

The Tufts Community Union Constitution

Ratified by the TCU, 20 April 2006

Article I: Tufts Community Union (TCU)

Article II: TCU Senate

Article III: TCU Judiciary (TCUJ)

Article IV: Elections Commission (ECOM)

Article V: Elections

Article VI: Internal Disciplinary Action

Article VII: Referenda, Amendments and Ratification

Article I: Tufts Community Union

A. Membership

Tufts Community Union, hereinafter the TCU, consists of those students attending Tufts University paying the Student Activities Fee.

B. Mission Statement

The mission of the TCU is to serve all of the undergraduate students at Tufts. All members of the TCU are entitled and encouraged to take part in the TCU by running for elected positions, applying for appointments to student, student-faculty or trustee committees, voting in campus elections and referenda and becoming involved in the myriad of organizations that are supported by the Student Activities Fee. To this end, recognized TCU organizations may not discriminate on the grounds of race, color, religion, sex, national or ethnic origin, age, sexual orientation, disability, or an individual's previous affiliations in criteria for membership, assignment of voting privileges, or rank, except as otherwise provided by federal or state law or university policy. As the representative body of the TCU, Student Government deals with all aspects of student life; all of the branches are committed to enhancing student life at Tufts. In order to address such issues properly, we strongly encourage feedback on all issues and projects. The TCU government is committed to upholding the ideals of the TCU as stated in this Constitution.

Article II: TCU Senate

A. Role and Responsibility of the TCU Senate

The members of the Tufts Community Union Senate shall:

- 1) Represent the needs and interests of the TCU, as a whole or the constituent groups thereof, before the Faculty of the undergraduate colleges, the administration, and the Trustees of Tufts College.
- 2) Oversee the allocation of the Student Activities Fee.
- 3) Ensure that the needs and interests of the students are voiced on selected faculty, administration, and trustee committees.
- 4) Provide a forum for the discussion of student concerns.
- 5) Attend meetings required by their elected position or positions.
- 6) Uphold and defend the word and spirit of this Constitution, and adhere to the bylaws of the TCU Senate.

B. Senators

- 1) The total number of Senators shall be twenty-eight.

- 2) Seven Senators from each class shall be elected by the members of each respective class.
- 3) Senators shall adhere to the roles and responsibilities of the TCU Senate as established in Article II, Section A of this Constitution.

C. Elections and Terms of Senators

- 1) Senators shall be elected in accordance with Article V, Section A, Subsection 2 of this Constitution.
- 2) Any member of the TCU may be a candidate for office.
- 3) A petition of the candidate's class, in accordance with the ECOM bylaws, must be completed by a date set by the Elections Commission.
- 4) Elections for Senior, Junior and Sophomore class Senators shall take place in April.
- 5) Elections for Freshman class Senators shall take place within the first month of the academic year.
- 6) Each member of the Senate except the Freshman Senators shall serve a full year term.
- 7) Freshman Senators shall serve from the date of their election to April of that same academic year.

D. Community Representatives

- 1) Any TCU recognized student organization may petition the TCU for a Community Representative seat on the Senate by collecting 250 signatures from members of the TCU. Upon receipt of the petition, ECOM shall organize and conduct a campus wide vote on said petition. A majority vote of at least 25% of all members of the TCU shall be required for the student organization to receive a Community Representative.
- 2) Student organizations may incorporate the views and interests of other TCU recognized student organizations into the mission of their Community Representative, provided that these student organizations provide verifiable consent to this action. Any student organization that has incorporated its interests into the mission of another student organization's Community Representative shall be ineligible to petition for its own Community Representative until either the student organization rescinds its consent to be incorporated or the student organization under which the views of another student organization are being incorporated no longer consents to incorporating said other student organization.
- 3) Community Representatives shall:
 - a) Represent the views and interests expressed by the student organization(s) from which they are elected.
 - b) Be allowed to vote on all matters in the Senate that do not pertain to the disbursement of the Student Activities Fee. Each of their votes shall be weighed as the equivalent of the vote of one Senator.
 - c) Sit on the Culture, Ethnicity, and Community Affairs Committee, and are eligible to chair said committee.
 - d) Not sit on any other committee, serve on the Allocations Board, nor be elected to the Executive Board.
 - e) Attend meetings required by their elected position or positions.
 - f) Uphold and defend the word and spirit of this Constitution, and adhere to the bylaws of the TCU Senate.
- 4) The student organizations that shall initially hold Community Representative seats shall be: the Asian Community at Tufts; the Association of Latin American Students;

the Tufts Transgendered, Transsexual, Lesbian, Gay, and Bisexual Collective; and the Pan-African Alliance.

- 5) The first re-approval votes, as stipulated by Article II, Section E, Subsection 4 of this Constitution, for the Asian Community at Tufts and the Pan-African Alliance shall take place four years after the ratification of this Constitution. The first re-approval referendums for the Association of Latin American Students and the Tufts Transgendered, Transsexual, Lesbian, Gay, and Bisexual Collective shall take place five years after ratification. Subsequent re-approval votes shall then take place according to Article II, Section E, Subsection 4 of this Constitution.

E. Elections and Terms of Community Representatives

- 1) The right to nominate and elect candidates for Community Representative positions shall be accorded to the student organization which originally petitioned for said Community Representative, as well as all student organizations whose views have been incorporated according to Article II, Section D, Subsection 2 of this Constitution.
- 2) Each Community Representative shall be elected not more than three weeks prior to the general Senate elections at an official, publicized organization meeting which will be overseen by the Elections Commission.
- 3) Community Representatives shall serve one full year term in accordance with the Senate term.
- 4) Every four years following the creation of a Community Representative seat, the Elections Commission shall conduct a campus-wide vote determining whether said seat shall remain on Senate. Such votes shall occur every four years concurrently with the TCU Presidential election. A simple majority vote is required for the seat to be maintained.
- 5) If a student organization fails to fill a Community Representative seat during the course of two consecutive academic years, the seat shall be automatically removed.

F. Outreach

The bylaws of the TCU Senate shall contain procedures by which all Senators shall engage in outreach in order to determine the desires of the members of the TCU.

G. Officers and Responsibilities

- 1) Officers of the TCU Senate shall be elected in accordance with Article V, Section B, Subsection 1 of this Constitution.
- 1) The President of the TCU shall:
 - a) Be the chief executive officer of the Senate.
 - b) Be responsible for the execution of this Constitution.
 - c) Represent the members of the TCU to the Administration and Faculty.
 - d) Be the presiding officer at all meetings of the full Senate and Executive Officers Board.
 - e) Publicize and convene the Senate at frequent, set times during the academic year.
 - f) Set the agenda for the Senate with the advice of the Executive Board.
 - g) Be responsible for presenting a report in September, February and April concerning the direction and progress of the Senate towards the fulfillment of its goals.
 - h) Represent the Senate before the Allocations Board.
- 2) The Vice-president of the TCU shall:
 - a) Be the second ranking officer of the Senate.

- b) Assume the duties of the President in his/her temporary absence.
 - c) Appoint senators to Senate committees and oversee the committees' activities. The appointment of senators shall be based on individuals' requests and availability.
 - d) Coordinate the appointment of students to Student, Student-Faculty, and Trustee committees.
 - e) Be the presiding officer at all meetings of the General Board.
 - f) Oversee the internal workings of the Senate.
- 3) The Treasurer of the TCU shall:
- a) Be the chair of the Allocations Board.
 - b) Be primarily responsible for all financial transactions of recognized organizations funded by the Student Activities Fee.
 - c) Present a semi-annual report on the state of the budget.
 - d) Consult with the Associate Treasurer on a regular basis regarding matters that concern the Treasury.
- 4) The Associate Treasurer of the TCU shall:
- a) Assist the Treasurer in performing his/her duties.
 - b) Assume the duties of the Treasurer in his/her temporary absence.
- 5) The Assistant Treasurer of the TCU shall:
- a) Assist the Treasurer and Associate Treasurer in performing their duties.
- 6) The Historian of the TCU shall:
- a) Record and publicize all public actions of the Senate.
 - b) Record absences of all members from full Senate meetings and Standing Committee meetings.
 - c) Ensure that all Senate documents are officially filed with the Senate's archives.
- 7) The Parliamentarian of the TCU shall:
- a) Advise the Senate on matters of Constitutionality and procedure.
 - b) Conduct procedural education sessions for members.
 - c) Be the official Senate representative to the TCUI and shall present any new Senate bylaws at the next meeting of the TCUI following approval.
 - d) Be available as an unbiased advisor for members of the TCU who wish to draft resolutions, constitutions, or bylaws.

H. The Executive Board

The Executive Board of the TCU Senate shall:

- 1) Consist of the President, Vice-President, Treasurer, Associate Treasurer, Historian, and Parliamentarian.
- 2) Be chaired by the President.
- 3) Be elected from within Senate with the exception of the President who shall be elected by the entire TCU, and the Associate Treasurer who shall be elected from within the Allocations Board. All elections shall be supervised by the Elections Commission.
- 4) Aid the President in determining the agenda for meetings.
- 5) Aid the President in the creation of his/her reports.
- 6) Be empowered to review the work of the Senate and its appointees.

I. The General Board

The General Board of the TCU Senate shall:

- 1) Consist of all members of the Executive Board and all chairpersons of the Standing Committees.
- 2) Be chaired by the Vice-President.
- 3) Be elected at the first Senate meeting convened by the President.
- 4) Hold open meetings for the review of proposed legislation of the Senate.
- 5) Direct the activities of the Standing Committees.

J. Standing Committees

- 1) Permanent Standing Committees of the Senate shall be: the Administration and Policy Committee; Culture, Ethnicity, and Community Affairs Committee; Education Committee; Services and Operations Committee; and the Student Outreach Committee.
 - a) Standing Committees shall meet as directed by the General Board to discuss activities of the Standing Committees, Student Committees, Student-faculty Committees, and the Trustee Committees legislated by the Senate.
 - b) Senators shall be required to attend meetings of the Standing Committee to which they are assigned.
 - c) The membership of the Standing Committees shall be drawn from among all Senators, except the President, Vice President, and Treasurer.
 - d) The Administration and Policy Committee; Culture, Ethnicity, and Community Affairs Committee; Education Committee; and Services and Operations Committee shall be responsible for internally electing one person each to sit on the Student Outreach Committee. The Student Outreach Committee shall also have two permanent members.
- 2) At the discretion of the General Board, Standing Committees may be required to submit written minutes of Committee meetings. The Historian shall place a copy of these minutes on file for review by any member of the TCU.
- 3) The Senate may create other committees as it sees fit.

K. The Allocations Board

- 1) Financial matters of the TCU Senate shall be determined by a committee called the Allocations Board (ALBO).
- 2) The bylaws of the TCU Senate shall contain a council system to classify TCU recognized organizations by purpose in order to facilitate the allocation of funds to said organizations.
- 3) The Allocations Board shall consist of the TCU Treasurer and one senator representing each council.
- 4) The Treasurer of the Senate shall be the chairperson of the Allocations Board.
- 5) The President of the TCU shall represent the council overseeing the budgets of the Student Government organizations.
- 6) This committee shall have the primary responsibility of funding TCU recognized organizations and overseeing the expenditure of the Student Activities Fee and all monies derived from aid fee.
- 7) The Allocations Board shall create procedures for the fair allocation and management of the TCU funds. These procedures shall be published annually in the Treasury Procedures Manual. This manual shall be ratified annually by a 2/3 vote of the Senate.
- 8) All funding decisions of the Allocations Board must be approved by a majority of the full Senate before any funds can be officially allocated.

- 9) All penalties leveled by the Allocations Board may be vetoed by a 2/3 vote of the TCU Senate.

L. Student, Student-Faculty and Trustee Committees

- 1) Appointment
 - a) The bylaws of the TCU Senate shall contain procedures for the appointment of student representatives to the Student, Student-Faculty and Trustees Committees.
 - i) Representatives to Trustee Committees shall sit on the Senate as ex-officio, non-voting members. Trustee representatives are ineligible to hold any position on the Executive Board, General Board or Allocations Board.
 - b) Each Student, Student-Faculty and Trustee Committee for which the Senate makes appointments shall be affiliated with a Standing Committee. The Senate shall report all relevant discussion and votes to the student representatives to these committees. The student representatives shall report on the work of their Committee once per semester.
 - c) Students appointed by the Senate to attend and participate in meetings of the Faculty of Arts and Sciences shall report to the Senate twice per semester.
- 2) Responsibilities
 - a) Appointees to the Student, Student-Faculty and Trustees Committees shall serve as official liaisons of the TCU Senate.
 - b) At the committee chair's discretion, Standing Committees may require written reports of public Student-Faculty and Trustee meetings. These reports shall be submitted to the Historian and be made available to the members of the TCU.

Article III: TCU Judiciary (TCUJ)

A. Role and Responsibility of the TCUJ

The judicial powers of the TCU shall be exercised by a student court called the Tufts Community Union Judiciary (TCUJ).

- 1) The seven elected (See Article V, Section A, Subsection 3) justices of the TCUJ shall:
 - a) Be empowered to rule on and interpret the Constitutionality of legislation, decisions, and actions of any organization of the TCU.
 - b) Have the responsibility of recognizing and re-recognizing student organizations. The TCUJ shall re-recognize all student organizations not less than once every two years through a detailed procedure outlined in their bylaws. Student Organizations must be in compliance with University policy in order to be recognized. TCU recognized organizations are not allowed to, in membership, rank or voting privilege, discriminate based on self-acceptance of one's race, color, religion, sex, national or ethnic origin, age, sexual orientation or disability. The rules by which student organizations are recognized shall be written by the CSL for the TCUJ to uphold and enforce. The TCUJ shall have bylaws describing the process by which student organizations gain recognition.
 - c) Uphold and defend the word and spirit of this Constitution, and the bylaws of the TCUJ.
- 2) The TCUJ as a whole shall not initiate or suggest litigation.

- 3) The TCUJ may issue judicial orders to force members of the TCU Senate, Elections Commission and Recognized Student Organizations to adhere to their Constitutional responsibilities.

B. Officers and Responsibilities:

Officers of the TCUJ shall be elected in accordance with Article V, Section B, Subsection 2 of this Constitution.

- 1) The Chair of the TCUJ shall:
 - a) Be responsible for the proper conduct of all business of the TCUJ.
 - b) Call and chair sessions of the TCUJ.
 - c) Present any new TCUJ bylaws at the next meeting of the Senate following approval.
- 2) The Vice-Chair of the TCUJ shall:
 - a) Assume the responsibilities of the Chair in the event of his/her temporary absence or incapacity, or in the event that the Chair is temporarily prohibited from fulfilling his/her duties by the provisions of this Constitution.
- 3) The Recognition Chair shall:
 - a) Oversee the recognition of organizations of the TCU. All actions taken by the Recognition chair must be reported in writing to the TCU Senate Treasurer and the Office of Student Activities within five academic days (as defined in this Article).
- 4) The Re-recognition Chair shall:
 - a) Oversee the re-recognition of organizations of the TCU. All actions taken by the Re- recognition chair must be reported in writing to the TCU Senate Treasurer and the Office of Student Activities within five academic days (as defined in this Article).
- 5) The Historian shall:
 - a) Keep records of all TCUJ decisions.
 - b) Keep minutes of TCUJ meetings.
 - c) Maintain a file of the current Constitutions of TCU recognized organizations.
 - d) Document for public viewing the TCUJ proceedings and rulings for the entire academic year.
- 6) The Treasurer shall:
 - a) Be responsible for keeping the budget for the TCUJ.
- 7) The Advocacy Chair
 - a) shall serve as director of the Judicial Advocacy Program.
 - b) shall be responsible for Student Judicial Process Training.
 - c) shall be liaison to the Judicial Affairs Officer and Dean of Students to ensure adherence to the Advocacy Program.
 - d) shall be responsible for all public relations for the Advocacy Program.
- 8) The TCUJ may create new officers and positions as necessary through a majority vote of the Justices.

C. Judicial Advocacy Group

The Judicial Advocacy Group shall:

- 1) Exist as the responsibility of the TCU Judiciary.
- 2) Follow the guidelines outlined in the TCUJ Bylaws in respect to its operations and relationship with the TCUJ.

D. Procedures

- 1) No official session of the TCUJ shall be held without a quorum of five members. In the event that one or more members are prohibited from fulfilling their duties by provisions of this Constitution, a quorum shall consist of a majority of those members eligible to serve.
- 2) For all proceedings:
 - a) Meetings of the TCUJ shall be held at least twice per a month during the academic year.
 - b) All meetings of the TCUJ shall be open unless a majority of the justices vote to close the meeting.
 - c) All decisions of the TCUJ shall be rendered by majority vote of the members present.
- 3) A record of all public proceedings shall be kept by the TCUJ, including but not limited to final decisions, reasoning for decisions, and vote counts of the TCUJ.
- 4) Hearings
 - a) All persons appearing before the TCUJ have a right to a fair and impartial hearing. Members of the TCUJ shall have no familiarity with the case and no relationship or involvement, current, or past, with any persons who are litigants in a hearing. Members of the TCUJ will be refused from a particular hearing if any litigant can demonstrate to the Judiciary, prior to the beginning of a hearing, that a particular TCUJ member is not in a position to be objective. A vote of the TCUJ shall be taken any time a litigant appeals the objectivity of a member of the TCUJ prior to the beginning of a hearing. A majority vote of the members present shall determine the participation of the member in question.
 - b) A written complaint with specific charges is required to bring a case before the TCUJ. After receiving a complaint, the TCUJ shall determine if the complaint is within its jurisdiction.
 - c) The TCUJ shall convene a hearing within ten academic days of receipt of the complaint. Academic days shall be defined as weekdays while the University is in session. Weekends and official University holidays and vacations are not considered academic days.
 - d) All parties involved in a case shall be given at least five academic days notice prior to the hearing.
 - e) The previous two requirements may be waived if all parties involved, are in agreement to do so.
 - f) Any party involved in the hearing shall have adequate advance knowledge of the specific charges pending, and of the time and place of the hearing.
 - g) Questioning and discussion during a hearing must be relevant to the nature of the specific violation.
 - h) If a majority decision cannot be reached on a particular charge, petition or motion within five academic days, the charge, petition, or motion forwarded to the CSL without prejudice.

Article IV: Elections Commission

A. Roles and Responsibilities

The Elections Commission (ECOM) shall:

- 1) Organize and conduct

- a) Campus-wide elections to the TCU Senate, TCUJ, and Committee on Student Life (CSL).
 - b) Elections of Community Representatives with their respective student organization.
 - c) Student referenda.
- 2) Ensure fair elections.
- a) No member of ECOM shall cast any vote in an internal election over which ECOM presides.
 - b) ECOM shall not propagate biased or persuasive information regarding pending elections, except in the case of disseminating balanced information regarding candidates as specified in the ECOM bylaws.
- 3) Be the arbiter of any disputes concerning an election.
- 4) Resolve all ties and grievances.
- a) If a tie vote will not affect the final outcome, no re-vote will be held. In the case where the tie affects the last contested seat(s), ECOM will hold a re-vote for only the contestants that tied for said seat(s). If the vote deadlocks after each of three consecutive debates on a single seat, the standing TCU President shall cast the deciding vote.
 - b) In the case of a tie in a referendum or amendment vote, a re-vote will be held.
- 5) Uphold and defend the word and spirit of this Constitution and the bylaws of the Elections Commission.

B. Officials and Appointment

- 1) Officials of the Elections Commission shall not be members of, nor candidates for, the TCU Senate, TCUJ, or CSL.
- 2) The TCU Senate, TCUJ, and CSL shall each send one representative for a committee to organize and administer the application process for appointing four officials to the Elections Commission. This process shall occur at the beginning of the second academic semester of each year. The term shall run from February until the next January. This subsection shall not take effect until the first ECOM appointment following its ratification.
- 3) Upon receipt of a complaint regarding the delinquency of an official of the Elections Commission, a similar committee shall be empowered to investigate the complaint and remove that official. Delinquency shall consist of failure to comply with constitutional duties and/or failure to comply with ECOM bylaws.
- 4) If a vacancy should occur, the position shall be filled through a similar application process agreed upon by the TCU Senate, TCUJ and CSL.
- 5) Officials of the Elections Commission shall be monetarily compensated for their term.

C. Officers and Responsibilities

- 1) l) The Chair shall:
 - a) Convene the Elections Commission for the election of members of Student Government.
 - b) Chair all meetings pertaining to the nomination and election of members of Student Government.
 - c) Convene and chair the first meetings of a Senate or Judiciary session for the purpose of the initial election of Executive officers.

- d) Chair meetings for the nomination and election of Executive officers of Student Government, upon the request of a body of Student Government.
- 2) The Treasurer shall:
 - a) Be responsible for keeping the budget of the Elections Commission.
- 3) The Technician shall:
 - a) Be responsible for arranging and overseeing online elections.
 - b) Communicate with third-party service providers.
- 4) The Press Secretary shall:
 - a) Be responsible for publicizing elections to the student body.
 - b) Disseminate the results of elections in a timely manner.
- 5) This section shall not take effect until the first ECOM appointment following its ratification.

D. Bylaws

The Bylaws of the Elections Commission shall contain procedures for:

- 1) The election of all members of Student Government.
- 2) The initial election of all officers of Student Government.
- 3) Referenda procedures.
- 4) Provisions that create forums for the candidates to address the electorate.
- 5) Changes to the ECOM bylaws shall be presented to the TCU Judiciary in a timely manner.

Article V: Elections

Any member of the TCU in good standing with the university may be a candidate for membership of the TCU Senate (Senators or Representatives), TCUJ, ECOM, or CSL unless prohibited by this Constitution. No one may hold membership in more than one of these groups at one time.

A. General Elections

- 1) General elections to the TCU Senate, TCUJ, and CSL shall take place no later than three weeks before the end of the second academic semester of each year.
- 2) TCU Senate:
 - a) The seven candidates from each class receiving the largest number of votes from their class shall be elected members of the TCU Senate.
- 3) TCU Judiciary:
 - a) The seven candidates for the TCUJ receiving the highest number of votes from the entire TCU shall constitute the TCUJ.
- 4) Committee on Student Life:
 - a) The number of student members on the CSL shall be determined by the Faculty.
 - b) The candidates receiving the highest number of votes from the entire TCU shall constitute the student members of the CSL based on the number of student members.

B. Election of Officers

- 1) TCU Senate:
 - a) Within three academic days following the General Election of the Senate, the Chair of the Elections Commission shall call a meeting of a new Senate, which will nominate presidential candidates from among its members to participate in a campuswide election of the TCU President.

- i) Potential presidential candidates must receive a two-thirds vote of confidence from the Senate body to be eligible to run for president.
 - ii) If more than one member of Senate accepts a nomination for president, at least two candidates must be put onto the presidential ballot for the campus-wide election. In the event that more than one member accepts a nomination but none or only one member receives the required vote of confidence, the two candidates receiving the most votes of confidence shall be permitted to participate in the campus-wide election.
 - iii) The election of the TCU President shall take place no more than ten academic days following the presidential nominations.
 - iv) The TCU presidential election shall use a rank voting system, wherein each member of the TCU may rank the candidates numerically in the order of their preference. Members of the TCU are not required to rank every candidate but may do so. Votes will then be tallied according to the highest preference of each voter. In the event that no candidate receives a majority of the votes, the votes for the candidate who receives the least number of votes shall then be redistributed to the next choice on each ballot. This process shall be repeated until one candidate receives a majority of the votes. Should all of the ranked choices of a voter be eliminated in this process, said voter will no longer be considered a member of the voter pool.
 - b) Senate In-House Elections
 - j) Following the election of the President, the Senate in-house elections shall be convened and chaired by the Chair of the Elections Commission.
 - i. ii) All Standing Committee Chairs and Executive Officers except the Assistant Associate Treasurer and Assistant Treasurer shall be elected by the full Senate at this meeting.
 - ii. iii) Senate in-house Elections shall use a rank voting system equivalent to that used in the TCU Presidential election.
 - v) Election of Allocations Board Council Chairs shall take place following the election of the General Board, with the exception of the Chairs of two of the councils chosen by the Treasurer, which shall be saved for Freshmen Class Senators, and whose elections shall take place in the first academic semester following the election of the Freshmen Class Senators.
 - vi) The Assistant Treasurer shall be elected from within the Allocations Board and shall be an underclass Senator, with preference given to freshmen.
- 2) TCUJ:
- a) Following the General elections of the TCUJ, the TCUJ in-house elections shall be held.
 - b) All judiciary officers shall be elected at this meeting.
 - c) TCUJ in-house elections shall use a rank voting system equivalent to that used in the TCU Presidential election.
- 3) Elections Commission:

- a) Following the appointment of all its members, the ECOM shall meet to elect choose a Chair and Treasurer.

C. Lengths of Terms

- 1) The terms of members and officers of TCU Senate, TCUJ and ECOM begin immediately following their election or appointment, and end when new elections or appointments are held.
- 2) The terms and appointment of officers and members that do not coincide with the general election or appointment period, shall begin at the convening of the first meeting following their appointment or election, and shall endure for the remainder of the year.

D. Vacancy

- 1) In the event of a resignation or expulsion of any member of Student Government, elections for the vacancy shall be conducted within fifteen academic days of the vacancy. These elections shall be governed by the bylaws of ECOM that oversee the normal elections and the provisions contained in Article V, Sections A-C of this Constitution.
- 2) In the event that an internally elected position in a branch of Student Government becomes vacant a new internal election shall be held at the next meeting of said branch. These elections shall be governed by the bylaws of ECOM that oversee the normal elections and the provisions contained in Article V, Section B, subsection 1, subsection c of this Constitution.
 - a) In the event that the office of the TCU President becomes vacant during the fall semester, a new election shall be held according to Article V, Section B, subsection 1, sub-subsection a of this Constitution.
 - b) In the event that the office of the TCU President becomes vacant during the spring semester, a majority vote of the Senate shall be required to initiate a new TCU Presidential election. Otherwise, the vice president shall assume the duties of the TCU President for the remainder of the year as stated in Article 2, Section G, subsection 2 of this Constitution.
- 3) TCU Senate
 - a) In the event that there is a greater number of open seats on the Senate than candidates for Senate in a particular class, those seats will be opened up to the other classes, successively, beginning with the seniormost. The non-elected candidate with the highest number of votes from within the class to which the seat was opened will be declared the winner of said seat.

Article VI: Internal Disciplinary Action

A. Reasons for Disciplinary Action

The TCU Senate, TCUJ and ECOM are empowered to take disciplinary action against their members for the following reasons:

- 1) The violation of this Constitution.
- 2) Gross and/or malicious breach of procedure.
- 3) Actions which seriously injure the integrity of Student Government.
- 4) Unexcused absences at full Senate meetings, offices hours, or Committee meetings exceeding three in number during any given semester. All branches of Student Government shall retain the right to refer allegations to the appropriate university authority.

B. Disciplinary Hearings

- 1) Allegations brought against a member of the TCU Senate shall be heard by the TCUJ.
 - a) The power to enact bylaws regarding disciplinary proceedings against appointed or elected positions within the Senate shall be accorded to the Senate.
- 2) Allegations brought against a member of the TCUJ shall be heard by the TCU Senate.
- 3) Allegations brought against a member of the Elections Commission shall be heard by the Committee on Student Life.
- 4) A hearing must be requested in writing by at least three members of the TCU.
- 5) Any disciplinary measure must be approved by a majority vote of the body that is adjudicating the action.
- 6) Except in the case of a disciplinary action against ECOM, the outcome of a disciplinary hearing may be appealed to the Committee on Student Life.

C. Disciplinary Measures

- 1) A formal warning issued to a member of Student Government informs the member that any subsequent breach of Article VI, Section A, Subsections 1-4 of this Constitution may be grounds for further disciplinary action.
- 2) Suspension from Student Government temporarily restricts the member's rights as a member, to a degree and duration to be determined by the assembly.
- 3) Expulsion from TCU government revokes the member's status for that term.

Article VII: Referenda, Amendments and Ratification

If at any time the wording of this Constitution is in conflict with the wording of University Policy, the Policy of the University shall be automatically substituted in place of the existing passage or passages. Members of the TCU may initiate referenda to amend this Constitution or to force the TCU Senate to perform according to the student's wishes.

A. Procedure

- 1) Three members of the TCU must submit similar individual written proposals to the TCU Senate stating why they believe a referendum is necessary. These requests shall include the proposed wording of said question.
- 2) In the event that a referendum calls for an amendment to or dissolution of this Constitution, the referendum must provide for an orderly transition to the proposed system.
- 3) The CSL shall examine the wording of the referendum to ensure that it does not conflict with university policy or any federal or state law(s).
- 4) The TCUJ shall examine the wording of the referendum question to ensure that it is worded in a fair manner. In the event that the TCUJ finds that the proposed referendum question is worded in an unfair manner, the TCUJ shall work in conjunction with the sponsors of the referendum to compose a fair question.
- 5) The TCUJ may not alter the wording of a referendum requesting amendment to this Constitution.
- 6) A petition with 250 signatures of members of the TCU must be collected and presented to the TCUJ to initiate the process by which the referendum shall be voted on by the TCU.
- 7) Upon receipt of the petition by the TCUJ, ECOM shall be charged by the TCUJ to organize and conduct a referendum.

B. Ratification of Referenda and Constitutional Amendments

- 1) The bylaws of the Elections Commission shall contain procedures for the exercise of referenda, including advertising, polling places and voting procedure.
- 2) A minimum of twenty-five percent of the members of the TCU must vote on a referendum for it to be considered valid and binding. A majority vote in favor of the referendum is necessary for it to become effective.

C. Effect of Referenda

- 1) If the referendum pertains to an action which the TCU Senate has direct authority over as prescribed by this Constitution, the TCU Senate shall act in accordance with the referendum.
- 2) If the referendum pertains to an action over which the TCU Senate does not have direct authority over as prescribed by this Constitution, the TCU Senate shall:
 - a) Submit a letter to appropriate faculty and/or administration members reporting the outcome of the referendum, and a formal request for the University to act in accordance with the referendum.
 - b) Create and implement a plan of action to bring about the desired action.
 - c) Report its progress to the TCU.

D. Effect of Referenda Proposing Constitutional Amendments

- 1) If a referendum in the form of an amendment to this Constitution passes, the Historian of the TCU Senate shall record the amendment.
- 2) A Constitutional amendment goes into effect at the beginning of the next meeting of the TCU Senate following the passage of the amendment, unless otherwise specified by the amendment.