



UNIVERSITY OF WISCONSIN-LA CROSSE
STUDENT ASSOCIATION
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SA2122-009: Resolution to Amend the UWLSA Constitution to Promote Fair Elections

DATE: September 13, 2021

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WHEREAS it is of the utmost importance that elections remain impartial, free from bias, and transparent; and

WHEREAS the UWLSA Constitution currently requires the Executive Cabinet to appoint the members of the Election Commission; and

WHEREAS this could be a conflict of interest if an individual within the Executive Branch were to run for re-election; and

WHEREAS the UWLSA Constitution also charges the Judicial Branch with the formulation of the Election Commission;

THEREFORE BE IT RESOLVED the Senate approves the attached changes to the UWLSA Constitution; and

THEREFORE BE IT FINALLY RESOLVED the new amended Constitution shall be adopted concurrently, in so long as the University of Wisconsin-La Crosse student body chooses to adopt the new amended Constitution via referendum during the date of the next election, October 14th.

Handwritten signature of K.C. Cayo in black ink.

K.C. Cayo
President, Student Senate
Vice President, Student Association

9-29-2021

Date

Handwritten signature of Jared Zwettler in black ink.

Jared Zwettler
President, Student Association

9-29-2021

Date

UNIVERSITY OF WISCONSIN – LA CROSSE



STUDENT ASSOCIATION CONSTITUTION

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ARTICLE I: NAME

The name of this organization will be the University of Wisconsin-La Crosse Student Association; and hereafter will be referred to as the UWLSA.

ARTICLE II: PURPOSE

We, the students of the University of Wisconsin-La Crosse, seeking to provide an effective means by which we may enumerate the powers of the University of Wisconsin-La Crosse Student Association, to promote and protect a consummate college experience, to engage in the governance of the University as granted in §36.09(5) of the Wisconsin State Statutes, and to improve our University through a united effort, do ordain and establish this Constitution. The members of the UWLSA hereby charge the Student Government with protecting and promoting the rights of the students of the University.

ARTICLE III: AUTHORITY

1. GOVERNANCE

- a. Each student enrolled at the University of Wisconsin-La Crosse, without discrimination, both full-time and part-time, shall be considered a member of the UWLSA, and will thus be a voting member for all UWLSA elections and referendums.
- b. The UWLSA shall vest all governing power to the UWLSA Student Government, hereafter Student Government. The Student Government shall consist of three branches: Legislative, Executive, and Judicial.
- c. No document, bylaw, or decision of the Student Government shall contradict the policies and procedures outlined in this Constitution.

2. DECLARATION OF ORGANIZATION

This Constitution is the established declaration of organization as a governance group of the University of Wisconsin-La Crosse student body guaranteed to the students of the University of Wisconsin-La Crosse by §36.09(5) of the Wisconsin State Statutes.

3. STATEMENT OF NON-DISCRIMINATION

The members of the UWLSA shall be free from discrimination on the basis of race, color, ethnicity, creed, religion, gender, sexual orientation, military or veteran status, proficiency of language, student status, physical ability, marital status, national origin, political ideology, or age.

4. DUE PROCESS

All members of the UWLSA and organizations recognized by the UWLSA shall be guaranteed due process, in all proceedings, under the law.

5. TRANSPARENCY

- a. The Student Government shall conduct all of its business in open session, unless an exemption to the open session requirement applies.
- b. The Wisconsin open meetings law requires a governmental body to keep a record of the motions and roll-call votes at each meeting of the body.
- c. All members of the UWLSA, all enrolled students at the University of Wisconsin – La Crosse, retain the right to petition the Student Government about any issue and to receive a timely response.

6. TERMS OF OFFICE

- a. Members of Student Government, at the time of their election or appointment, and throughout their time in office, shall be at least part-time students, and must maintain a cumulative G.P.A. of at least 2.0.
- b. A member of Student Government may not hold more than one formal position in Student Government.
- c. The President and Vice-President may not serve in either positions for more than 2 terms, consecutive or otherwise.

7. LIMITATIONS

This Article, of certain rights, shall not deny other rights retained by the members of the UWLSA not specifically enumerated herein.

ARTICLE IV: LEGISLATIVE BRANCH

1. LEGISLATIVE BRANCH

The legislative power of the UWLSA shall be vested in a one-house legislature called the Student Senate (hereafter, “Senate”).

2. MEMBERSHIP

- a. The UWLSA Vice-President shall preside over the Senate, hereafter "President of the Senate.”
- b. The Senate shall be composed of thirty-four (34) student senators; seventeen (17) of which must be elected college representatives. Ten (10) seats shall be reserved for human diversity organization representatives. Seven (7) other seats shall be reserved for other organizations or constituencies. Constituency representation assignments shall be defined in the Senate By-Laws.
- c. Senators shall serve until the first meeting in May upon which the incoming Senators take the Oath of Office. Each term of a senator shall be one (1) academic year. Senators may serve more than one (1) term.

- d. Vacant seats must be filled by the appropriate constituency and approved by a two-thirds (2/3) vote of the Senate.

3. POWERS AND DUTIES

- a. The Senate shall establish By-Laws.
- b. The Senate shall maintain records of all legislative procedures.
- c. The Senate shall maintain communication with members of UWLSA. Senators shall report regularly to their constituents.
- d. The Senate shall elect a President Pro-Tempore.
- e. The Senate shall convene committees as needed.
- f. The Senate may create and fold ad hoc committees. Ad hoc committees shall maintain records of all proceedings.

4. SENATORS

- a. Senators shall be elected among the UWLSA student body pursuant to the procedures outlined in ARTICLE VIII in this Constitution, unless the seat is to be filled by appointment of an organization.
- b. Senators shall be responsible:
 - To promote, protect, and defend the principles of the UWLSA by adhering to the provisions of this Constitution.
 - To actively seek out and gather student opinion on issues of student life and formulate these issues into legislation.
 - To prepare for, attend, and participate in all Senate and assigned committee meetings as voting members.
 - To promote the UWLSA and encourage student involvement by regularly attending UWLSA events such as tabling and open forums.
 - To hold regular office hours to be reached by all UWLSA constituents.

5. OATH OF OFFICE

The Senators of the UWLSA shall, before entering the execution of their respective offices, take the following Oath of Office, administered by the President and Vice-President:

“I, (senator-elect's name) do solemnly swear that I will dutifully execute the Office of Senator of the University of Wisconsin-La Crosse Student Association and will to the best of my ability promote, protect, and defend §36.09(5) of the Wisconsin State Statutes and the Constitution of the University of Wisconsin- La Crosse Student Association.”

6. COMMITTEES

- a. The UWLSA shall have the power to establish standing committees. The Senate will enumerate the charges and responsibilities of the standing committees in the respective committee By- Laws.

- b. All standing UWLSA committees shall have By-Laws, which must be approved by a two-thirds (2/3) vote of the Senate. Standing committees shall maintain records of all proceedings.
- c. Initial appointments will be made by the President of the Senate and approved by the Senate with a majority vote. After the initial approval, the President of the Senate shall appoint new members to fill vacancies without Senate approval. Objections to the appointments can be expressed in New Business at any time. If this happens, the appointment is rescinded and the new appointment must receive Senate approval.

7. VACANCIES

- a. If at any time during their term in office an elected Senator is impeached, resigns, or fails to meet each and all eligibility requirements, the President of the Senate and President Pro Tempore shall open an application process, and within three (3) weeks of the vacancy, nominate a candidate for the position. This nomination must then be confirmed by a two-thirds (2/3) vote of the Senate.
- b. If at any time during their term in office a human diversity organization Senator is impeached, resigns, or fails to meet each and all eligibility requirements, the specific represented organization is tasked with appointing a new representative within three (3) weeks of vacancy. If the organization is unable to fill the position, the decision is tasked to the human diversity organization coalition.
- c. If at any point an organization loses UWL recognition through Student Organization Committee then the seat held by them shall be absolved.

ARTICLE V: EXECUTIVE BRANCH

1. EXECUTIVE BRANCH

The executive powers of the UWLSA shall be vested in the Executive Branch.

2. MEMBERSHIP

The Executive Branch shall consist of the UWLSA President (hereafter, "President"), UWLSA Vice- President (hereafter, "Vice-President"), and the Executive Cabinet.

3. POWERS AND DUTIES

- a. The Executive Branch will be responsible for enforcing and overseeing all directives of the Student Government.
- b. The Executive Branch will be responsible for maintaining proper communications with UWLSA members, administrators, media, and the public.
- c. The Executive Branch will be responsible for maintaining records of all Executive Cabinet meetings.
- d. The Executive Cabinet will act as a Senate when Senate is not in session. Decisions shall be subject to Senate oversight and approval.

4. PRESIDENT

- a. The President shall be elected among the UWLSA student body pursuant to the procedures outlined in ARTICLE VIII in the UWLSA Constitution.
- b. The term of the President shall be served until the first Student Senate meeting in May upon which the incoming President takes the Oath of Office.
- c. The President shall be the primary representative of the UWLSA and Student Government.
- d. The President shall be responsible:
 1. To promote, protect, and defend the principles of the UWLSA by adhering to the provisions of this Constitution.
 2. To be the Executive Officer and official representative of the UWLSA in all matters concerning student life.
 3. To sign or veto all Senate legislation within seven (7) academic days of passage, and if left unsigned, the legislation is upheld, and to notify the Senate of vetoed legislation before the next Senate meeting.
 4. To be responsible and accountable for the implementation of all legislation passed by the Senate.
 5. To oversee all operations of the UWLSA office and budget.
 6. To hold regular office hours.
 7. To hold regular meetings with the Chancellor and Provost each semester to ensure the continual discussion of student and university issues.
 8. To be a voting member of all UWLSA committees when quorum is needed and a non-voting member during all other situations (i.e. when quorum is met by the committee members).
 9. To appoint an Executive Cabinet with the advice and two-thirds (2/3) approval of the Senate.
 10. To serve as a voting member of the Executive Cabinet.
 11. To appoint four (4) Student Court Justices at the beginning of their term with a two-thirds (2/3) approval of the appointees by the Senate, to appoint a sitting Justice to the position of Chief Justice at the end of their term with a two-thirds (2/3) approval of the appointee by the Senate, and to fill any other Student Court Justice vacancies with a two-thirds (2/3) approval by the Senate.
 12. To work with the Vice-President to ensure attendance by one member of the Executive Branch at all major events important to the UWLSA.

5. VICE-PRESIDENT

- a. The Vice-President shall be elected among the UWLSA student body pursuant to the procedures outlined in ARTICLE VIII in the UWLSA Constitution.
- b. The term of the Vice-President shall be served until the first Student Senate meeting in May upon which the incoming Vice-President takes the Oath of Office.
- c. The Vice-President shall be responsible:
 1. To promote, protect, and defend the principles of the UWLSA by adhering to the provisions of this Constitution.
 2. To be an official representative of the UWLSA in all matters concerning student life.

3. To hold regular office hours.
4. To assign legislation, at their discretion, submitted by or with authorization from members of the Legislative Branch, to the appropriate UWLSA committees prior to it coming to a vote on the Senate floor.
5. To set the agenda, assign priority to motions before the Body, rule on points of parliamentary procedure, request impeachment if necessary, and conduct meetings as the presiding officer for the UWLSA Student Senate.
6. To vote as President of the Senate in the case of a tie.
7. To assign fair and diverse student and faculty committee representation with the approval of the Senate.
8. To serve as a voting member of all UWLSA committees when quorum is needed and a non-voting member during all other situations (i.e. when quorum is met by the committee members).
9. To serve as a voting member of the Executive Cabinet.
10. To work with the President to ensure attendance by one member of the Executive Branch at all major events important to the UWLSA.
11. To certify the decisions of the Senate in matters of legislation to the President.

6. OATH OF OFFICE

The President and Vice-President of the UWLSA shall, before entering their respective offices, take the following Oath of Office, administered by the departing President and Vice-President:

“I, (President/Vice-President elect’s name) do solemnly swear that I will dutifully execute the Office of (Position) of the University of Wisconsin-La Crosse Student Association and will to the best of my ability promote, protect, and defend §36.09(5) of the Wisconsin State Statutes and the Constitution of the University of Wisconsin-La Crosse Student Association.”

7. VACANCIES

- a. If at any time during their term in office the President is impeached, resigns, or fails to meet eligibility requirements, the seat shall be permanently filled by the Vice-President of the UWLSA.
- b. If the President is temporarily unable to perform the duties of their office, the President Pro-Tempore will assume the duties of the Vice-President in the interim, and the Vice-President will assume the duties of the President in the interim.
- c. If at any time during their term in office the Vice-President is impeached, resigns, or fails to meet eligibility requirements, the position shall be filled by the President Pro-Tempore until the President appoints a permanent Vice-President with a two-thirds (2/3) approval of the Senate.
- d. If the Vice-President is temporarily unable to perform the duties of their office, the President Pro-Tempore shall be notified, at which time they will assume the duties of the Vice-President in the interim.

8. EXECUTIVE CABINET

- a. The Executive Cabinet convenes under the supervision and direction of the **Director of Staff**.
- b. The membership of the Executive Cabinet shall consist of the President, Vice-President, **Director of Staff**, and Secretary; the rest of the positions are decided at the discretion of the President and Vice-President and, in membership, shall equal to minimum 5 directors.
- c. Each member of the Executive Cabinet must take the Oath of Office as defined in Article V, Section 6 of this Constitution, which shall be administered by the presiding President.
- d. Any appointed member of the Executive Cabinet may be removed from office as defined in Article IX of this Constitution.

ARTICLE VI: JUDICIAL BRANCH

1. JUDICIAL BRANCH

The judicial powers of the UWLSA shall be vested in the Student Judiciary (hereafter, “the Court”).

2. MEMBERSHIP

- a. The Court shall consist of five (5) to seven (7) student justices (hereafter, “Justices”) of the Court.
- b. Justices shall serve for the academic year in which they are appointed. The President will appoint Justices to serve for the academic year of their presidency with a two-thirds (2/3) approval by the Senate.
- c. One remaining Justice each year shall be appointed as the Chief Justice of the Court and will preside over the Court, voting only in the event of a tie.

3. POWERS AND DUTIES

- a. The Court shall have the sole power to interpret legislation, bylaws, and decisions of the Student Government as unconstitutional.
- b. The Court shall decide suits brought against organizations recognized by the UWLSA including the UWLSA.
- c. Decisions of the Court shall establish precedent within the Student Government for future proceedings. These decisions will be binding unless amendments to this Constitution contradict previous decisions of the Court, or until a decision is overturned by the Court.
- d. The Court shall establish Rules of Procedure to govern all hearings and deliberations.
- e. The Court will be charged with the formation **and appointment** of the Election Commission, who will oversee campus-wide student elections.

4. OATH OF OFFICE

Before being seated on the Court, each appointed Justice shall take the following Oath of Office, administered by the President:

“I, (Justice elect’s name) do solemnly swear that I will dutifully execute the Office of Student Court Justice of the University of Wisconsin-La Crosse Student Association and will to the best of my ability promote, protect, and defend §36.09(5) of the Wisconsin State Statutes and the Constitution of the University of Wisconsin-La Crosse Student Association.”

5. VACANCIES

- a. If at any time during their term in office a Justice resigns or is removed from office, the President must appoint a Justice through an open application process.
- b. If the Chief Justice resigns or is removed from office, the President must appoint a Chief Justice among the remaining Justices and replace the vacant seat through an open application process.

ARTICLE VII: RATIFICATION OF LEGISLATION

1. LEGISLATION

- a. Decisions of the Senate are binding and shall guide the operations of the Student Government and the UWLSA.
- b. Resolutions passed through Senate shall be forwarded onto the President and Vice-President for ratification.
- c. Resolutions containing changes to the governing documents (e.g. The Constitution) shall, upon a 2/3 majority vote by the Senate, be forwarded onto the President and Vice-President for ratification.
- d. Resolutions concerning university budgetary items shall, upon a 2/3 majority vote by the Senate, be forwarded onto the President and Vice-President for ratification.
- e. Resolutions not concerning budgetary items or governing documents can be passed through the Senate with a simple majority and then shall be forwarded onto the President and Vice-President for ratification.
- f. The Senate will vote to accept or reject all action of the Executive Cabinet with a majority vote.
- g. All resolutions submitted to the Senate must be affirmed or vetoed within the same session as they were submitted.

2. VETO

- a. In order for a resolution to take effect, it must be signed by the President. If the President does not sign or veto the resolution within seven (7) academic days of being passed by Senate, the resolution shall be effective immediately.
- b. The President shall have the power to veto any legislation passed by the Senate. The President must sign or veto the legislation in whole.
- c. A veto may be overridden by a two-thirds (2/3) vote of the Senate, within three (3) session weeks of the veto. An overridden veto shall result in the resolution taking effect.

ARTICLE VIII: ELECTIONS

1. ELECTION COMMISSION

- a. The **Executive Cabinet Judicial Branch** shall appoint an Election Commission for all elections and referendums with two-thirds (2/3) approval from the Senate.
- b. Members of the Election Commission are restricted from running for an elected office or from being appointed to a position in the legislative, executive, or judicial branch the following term.
- c. The Election Commission must maintain By-Laws to be voted on by the Senate.
- d. The Election Commission shall certify all election results to be approved by a simple majority vote of the Senate.
- e. **The Election Commission must maintain a record of complete, aggregated election data, which show the final vote totals for all candidates and referendums on the ballot for all elections.**

ARTICLE IX: IMPEACHMENT AND REMOVAL

1. POWER TO IMPEACH

The Senate alone shall hold the power to impeach and remove the President, Vice-President, Senators, Justices, Directors, and committee members of the Student Government.

2. PROCESS OF IMPEACHMENT AND CONVICTION

- a. Any UWLSA member or Senator can petition the Legislative Affairs Committee to initiate an investigation of any position in the aforementioned section accused of being in major violation of a national, state, or local law; of a violation of a major University policy; of failure to uphold this Constitution, appropriate By-Laws, or legislation passed by the UWLSA; of failure to conduct themselves in a manner consistent with this Constitution; or any abuses of power.
- b. The Legislative Affairs Committee will then forward its recommendations in the form of a resolution to Senate. If the committee chooses to impeach the individual, the Senate must approve the decision by a two-thirds (2/3) vote. If the committee chooses not to impeach, the Senate may choose to reopen the investigation with a majority vote.
- c. The individual in question, following the Legislative Affairs Committee's official recommendation's introduction to the Student Senate, will be suspended from serving their position until official conclusion is reached by the Court through a trial.
- d. If the individual is found not guilty through proceedings of the Court, they will be reseated.
- e. It is the duty of the Senate to hear and come to a decision within two (2) weeks of introduction of Legislative Affairs's resolution.

3. REMOVAL

- a. Removal of a Justice must be confirmed with a two-thirds (2/3) vote of the Senate. Removal of all appointed Student Government members may be removed with a two-thirds (2/3) vote of the Senate.
- b. An individual that has been convicted and removed from office may not be eligible to hold a position within the Student Government for one full year following removal.

ARTICLE X: PETITIONS AND REFERENDUMS

1. THE RIGHT TO PETITION

Members of the UWLSA shall have the right to create resolutions and petitions to make an amendment to UWLSA By-Laws, to propose legislation, or to file for impeachment of any Student Government member.

2. PROCEDURAL PETITIONS

- a. Procedural petitions shall be used by members of the UWLSA to place a resolution directly onto the Senate agenda and must be signed by at least five (5) percent of the UWLSA membership, as determined by the Dean of Students on the day the petition is filed with the UWLSA President. The President will forward this document to the President of the Senate to be placed on the agenda for the next meeting.

3. PETITIONS FOR REFERENDUM

- a. Petitions for referendum shall be used by members of the UWLSA to place a resolution into general referendum to be voted on by the members of the UWLSA, and must be signed by at least ten (10) percent of all UWLSA members as determined by the Dean of Students on the day the petition is filed with the President.
- b. Resolutions involving a petition for referendum shall be reviewed for sufficiency of form by the Court. If an insufficiency occurs, the Court shall contact the author of the resolution.
- c. Resolutions involving a petition for referendum shall be advertised to all members of the UWLSA, without bias, by the Court for two (2) consecutive weeks, at which time a general referendum will take place in which all members of the UWLSA shall be eligible to vote.
- d. The results of the referendum shall take effect immediately following the review of the results.

ARTICLE XI: AMENDMENTS

Amendments to this Constitution may be proposed by any UWLSA member at any time. Amendments submitted by an UWLSA member must be submitted with a signed petition by ten (10) percent of the UWLSA membership, as determined by the Dean of Students on the day the petition is filed. Amendments submitted by a Senator must be passed through Senate as a resolution by a two-thirds (2/3) vote. Amendments that meet these qualifications will be put to a majority vote of the UWLSA membership. Upon ratification, amendments shall become effective and be attached to at the end of this Constitution.

ARTILCE XII: ENACTMENT

1. RATIFICATION

This document shall take effect immediately starting the new session on the first meeting in May, 2019. Legislative and Election Commission membership changes will take effect during the

2020-2021 session. This Constitution shall replace all constitutions preceding it and shall be the official Constitution of the University of Wisconsin-La Crosse Student Association.

2. PREVIOUS DECISIONS

Decisions of previous Senates shall be maintained under the ratification of this Constitution.

Ratified 2/20/2019; Enacted 5/8/2019