The Student Association
of the State University of New York at Oswego

Constitution

Adopted 7 March 2012
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Constitution

Preamble

We, the students of the State University of New York at Oswego, in recognition of the responsibility shared by the administration, the faculty, and the student body in student life and affairs, hereby constitute the State University of New York at Oswego Student Association, believing that by organizing in this way we can best accomplish the following purposes:

1. To serve the student body agency in the presentation of student opinion on matter affecting student life and affairs.
2. To serve as an advocate for issues referred to the Student Association by students or student organizations.
3. To promote in the interest of the college community, a program of service, social activity, and educational projects through the expenditure of the Student Activity Fee.
4. To promote an informed and active student body, and determine and allocate the Student Activity Fee in a manner that supports the aforementioned purposes.

Article I

Name

The Name of the organization shall be the State University of New York at Oswego Student Association, Incorporated (1974), herein referred to as the Student Association (SA).

Article II

Membership

All students at the State University of New York at Oswego who have paid the Student Activity Fee shall be members, and thus represented by the Student Association, and shall be referred to herein as Association Members.

Article III

Authority

The Student Association shall serve as the primary governing, representative, and programming organization of all Association Members. The laws of the Student Association shall be made in accordance with State University of New York Board of Trustees Policy, State University of New York at Oswego policies, as well as local, state, and federal laws.
Article IV
Rights of Students and Association Members

Section I
A. The Student Association shall not discriminate against any Student Activity Fee-paying member on any basis, including, but not limited to, age, race, sex, gender identity or expression, sexual orientation, religious affiliation, physical or mental disability, veteran status, alienage, citizenship, marital or parental status, domestic partnership status, national origin, ancestry, creed, political belief, arrest or conviction record, Greek membership status, or any other criterion prohibited by federal, state, or local law.

B. All Association Members shall share in the activities of the Student Association, and no rights shall be abridged.

Section II
All students shall have the right to be informed about the actions and decisions of the Student Association.

Section III
All students shall have the right to address the Student Association Senate.

Section IV
All students shall have the right to author and introduce legislation through the office of a Student Association Senator.

Section V
All Association Members shall have the right to participate in any and all activities held by Student Association-funded organizations.

Section VI
All Association Members shall have the right to participate in the All-Campus Elections of the Student Association.

Article V
Composition of Government

The Student Association shall be composed of the Legislative, Executive, and Judicial branches of government. All elected and appointed officers of the Student Association shall be members of the Student Association. No Student Association member shall hold elected or appointed office in more than one branch of the government, except as provided by this constitution, or the Student Association By-Laws.
Article VI

Legislative Branch

Section I
All legislative power herein granted shall be vested in the Legislative Branch, which shall be called the Student Association Senate.

Section II
A. The Senate shall be composed of On-Campus, Off-Campus, and At-Large Senators, to be chosen annually by the constituency which they shall represent.

B. All Senators shall be enrolled students at the State University of New York at Oswego with an accumulative grade point index of at least the college minimum for good academic standing, and each shall, at the end of their election, be a member of their constituency, and shall remain a member of their constituency for the duration of their office.

C. Senators shall obtain their legislative seat in the Senate through an election held by the members of the constituency which they shall represent.

D. When a vacancy occurs in the Senate, by resignation or otherwise, it shall immediately be filled by the Executive Authorities of the population affected, through a special election.

E. The Senate shall choose its officers, in addition to a President Pro Tempore to serve in the absence of the Vice President, or when the Vice President shall exercise the office of the President of the Student Association.

F. The Vice President shall be the President of the Senate, but shall have a vote only in the event of a tie.

Section III
A. Senate seats shall be apportioned among the several on-campus living centers, off-campus population, and student population as a whole. The enumeration shall be made no later than thirty days prior to the All-Campus Election. The Senate shall determine the number of available Senate seats to be chosen by each on-campus living center, off-campus population, and student population as a whole. The number of available Senate seats shall never exceed sixty-six, nor be less than thirty-three. No on-campus living center, off-campus population, or student population as a whole, shall be denied representation in the Senate.
B. The Senate shall assemble at least once every full academic week during the college year, except during the weeks of final examinations, and the first week of the Fall and Spring semesters, or for any unforeseen circumstances, in which case the Senate may vote by a two-thirds majority not to hold a Senate meeting that week.

Section IV

A. The Senate shall be empowered to:
   1. Supervise the All-Campus Election.
   2. Assess a Student Association Fee, which shall be uniform throughout the Student Association.
   3. Determine the expenditures of the Student Association Fee for the general welfare of the Student Association.
   4. Have authority to make recommendations over all matters of policy affecting student welfare under this constitution.
   5. Determine the line of succession to the office of President following the Vice President.
   6. Initiate and enact any legislation necessary to implement foregoing powers, or to fulfill the purpose of this constitution, as set forth in the Preamble.
   7. The Senate may censure its members by a two-thirds vote of all Senators present.

B. Legislation that passes the Senate, before it becomes law, shall be presented to the President. If the President approves of the legislation, they shall sign it. If the President rejects the legislation, the President shall return the legislation to the Senate, noting their objections. The Senate shall enter the objections into the minutes, and proceed to reconsider the legislation. If, after such reconsideration, two-thirds of the Senate agrees to pass the bill, it shall become law. Legislation neither signed nor returned by the President within ten class days after it has been presented to them shall become law.

C. The Senate shall hear trials of impeachment. The Senate is empowered to determine guilt or innocence by a two-thirds vote of the members present, and determine an appropriate sanction. No person shall be convicted without concurrence of two-thirds of the members present.

D. Upon presentation to the Senate of a petition containing the signatures of two-thirds the number of voters in the previous All-Campus Election, a referendum may be requested. The Student Association shall then determine the validity of the signatures. When, and if, the required number of signatures is found valid, then the requested referendum shall be placed on the ballot for the following All-Campus Election.

E. No money shall be drawn from the treasury, but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all money shall be published from time to time.

F. The Senate shall pass no law regarding the internal operation of the student organizations recognized under the authority of the office of the Dean of Students.
G. No provision shall be made law or implemented which abridges the freedom of expression. Media review panels, advisory boards, and all other censorship shall be prohibited; nor shall purse-string controls be used punitively against any group or organization for reasons relating to the expression of ideas or opinions.

H. The Senate shall not diminish the Supreme Court’s compensation during the continuance of a Justice’s term of office.

Section V
The recourse to recall a Senator shall be in the hands of the constituencies from which the Senator is elected, to be conducted in the following manner:
1. For an On-Campus Senator, one-half of the living center population must petition for Senator recall; if two-thirds of the living center population are found to be in favor of a recall, the Senator shall be removed from office.
2. For an Off-Campus Senator, the number of off-campus students required to qualify a student as an Off-Campus Senator must petition for a special referendum; if two-thirds of the total number of off-campus voters in the special referendum are found to be in favor of a recall, the Senator shall be removed from office.
3. For an At-Large Senator, three hundred members of the student population must petition for Senator recall; if two-thirds of the total student population are in favor of a recall, the Senator shall be removed from office.

Article VII
Executive Branch

Section I
A. Executive power shall be vested in the Student Association President, who shall be elected by an All-Campus Election. The All-Campus Election of the President shall be held at the earliest practical date during the period from the Fifteenth of February to the Fifteenth of March. The term of office shall be for one year, commencing the first of April of the same year in which the President was elected, and terminating after the Thirty-First of March of the succeeding year.

B. The President shall be an enrolled student with a cumulative grade point index of at least two-tenths of a point above the college minimum for good academic standing, and shall not graduate until the completion of the semester in which the term of office ends. The President shall have attended the State University of New York at Oswego as an enrolled student the semester prior to seeking office.

C. In the event that the President is unable to discharge the powers and duties of the office, the same shall devolve to the Vice President.
D. The President shall be limited to a maximum of two, one-year terms of office.

Section II
The President, before taking office, shall make the following oath or affirmation of office:
I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Student Association, and will, to the best of my ability, preserve, protect, and defend the Constitution of the Student Association at the State University of New York at Oswego.

Section III
The duties of the President shall include:
1. The presentation of an executive agenda at the first Senate meeting following their inauguration, and at the beginning of each semester.
2. Within thirty days of taking office, the President shall, by way of an executive order, define all job responsibilities, titles, and duties of the non-elected members of the Executive Branch during their appointed term of office.
3. The appointment of all non-elected officers to the Student Association, with the consent of the Senate.
4. The presentation of periodic messages regarding the state of the Student Association, and of executive projects.
5. The execution of all legislation of the Senate, for which the President shall be responsible.

Section IV
The President shall be empowered to:
1. Require the opinion, in writing, of the principle officer of any executive department upon any subject relating to that department.
2. Convene such special sessions of the Senate, as the President shall deem necessary.
3. Recommend to the Senate such measures as the President shall deem necessary and expedient.
4. Enter into agreements with agencies and organizations outside the college community, by and with the consent of the Senate, and the proper college authorities.
5. Represent the Student Association personally, and through their appointed representatives, in all its dealings with agencies and organizations outside the college community.
6. Assume such other executive powers as shall not be denied by the policies of the State University of New York at Oswego, or by this constitution.

Section V
A. The Student Association Vice President shall be elected by an All-Campus Election. The All-Campus Election of the Vice President shall be held at the earliest practical date during the period from the Fifteenth of February to the Fifteenth of March. The term of office shall be for one year, commencing the First of April of the same year in which the Vice President was elected, and terminating after the Thirty-First of March in the succeeding year.
B. The Vice President shall be an enrolled student with a cumulative grade point index of at least two-tenths of a point above the college minimum for good academic standing, and shall not graduate until the completion of the semester in which the term of office ends. The Vice President shall have attended the State University of New York at Oswego as an enrolled student the semester prior to seeking office.

C. In the event that the Vice President is unable to discharge the powers and duties of the office, the same shall devolve to the President Pro Tempore of the Senate.

D. The Vice President shall be limited to a maximum of two, one-year terms of office.

Section VI
The Vice President, before taking office, shall make the following oath or affirmation of office:
I do solemnly swear (or affirm) that I will faithfully execute the office of Vice President of the Student Association, and will, to the best of my ability, preserve, protect, and defend the Constitution of the Student Association at the State University of New York at Oswego.

Section VII
The duties of the Student Association Vice President shall include:
1. Serve as President in the event that the President is unable to discharge the powers and duties of the office.
2. Preside over all Senate meetings as President of the Senate.
3. Cast a ballot in the event of a tied vote in the Senate.
4. Prepare an agenda for all Senate meetings.
5. Notify the Senate of Presidential vetoes.
6. Notify the Senate of special Senate meetings.
7. Be responsible for any additional duties as assigned by the Student Association President.

Section VIII
The Vice President shall be empowered to:
1. Require the opinion, in writing, of any committee of the Senate.
2. Set the time and place of the regular Senate meetings, upon approval of the Senate.
Section IX

A. The Student Association Director of Finance shall be the Chief Financial Officer of the Student Association.

B. The Director of Finance shall be appointed by the President, and confirmed by a two-thirds majority vote of the Senate. The Director of Finance shall be an enrolled student, and shall not graduate until the completion of the semester in which the term of office ends.

C. The Director of Finance shall serve from the start of the fiscal year for which they were appointed, to the end of that fiscal year.

Section X

The duties of the Director of Finance shall include:

1. Keep and maintain any and all financial records of the Student Association.
2. Execute, direct, update, and maintain all financial policies and financial programs of the Student Association.
3. Present a report of the financial condition of the Student Association to the Senate at the end of each month.
5. Monitor all expenditures of the Student Association.
6. Attend all Senate meetings, or designate an Assistant Director of Finance to attend in their place.
7. Prepare for the Student Association annual audit, as required by State University of New York Board of Trustees Policy.
8. Be responsible for any additional duties as assigned by the President.

Section XI

The Director of Finance shall be empowered to:

1. Suspend the financial activity of any Student Association organization in violation of the Student Association Financial Policy.
2. Approve Student Association expenditures according to all applicable laws, State University of New York Board of Trustees Policy, and Student Association Financial Policy.
3. Sign contracts and letters of agreement from any recognized Student Association organization, as dictated by State University of New York Board of Trustees Policy, and Student Association Financial Policy.
Article VIII
Judicial Branch

Section I
Judicial authority shall be vested in a Supreme Court. Student Association Justices shall be appointed by the President, and must be confirmed by a two-thirds majority vote of the Senate. The number of Justices shall be determined by the Senate. Justices shall serve from the time of their appointment until they shall vacate their office, by resignation or otherwise.

Section II
Judicial authority shall extend:
1. To all cases in which the Student Association shall be a party, except as otherwise stated in the following parts of this section.
2. To the student approval of all local student organization constitutions.
3. To any case involving the constitutionality of an act or ruling of the Student Association.
4. To any case involving violation of a Student Association Law, except as otherwise stated in the following parts of this section.
5. The Supreme Court shall hear any grievances filed by any Association Member.
6. To any other case where jurisdiction shall not be denied by the policies of the State University of New York at Oswego.

Section III
Judicial authority shall extend no further that the above bounds. Under no circumstances shall the court issue advisory opinions, or any writ of mandamus, court order, or judicial remedy, without prior grievance being filed.

Article IX
Oaths of Office

All civil officers of the Student Association shall be bound by oath or affirmation to support this constitution.

Article X
Agreements with Outside Agencies

All engagements with organization or agencies, outside of or within the State University of New York at Oswego, shall be valid against the Student Association under this constitution.
Article XI
Amending this Constitution

This constitution shall be amended in the following manner:
1. An amendment shall be presented to the Senate in the form of a bill.
2. The amendment, after being submitted, shall be referred to the appropriate committees for review.
3. Debate shall be allowed on the amendment, and it shall be accepted by a two-thirds vote of Senate members present.
4. The amendment shall then be placed on the ballot in the All-Campus Election, to be approved by a majority of the votes cast in the All-Campus Election.

Article XII
Implementation

This constitution shall take effect immediately upon ratification of the All-Campus Election, and shall be implemented by the present Student Association.

Article XIII
Constitutional Review

This constitution shall be reviewed in the Fall semester of every academic year by the Rules & Judiciary Committee of the Senate, who shall decide whether to make a recommendation for an amendment to this constitution. Should the Rules & Judiciary Committee decide to recommend an amendment, the amendment process, as outlined in Article XI of this constitution, shall be completed by the day the slate of candidates for the All-Campus Election is posted, which shall be determined by the Elections Committee.

Article XIV
Student Activity Fee Referendum

The Student Association shall hold a referendum every two years determining whether to make the Student Activity Fee mandatory or voluntary, as prescribed by the State University of New York Board of Trustees Policy.
Article XV
Prohibition on Profit and Pecuniary Gain

This association is not organized for profit or for the pecuniary gain of its members, officers, or other private persons. It may not issue stock, or declare or distribute dividends. No part of the income of the association shall endure to the benefit of any member, officer, or other person, except it may pay reasonable compensation for service rendered in effecting one or more of the association’s purposes, and no member, officer, or other person shall be entitled to share in the distribution of any of the association’s assets upon dissolution of the association. Any balance of money or assets remaining after the full payment of association money shall be directed exclusively to the furtherance of educational purposes.

Article XVI
Dissolution of the Association

Upon dissolution of the association, the members, after payment of the just debts, obligations, and liabilities of the association, shall dispose of all its assets by transfer to such other nonprofit organizations which are organized and operated exclusively for educational purposes, or such other purposes as shall, at that time, qualify for exemption under Section 501-C(3) of the Internal Revenue Code, and Section 420 of the New York Real Property Tax Law as, in the judgment of its members, is best qualified and competent to promote the purposes of the association.

Article XVII
Prohibition on Political Activities

No part of the activities of the association shall be carrying on propaganda, or participating in, or intervening in, including the publication or distribution of statements, any political campaign on behalf of any candidate for public office.

Article XVIII
Organization Funding

No club or organization shall be funded, unless it submits a line-by-line budget request, which shall fully explain and break down the amount being requested, and which shall be submitted to the Student Association for approval; nor shall funding be granted for any club or organization that does not comply with State University of New York Board of Trustees Policy.
Article XIX
Criteria for Funding through the Student Association

A. For any student organization to receive funding through the Student Association, they shall be a recognized Student Association organization according to the Supreme Court.

B. All Student Association funding decisions must be consistent with the purpose of the Student Association, Student Association Financial Policy, this constitution, and the State University of New York Board of Trustees Policy on distribution of the Student Activity Fee.

Amendments

Amendment I
Constitutional and Legislative Amendment Procedures

A. Proposed Constitutional amendments and bills that amend previously passed legislation be numbered in such a manner that they follow after all previously passed amendments.

B. All passed legislative amendments that serve as amendments to bills and Constitutional amendments be automatically given the number following the last passed amendment to the respective legislation or Constitution.