S.S. shall have at least one advisor with a non-voting seat, appointed by the U.S.S.
  - I. The advisor(s) may be from the faculty, academic staff, or the administration.

### Section 3.02 Responsibilities

- A. To determine student policy of the S.S.A.
- B. To act as the representative voice of the student body on all levels of the University of Wisconsin System.
- C. To report to the U.S.S. on issues of importance from Shared Governance Committees.
- D. To allocate Segregated University Activity Fees available to the Financial Affairs Committee of the S.S.A.
- E. To promote the university's functions, purpose, and responsibilities granted by the United States Constitution.
- F. To promote, review, and approve all S.S.A. activities and approve for recognition of all student organizations.
- G. Shall work with students of diverse backgrounds to encourage a diverse population to run for SSA positions, and apply for vacancies of the U.S.S.
- H. To ensure there is a system of checks and balances in place and overrule a veto when necessary, as outlined in S.S.A. Statute 4.01.F.2.5.a.
- I. To serve weekly office hours during the academic school year.
  - I. Exception are granted by the Executive Committee.

### Section 3.03 Meeting of the U.S.S.

- A. Meetings of the senate will be according to S.S.A. bylaws Statute 3.02., unless a special meeting shall be called to order.
- B. Special meetings are called to order if:
  - I. The president brings the senate together to conduct business needed to be completed prior to the convening of the next meeting.
  - II. One-quarter (<sup>1/4<sup>th</sup></sup>) of the U.S.S. agrees to bring a special meeting to order to conduct necessary business.
    - a. In the event that a special meeting is convened, no business shall be transacted except the special purpose that the meeting was convened for.

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### Section 3.04 Membership

- A. The U.S.S. shall consist of elected and appointed officers and senators.
- B. The S.S.A. member, elected or appointed to the U.S.S., shall be a student of the University of Wisconsin-Stout with a minimum credit load as determined to be full time for an undergraduate or graduate student and be in good academic standing according to the Academic Probation/Dismissal policy at University of Wisconsin-Stout.

- C. All elected and appointed representatives of the S.S.A. shall hold office beginning the meeting following officer elections throughout the duration of the Congress their term was instated in, unless there is means for dismissal.

## Part A. Officer Positions

- A. Purpose
  - I. The elected and appointed officers shall manage student and senate activities and initiatives, under the direction of the executive branch.
- B. Responsibilities
  - I. Charing Caucus and the Standing and Sub-standing committees of the U.S.S., as divided up under positional responsibilities in the S.S.A. Bylaws 3.4.C.
  - II. Gather information on motions brought to senate meetings and vote on according to their constituents.
  - III. Members of the executive board and shall attend all executive meetings.
  - IV. Shall assist in the managing of the Senators
  - V. Shall perform all positional responsibilities, under direction of the executive branch, as outlines in the Bylaws of the U.S.S., to the best of their ability.
- C. Eligibility
  - I. Officers shall have been enrolled in the University of Wisconsin-Stout's academic program at least one semester and must be enrolled in two consecutive semesters after election or appointment.
  - II. An officer of the Executive Branch shall hold no other major office in any university Organization that may institute bias as indicated by the Organizational Affairs Committee, or they may not hold more than two executive positions within any two organizations recognized by the University of Wisconsin-Stout.
- D. Appointed Positions
  - I. Positions by appointment are outlines in the S.S.A Bylaws Statute 3.4 A.6.
  - II. Candidates will follow the elections rules put forth by the Chief of Elections and as passed by the Senate.
  - III. All appointments are made by the President of the S.S.A. with approval by the U.S.S. of the S.S.A.
  - IV. Appointed officers shall serve for the duration of the congress they were appointed in.
- E. Elected Positions

- I. Elected positions are outlined in the S.S.A. Bylaws Statute 3.4.A.7.
  - II. Candidates will follow the election rules put forth by the Chief of Elections and as passed by the Senate.
  - III. Elections are votes on by the student body in the general spring elections, according to the election process as outlined in the S.S.A. Bylaws Statute 3.4.A.
  - IV. Elected officers will serve for the duration of the congress they were appointed in.
- F. Vacancies
- I. Shall be advertised for less than two weeks prior to the filling of the vacancy.
  - II. A petition containing one hundred signatures from the S.S.A. members must be presented to the U.S.S.
  - III. The vacancy shall be filled within three weeks by majority vote of the U.S.S. unless there is no candidate.
  - IV. The President shall have the ability to appoint an interim officer until a candidate is approved by the U.S.S.
- G. Retiring Officers
- I. The retiring officers shall remain in an advisory capacity to the student government until the end of the academic term.
- H. Removal of an Officer
- I. An officer shall be removed from office for reasons including, but not limited to:
    - a. Not fulfilling the responsibilities of the positions as outlined in the S.S.A. Bylaws Statute 3.4.C.
    - b. Not maintaining eligibility requirement as outlined in the S.S.A. Statute 4.1.A.
    - c. Misconduct deemed inappropriate by the U.S.S. as an executive of the S.S.A.
  - II. To remove an officer, the Procedure for Removal of Officers, as outlined in the S.S.A. Bylaws Statute 3.4.B. shall be followed.

## **Part B. Senator Positions**

- A. Purpose
  - I. Senators shall serve as representatives to the U.S.S. from their constituents and vice versa.
- B. Appointed Positions
  - I. Appointed positions are outlined in the S.S.A. Bylaws Statute 3.4.A.8.



- II. The respective party shall nominate a candidate for appointment to represent them on the Senate.
- III. Appointments are made by the President of the S.S.A.
  - a. The President shall approve and appoint the recommended individual to the Senate or disapprove the appointment for reasons relating only to their ineligibility as a member.
- C. Elected Positions
  - I. Elected positions are outlined in the S.S.A. Bylaws Statute 3.4.A.9.
  - II. Elections occur in the spring semester of the academic school year.
  - III. Elections will follow the electoral procedures as outlines in the S.S.A. Bylaws Statute 3.4.A.
  - IV. The electoral process for the respective year will be determined by the Clerk of Elections and the Elections committee and passed by the Senate.
- D. Vacancies
  - I. A vacancy in any positions shall be filled by an eligible member of the respective group in which the vacancy has occurred by the following procedures:
    - a. Appointments Positions:
      - i. The vacancy shall be filled by following S.S.A. Statute 3.4.B.2 of the Constitution of the Stout Student Association.
    - b. Elected Positions:
      - i. Upon recommendation by the Director of Communications and approval by the U.S.S.
      - ii. A retiring senator may remain in an advisory capacity to his/her replacement for a period of two weeks or three meetings.
- E. Removal of Senators
  - I. A senator shall be removed from their position for not maintaining eligibility or for not fulfilling the responsibilities of the positions as outlined in the S.S.A. Bylaws Statute 3.4.D.
  - II. A list of charges containing the signatures of five voting senators or officers of the U.S.S. of the S.S.A. must be submitted to the Senate at least one scheduled meeting prior to the vote by the U.S.S. of the S.S.A.
  - III. Any senator may be removed from office by a two-thirds vote of the U.S.S. providing they are given at least one-week notice before the vote is taken.

- a. The reason/s for removal must be entered in the U.S.S. minutes.
- b. If the senator is appointed from a particular group and represents them to the senate, the group shall be notified, and a copy of the minutes be sent to them.

## Article IV Executive Branch

- A. The executive branch of the S.S.A. has a main objective of insuring that the University of Wisconsin-Stout student body be represented at all levels of the government, be it federal, state, local, or university levels, on the pertinent issues dealing with student affairs. The executive branch is to also ensure the execution of the S.S.A. constitution is fulfilled.

### Section 4.01 Membership

- A. Executive power shall be vested in an elected President and Vice President of the S.S.A.

#### Part A. Eligibility

- A. Any candidates for executive board shall be current member of the S.S.A. and be in good academic standing with the University according to the Academic Probation/Dismissal Policy and submit evidence of such status to the Clerk of the Election Committee for approval.
- B. The President of the S.S.A. shall have been enrolled in the University of Wisconsin Stout's academic program at least two semesters and are required to enroll in a minimum of consecutive semesters after elections.
- C. The Vice President shall have been enrolled in the University of Wisconsin-Stout's academic program at least one semester and must enroll in a minimum of two consecutive semesters after election or appointment.
- D. The President or Vice President shall hold no other major office in any University Organization that may institute bias as indicated by the Organizational Affairs Committee, or they may not hold more than two executive positions within any two organizations recognized by University of Wisconsin-Stout.

### **Part B. Presidential and Vice-Presidential Elections and Terms**

- A. The President and Vice President are elected by the student body in the general spring election, according to the election process as outlined in the S.S.A. Bylaws Statute 4.3.A.
- B. Executives of the S.S.A. shall hold office beginning the second meeting following elections and for the duration of the congressional term they were elected to serve.

### **Part C. Vacancies**

- A. A President vacancy shall be filled by the Vice President of the S.S.A. In the event that the Vice President cannot fulfill this duty, the order of succession shall follow the order of offices as listed in the S.S.A. Bylaws Statute 3.4.C to fulfill the Presidential vacancies.
- B. Vice President Vacancies:
  - I. Shall be advertised for no less than two weeks prior to the filling of the vacancy.
  - II. A petition containing one hundred signatures from the S.S.A. must be presented to the U.S.S.
  - III. The vacancy shall be filled within three weeks by majority vote of the U.S.S. unless there.
  - IV. The President shall have the ability to appoint an interim Vice President until a candidate is approved by the U.S.S

### **Part D. Retiring Executives**

- A. The retiring executive officers shall remain in an advisory capacity to the student government until the end of the academic term.

### **Part E. Removal of Executives**

- A. An executive shall be removed from office for reasons including, but not limiting to:
  - I. Not fulfilling the responsibilities of the position as outlined in S.S.A. Bylaws Statute 4.3B
  - II. Not maintaining eligibility requirement as outlined in S.S.A. Statute 4.1 A
  - III. Misconduct deemed inappropriate by the U.S.S. as an executive of the S.S.A.
- B. To remove an officer, the procedure for Removal of Officers, as outlined in the S.S.A. Bylaws Statute 3.4 B shall be followed.

### **Part F. President**

- A. Purpose:

- I. The president is a liaison between students, faculty, staff, administration, and the Menomonie community. In addition, the President serves as the representative voice of the students and ensures the implementation of Wisconsin State Statute 36.09(5). The President also needs to maintain a collaborative environment.
- B. Powers and duties
- I. Shall chair meetings of the U.S.S.
  - II. Shall oversee operations of the legislative branch and the vice president.
  - III. Shall appoint S.S.A. officers and senators, University Court Justices, and the Chair of the Student Organizational Conduct Oversight Committee.
  - IV. Shall serve as the tiebreaker in the instance a Senate vote is a draw between the ayes and the nays.
    - a. If the President should choose not to vote on the matter or abstain, the vote will automatically be denied.
  - V. To act as the representative voice of the student body on all levels of the University of Wisconsin System.
  - VI. If the President of the S.S.A. vetoes, or disapproves a motion, for any reason, they should write the word "veto" on the motion and return to the next meeting with their reasons to the U.S.S.
    - a. If three-fourths of the U.S.S. voting members override his/her veto, the motion carries.
  - VII. Shall Fulfill responsibilities as outlined in the S.S.A. Bylaws Statute 4.03 B.1.

## **Part G. Vice President**

- A. Purpose
- I. The Vice President shall serve as the primary governmental information source for the student body. In addition to keeping the students informed, they act as a lobbying force for the students and provide outreach during relevant elections. Also the Vice President shall act as the parliamentarian to the U.S.S. of the S.S.A. As Vice President, they are responsible for leading the efforts on Academic Initiatives, and being the main resource pertaining to Academic changes and policy development on behalf of the Student Association.
- B. Powers and Duties
- I. Shall assist the president in their responsibilities of serving as the representative voice for all pertinent issues.
  - II. Shall chair meetings of the U.S.S. in absence of the President.

- a. No veto power shall be granted at this time; however executive power to postpone, without majority vote, will replace veto power to allow the president the ability to be present if the conditions are of the utmost importance or of great significance to the student body.
- III. Shall Fulfill responsibilities as outlined in the S.S.A. Bylaws Statute 4.3.B.2

## **Article V. Judicial Branch**

- A. The purpose of the judicial branch is to maintain established standards by helping students and organizations understand their responsibility to the University Community. The University Court focuses on peer involvement, which will lead to an improved educational experience for students. This is an opportunity for students to formally respond to actions of their peers within the philosophy of the mission, vision, and policies of the University of Wisconsin and State Statute 36.09(5).
- B. The Judicial Branch shall ensure the balance of powers between S.S.A. members and student organizations, officers and senators of the legislative branch of the S.S.A., and the executive branch of the S.S.A.

- C. All recognized organizations, subject to the powers of the Student Organization Conduct Oversight Committee, shall adhere to the policies as stated in the Recognized Student Organizations Code of Conduct.

### **Section 5.01 Membership**

- A. Appointed Positions
  - I. The University Court shall consist of S.S.A. members appointed by the President of the Stout Student Association and the advisor of University Court.
  - II. The University Court Justices shall be selected from a pool of potential court candidates.
  - III. At any given hearing, quorum shall be a majority plus one. In addition to the eight Court Justices, one University Court Chief Justice will be appointed by the President of the Stout Student Association and the Court advisor.
  - IV. All Court Justices will serve a one-year term to coincide with the academic school year.
    - a. University Court Justices may serve consecutive terms, upon the approval of the President of the Stout Student Association and Court advisor and/or designees.
  - V. The University Court shall have a minimum of one advisor with non-voting privileges.
  - VI. If any of the justices or advisor is a member of an organization in a dispute or challenge, they must step down until the challenge or dispute is resolved. The President of the S.S.A. shall appoint replacement until the challenge or dispute is resolved.
  - VII. No advisor or justice may be a member of the Legislative Division of the U.S.S.
- B. Removal of a Justice
  - I. A justice shall be removed for reasons including (but not limited to) the following:
    - a. Not maintaining good standing with the University.
    - b. Displaying conduct not in compliance with federal, state, or local laws or ordinances.
  - II. Any individual who feels a justice is no longer eligible to hold the position, or the feels they have credible evidence to prove that the justice is incapable to perform their responsibilities in an adequate fashion can bring their claim to the President of the S.S.A.
  - III. The President shall appoint an ad-hoc committee of four senators to investigate the claim.

- a. The committee shall have five (5) business days to conduct the investigation and bring their decision to the President.
  - b. In the occurrence that a justice is found to have means for dismissal a member of the executive board of the S.S.A. and member of the U.S.S. shall make a motion to remove the justice from their position at the next U.S.S. meeting.
- IV. The president shall then be responsible to fill the opening within reasonable time to allow for a speedy hearing to continue.

### **Section 5.02 Powers**

- A. All Judicial powers hereinafter granted shall be vested in the University Court of the S.S.A.

### **Section 5.03 Due Process**

- A. This University shall insure that every member of the University community be granted fundamental due process.

### **Section 5.04 Jurisdiction**

- A. The University Court shall have jurisdiction for the interpretation of constitutions and policies of any recognized student organization, including The Constitution of the S.S.A., the by-laws, and any policies when, and only when, specific challenges are brought before it.

### **Section 5.05 Responsibilities**

- A. To hear all cases brought up by any S.S.A. member or student organization deemed to have been treated unfairly by their peers.
- B. To ensure the rights of the accused are respected and heard.
- C. To be knowledgeable of University policies and procedures, judicial policies and procedures, as well as standards of behavior / operations for recognized Student Organizations.
- D. To be objective
- E. To represent the interests of all students; not individual organizations.
- F. To read complaints and familiarize themselves with the cases prior to the hearings.
- G. To remove themselves in a particular case if they have a bias or direct involvement in the case, or are members of the organization under charges.
- H. To attend all hearings
- I. To keep confidential all proceedings, discussions, and votes.
- J. To audio or videotape all hearings so a complete record is on file in the event of an appeal.
- K. Serve for the duration of the review board proceedings unless removed because of affiliation with the pending case.
- L. Remain in good standing throughout their term, review board proceedings or court hearings.

### **Part A. Organizational**

### **Section 5.06 Purpose**

- A. The purpose of the organizational division of the S.S.A. is to allow students the opportunity to pursue extracurricular activities including but not limited to:
  - B. Academic interests relating to a particular study on campus
  - C. Special interests not affiliated with any particular study or prior initiative on campus
  - D. Sports interest that are not represented by a varsity sport.
  - E. Or by the consent of the Organizational Affairs Committee of the U.S.S.



### **Section 5.07 Recognition**

- A. An organization seeking recognition by the S.S.A. must follow all standing policies of the Organization Affairs Committee and must meet and maintain all policies and follow all procedures within the Code of Conduct of the Stout Student Association.

### **Section 5.08 Discipline**

- A. An organization in violation of the code of Conduct of the Stout Student Association shall be held accountable by the S.S.A. Investigations and claims shall be conducted by the Student Organization Conduct Oversight Committee. In the event that an organization had been found guilty of violating the code of conduct of the Stout Student Association, a claim shall be made against the organization by the S.O.C.O.C. to a court of their peers, the University court. The Judicial branch Policies and procedures shall then be followed to find a verdict concerning the organization.

### **Section 5.09 Membership**

- A. Selection of the S.O.C.O.C.
  - I. The SOCOC shall be chaired by the Director of Organizational Affairs and five (5) members appointed by the chair of the SOCOC and confirmed by the Senate.
  - II. The chair shall establish an application and interview process for the selection of members each spring after their election in collaboration with the Advisor of SOCOC.
  - III. A Vice Chair of the SOCOC shall be elected by the SOCOC within the first two meetings.
  - IV. Considerations for the SOCOC should include but are not limited to: educational background, area of study, current and previous student organization involvement, and/or time commitment.
  - V. Membership shall not be denied due to age, ethnicity, gender identity, gender expression, disability, race, national origin, religion, sexual orientation, sex or veteran status, etc.
  - VI. The SOCOC shall be advised by a faculty or staff member of the University, additional advisors can be appointed as needed.
- B. Selection of the University Court
  - I. The University Court shall consist of one (1) Chief Justice and eight (8) Justices and the Advisor.
  - II. The Chief Justice and Justices are appointed by the President of the Stout Student Association and confirmed by the Senate.
  - III. The President shall establish an application and interview process for the selection for the selection of justices each April after their election in collaboration with the Advisor(s) of University Court.

- IV. A Vice Chief Justice shall be elected by the University Court justices within the first two meetings.
  - V. Considerations for Chief Justice and Justice appointments to the University Court shall include but are not limited to: educational background, area of study, current and previous student organization involvement, and/or time commitment.
  - VI. Membership shall not be denied due to age, ethnicity, gender identity, gender expression, disability, race, national origin, religion, sexual orientation, sex or veteran status, etc.
  - VII. The University Court shall be advised by a faculty or staff member of the University. Additional advisors can be appointed as needed.
- C. Membership Eligibility
- I. Student must be in good academic standing with a minimum cumulative GPA of 2.0 and no previous academic or non-academic conduct issues and carry a credit load at minimum of a half time student.
  - II. SOCOC members or Justices may not have any relationship to the student and/or student organization while hearing a case or they must recuse themselves from the proceedings.
  - III. Members must recuse themselves in cases where they are /or have been a member of the Stout Organization in question.
  - IV. If either the SOCOC or Student Organization is concerned about bias of a Justice moving into a hearing, each would have five (5) working days from the date of notice of hearing to request in writing to the President of the SSA to remove up to, one (1) Justice from hearing the case. The President of the SSA will determine whether there are sufficient grounds to demonstrate bias.
  - V. It is recommended that the Advisor of the SOCOC and University Court be the same University staff person for effectiveness and accountability, and consistency in trainings.
- D. Term of Office
- I. SOCOC members and Justice appoints are one (1) year terms beginning after their spring appointment.
  - II. SOCOS members may serve consecutive terms. Upon approval of the Chair of the SOCOC.
  - III. Justices may serve consecutive terms, upon approval from the President of the Stout Student Association.

## Article VII VI. Amendments ~~t~~To the Constitution and Bylaws

- A. To ensure this is a living document to best serve the S.S.A., members of the S.S.A. have the ability to amend and make better the document that outlines their rights and governing bodies.

### Section 7 6.01 Proposals

- A. Amendments to the S.S.A. Constitution and Bylaws may be proposed to the U.S.S. by any ~~ye~~ Senator or Officer of the U.S.S., by any executive of the S.S.A., or upon a written petition by at least 100 members of the S.S.A.

### Section 7 6.02 Publication

- A. The proposed shall be publicized preceding the first reading to the U.S.S.

### Section 7 6.03 Ratification

- ~~A.~~ A proposed amendment to the Constitution must be presented to the U.S.S. of the S.S.A. for ~~two~~three (2) sessions and may be voted on during the third (3) session

- ~~A-I.~~ Such amendments shall be approved by an affirmative vote of three-fourths of the voting membership of the U.S.S. of the S.S.A. or by an affirmative vote of two-thirds of the S.S.A.

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- ~~B.~~ A proposed amendment to the Bylaws must be presented to the U.S.S. for one (1) session and may be voted on during the second session session

- ~~I.~~ Such amendments shall be approved by an affirmative vote of two-thirds of the voting membership of the U.S.S. of the S.S.A. or by an affirmative vote of a simple majority of the S.S.A.

- ~~II.~~ If we find our constitution or bylaws inconsistent with the Student Organization Code of Conduct, UW-System policy, and or State Laws, then a motion can be presented to correct said inconsistency, which can be approved at the same meeting it was introduced by a two-thirds (2/3s) vote of the U.S.S. of the S.S.A. .

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- ~~B.~~ Such amendments shall be approved by an affirmative vote of three-fourths of the voting membership of the Legislative Branch or by an affirmative vote of two-thirds of the S.S.A.

### Section 6.04 Revisions

- A. To ensure historical accuracy and preservation, such revisions to the Constitution should be recorded and kept in a separate document.