



# STUDENT GOVERNMENT ASSOCIATION

Constitution and Bylaws

Revised on 5/1/2023

# Bismarck State College Student Government Association

## Constitution and Bylaws

### **Preamble**

We, the students of Bismarck State College, do ordain this Constitution in order to ensure that students have an opportunity to create and maintain an effective student government, and to develop campus and community leaders.

### **Article I**

#### **Name of the Organization**

The name of this organization shall be the Student Government Association.

### **Article II**

#### **Statement of Equal Opportunity**

The Student Government Association in its programs, activities, and appointments will not discriminate against persons on the basis of race, religion, age, creed, color, sex, disability, sexual orientation, national origin, marital status, veteran's status, or political beliefs and affiliations.

### **Article III**

#### **Object and Purpose**

The purpose of the Student Government Association is to provide representation to the students of Bismarck State College in order to voice student concerns and ideas and to represent the students of Bismarck State College at the meetings of the North Dakota Student Association.

### **Article IV**

#### **Advisors**

##### Section 1: Membership

The Student Government Association shall have at least one advisor who shall be the Director of Student and Residence Life, and his or her appointees.

##### Section 2: Roles

The roles of the advisor are to provide information and knowledge on campus and system policies, parliamentary procedure, and other critical and thoughtful information to assist the Student Government Association in its business. The advisor must also act to ensure organizational compliance with parliamentary procedure, campus and system policy, and local, state, and federal laws.

## **Article V Elections**

### Section 1: Membership of the Electorate

Any student enrolled in at least one Bismarck State College course on campus or online, and any collaborative or distance-learning student whose home campus is Bismarck State College shall be eligible to vote in the elections of the Student Government Association for any offices for which they are a constituent.

### Section 2: Spring Elections

Elections for the following academic year shall take place the last Tuesday in April. Senators representing upper classmen shall be elected at this time. In the event of a tie vote for a particular position, the names of the tying members shall be drawn by the outgoing president, from a hat.

### Section 3: Fall Elections

Elections for the senators representing the freshman class shall take place on the third Tuesday of the fall semester. In the event of a tie for a particular position, the names of the tying members shall be drawn by the president, from a hat.

## **Article VI Legislative Branch**

### Section 1: Name

The legislative branch of the Student Government Association shall be the Student Senate.

### Section 2: Membership

The membership of the Senate shall consist of:

- 9 senators representing upperclassmen
- 9 senators representing freshmen

Each senator shall be a member of the constituency which they represent.

### Section 3: Terms of Office

Senators elected in the spring shall serve from noon on the second Monday of May until noon of the same Monday the following year.

Senators elected in the fall shall serve from noon on the first day following their election until noon of the second Monday of the following May.

There shall be no limit to the number of terms a student may serve as a senator.

#### Section 4: Qualifications and Duties of Office

Senators of the Student Senate shall:

- Remain enrolled in at least one Bismarck State College course.
- Maintain a cumulative GPA of 2.0 or higher.
- Conduct themselves in a professional manner during all Student Government Association meetings and functions.
- Relay information concerning the actions of the Student Government Association to their constituents.
- Limit involvement in extracurricular activities to no more than 3 student organizations including the Student Government Association.
- Adhere to the absence policies in Article VI, Section 6.
- Serve in at least one Student Government Association committee or liaison position.
- Fulfill two office hours a week in the Student Government Association office or an equal amount of time fulfilled at a tabling event or other event or task approved by the Student Government Association advisor.

#### Section 5: Vacancy

In the event that a seat of the Student Senate shall be vacant during the term of office, members of the constituency represented by the seat shall submit up to two nominations to fill the vacancy to the President of the Student Government Association to be placed on the agenda of the earliest meeting of the Student Senate, at which time, a simple majority vote of the senators representing the same constituency represented by the seat shall officially elect a nominee to the office of senator for the remainder of the term. In the event that there are no senators representing the constituency of a vacant seat, the Senate shall call for a special campus election to fill the vacant seats.

#### Section 6: Absence Policy

All elected senators are expected to participate in all scheduled Student Senate meetings, having no more than two (2) unexcused absences in one (1) semester. Excused absences shall be granted for observance of religious holidays, family emergencies, extracurricular activities, and academic obligations. Virtual attendance will also be considered an excused absence when approved by the Student Government Association advisor, president, or vice president. Only one (1) virtual attendance shall be permitted every three (3) weeks and three (3) meetings. Those attending virtually must have their cameras on, and they should also give their full attention by being appropriately attired, not driving, not completing homework or household tasks, and not participating in social or family gatherings, etc. However, virtual attendance for students who take all of their classes online shall always be permissible under the above guidelines.

Other cases including illness shall be reviewed by the Executive board to determine which guideline shall be followed. Illness guidelines are: (1) if a member is moderately sick, they must attend with a mask or attend virtually; (2) if a member is severely sick, they must virtually meet with the Student Government Association President or the Student Government Association Advisor to confirm illness or provide a doctor's excuse. If a member is absent from three (3) meetings due to illness, doctor's excuses shall be submitted to the Student Government Association President or the Student Government Association Advisor within seven (7) days or membership and duties will be terminated.

Other cases including injury will be reviewed by the Executive Board of the Student Government Association. Absences shall be reported twenty-four (24) hours in advance when possible. Members failing to adhere to the absence policy will be automatically removed from office, with the right to appeal according to Article IX, Section 2.

#### Section 7: Meetings

All meetings of the Student Senate shall be open to the public and shall:

- Be held once a week during the fall and spring semesters, unless otherwise specified by the Executive Board or by a motion of the Student Senate, or when called for by the Executive Board or a petition of one-third of the senators.
- Be presided over by the President of the Student Government Association.
- Utilize Robert's Rules of Order as the official parliamentary procedure.

#### Section 8: Voting

A quorum of a simple majority of senators must be present for an official meeting to be called to order and for any voting to occur. The presiding officer shall decide the method of voting unless otherwise specified. Each duly elected senator shall receive one vote, with the exception of the presiding officer, who shall only cast his or her vote in the event that it will change the outcome of the vote.

#### Section 9: Authority

The following authority is granted to the Student Senate:

- To vote on spending proposals for SGA Operations and Special Projects funds
- To approve the decisions of Student Government Association committees
- To make recommendations to college officials in regards to student and campus issues
- To work with the BSC President biannually to approve changes to the student government fee
- To initiate and vote on the recall of any member of the Student Government Association
- To initiate and vote on amendments to the Student Government Association Constitution

**Article VII**  
**Executive Branch**

Section 1: Name

The executive branch of the Student Government Association shall be the Executive Board.

Section 2: Membership

The Executive Board shall consist of:

- The President of the Student Body
- The Vice-President of the Student Body
- The Secretary-Treasurer of the Student Body
- The Student Affairs Committee Chair
- The Communications Chair
- All Committee Chairs of ad hoc committees

Section 3: Terms of Office

Members of the Executive Board shall serve from noon on the second Monday of May until noon of the same Monday the following year. There shall be no limits to the number of terms a student may serve in an executive position.

Section 4: Qualifications and Duties of Office

Subsection A: The President shall:

- Be a full-time Bismarck State College student.
- Have been a Bismarck State College student for at least one full semester prior to taking office. If there are less than 3 candidates that meet this qualification at the time of nomination and election, then this qualification may be disregarded.
- Be the official representative of the Student Government Association and shall serve as its administrative head.
- Be the presiding officer of the Student Senate.
- Be a voting delegate to the North Dakota Student Association unless superseded by NDSA rules.
- Be responsible for answering all requests for information regarding the Student Government Association.
- Have other powers and responsibilities as prescribed elsewhere in this Constitution.
- Fulfill three office hours a week in the Student Government Association office or an equal amount of time fulfilled at a tabling event or other event or task approved by the Student Government Association advisor.

Subsection B: The Vice-President shall:

- Have been a Bismarck State College student for at least one full semester prior to taking office. If there are less than 3 candidates that meet this qualification at the time of nomination and election, then this qualification may be disregarded.
- Perform the duties of the President in the President's absence.
- Fulfill three office hours a week in the Student Government Association office or an equal amount of time fulfilled at a tabling event or other event or task approved by the Student Government Association advisor.

Subsection C: The Secretary-Treasurer shall:

- Have been a Bismarck State College student for at least one full semester prior to taking office. If there are less than 3 candidates that meet this qualification at the time of nomination and election, then this qualification may be disregarded.
- Work with the Director of Student and Residence Life in reporting financial balances to the Student Senate.
- Keep accurate records of all meetings of the Student Senate and of the Executive Board and make these minutes available at the next Student Senate meeting.
- Provide public records to the appropriate person or persons to be posted on the website.
- Be responsible for keeping accurate records of the changes made to the Student Government Association Constitution and of legislation passed and approved by the Student Government Association.

Subsection D: Standing and ad hoc Committee Chairs shall

- Schedule committee meetings twice each month unless otherwise prescribed in this Constitution and Bylaws or mandated by the Senate to occur more frequently.
- Preside over committee meetings.
- Record minutes or appoint a member to record minutes of each meeting.
- Provide the minutes of each meeting to the Secretary-Treasurer to be filed with all Student Government Association minutes.
- Give a report of committee activity at each Executive Board and Student Senate meeting.

Subsection E: Head Delegate to the North Dakota Student Association

- Organize a delegation each month representing Bismarck State College at meetings of the North Dakota Student Association.
- Submit the delegation list each month to the North Dakota Student Association leadership each month.
- Work with the SGA advisor to reserve hotel rooms each month for the delegation to stay in.

- Receive the monthly agenda from the North Dakota Student Association leadership and distribute the agenda to the delegation.
- Give North Dakota Student Association reports at Student Senate meetings.

#### Section 5: Election and Succession

The election of the President, Vice-President, and Secretary-Treasurer shall occur at the first Student Senate meeting following the spring campus election by all incoming Senators. The nomination and election shall be presided over by the incumbent President. The nomination and election of standing Committee Chairs and the North Dakota Student Association Head Delegate shall occur following the fall election. The nomination and election of ad hoc Committee Chairs shall occur at the time of the creation of an ad hoc committee. In the event that the office of President shall fall vacant, the Vice-President shall immediately become the President. In the event that the office of President and Vice-President shall be vacant simultaneously, the Senate shall first nominate and elect a President, whose nomination and election shall be presided over by a member chosen by the Senate. The newly elected President will take office immediately and preside over the Senate. In the event that any other position of the Executive Board is vacant, the Senate shall nominate and elect a member who shall immediately take office.

#### Section 6: Absence Policy

All Executive Board members are expected to participate in all scheduled Executive Board and Student Senate meetings, having no more than two (2) unexcused absences of each meeting in one (1) semester. Excused absences shall be granted for observance of religious holidays, family emergencies, extracurricular activities, and academic obligations. Virtual attendance will also be considered an excused absence when approved by the Student Government Association advisor. Only one (1) virtual attendance shall be permitted every three (3) weeks and three (3) meetings. Those attending virtually must have their cameras on, and they should also give their full attention by being appropriately attired, not driving, not completing homework or household tasks, and not participating in social or family gatherings, etc. However, virtual attendance for students who take all of their classes online shall always be permissible under the above guidelines.

Other cases including illness shall be reviewed by the Student Government Association advisor to determine which guideline shall be followed. Illness guidelines are: (1) if a member is moderately sick, they must attend with a mask or attend virtually; (2) if a member is severely sick, they must virtually meet with the Student Government Association President or the Student Government Association Advisor to confirm illness or provide a doctor's excuse. If a member is absent from three (3) meetings due to illness, doctor's excuses shall be submitted to the Student



Government Association President or the Student Government Association Advisor within seven (7) days or membership and duties will be terminated.

Other cases including injury will be reviewed by the Executive Board of the Student Government Association. Absences shall be reported twenty-four (24) hours in advance when possible. Members failing to adhere to the absence policy will be automatically removed from office, with the right to appeal according to Article IX, Section 2.

#### Section 7: Meetings

The Executive Board shall meet once a week during the fall and spring semesters, unless otherwise specified by the President. Special meetings may be called by any Executive Board members or the Student Government Association Advisors.

#### Section 8: Voting

A majority of the Executive Board must be present in order any voting to occur. Each duly elected member of the Executive Board shall have one vote with the exception of the presiding officer, who shall only cast his or her vote in the event that it will change the outcome of the vote.

### **Article VIII Student Representatives**

#### **Section 1: Name**

The members of this position shall be called student representatives.

#### **Section 2: Membership**

There shall be no more number of student representatives than that is equal to the number of open senator seats plus three. Should a senator seat be filled mid-term, then any standing student representatives shall not be dismissed.

#### **Section 3: Terms of Office**

- Student representatives shall serve from the day their nomination is accepted until noon on the second Monday in May of the following year.
- Nominations for student representatives shall be opened 2 weeks after Fall elections and shall close on the second Friday of April.
- There is no limit to the number of terms a student may serve as a student representative.

#### **Section 4: Qualifications and Duties of Office**

- Remain enrolled in at least one Bismarck State College course.
- Maintain a cumulative GPA of 2.0 or higher.
- Conduct themselves in a professional manner during all Student Government Association meetings and functions.
- Serve in at least one Student Government Association committee.

- If desired, attend tabling events or other events approved by the Student Government Association Advisor.
- Student representatives need not complete weekly office hours.
- Student representatives may not vote during senate meetings; however, they may motion during senate meetings.
- Student representatives may vote during committee meetings to which they are assigned.

**Section 5: Absence Policy**

- All elected student representatives are expected to participate in at least one scheduled Student Senate meeting per calendar month.
- No virtual attendance is permitted as listed for senators in Article VI, Section 6.
- No unexcused absences are permitted. However, absences may be reviewed on a case-by-case basis by the Executive Board to be excused.
- Student representatives shall abide by the same committee attendance policy as listed in Article IX, Section 3.

**Article IX**

**Student Government Association Committees**

Section 1: Membership

All Student Government Association Committees shall be comprised of senators and/or student representatives. Each committee is required to have at least one senator.

Section 2: Meetings

All committees shall:

- Meet at least twice per month during the fall and spring semesters, but should meet more often if necessary.
- Provide minutes of the meeting to the Executive Board within one week of each committee meeting
- Report on the committee’s work at each Student Senate meeting.
- Allow meetings to be open to any Bismarck State College student.

Section 3: Membership Conduct

All committee members shall:

- Miss no more than two meetings of the committees to which they belong each semester.
- Be expelled from the committee at the discretion of the committee chair for failing to meet attendance obligations.

Section 4: Ad Hoc Committees

Ad Hoc Committees shall:

- Be convened at the discretion of the Student Senate or the Executive Board.

## Section 5: Standing Committees

Standing committees shall:

### Subsection A: Communications Committee

- The tasks of this committee shall be to produce and update publications concerning the Student Government Association, to communicate the events and other relevant information regarding the Student Government Association to campus publications, to promote the events of the Student Government Association to the student body, and to maintain the social media accounts of the Student Government Association on a regular basis.

### Subsection B: Student Affairs Committee

- The tasks of this committee shall be to solicit and address student concerns, utilize special projects funds within the guidelines set forth in the annual Student Government Association budget, and to consider and recommend action on proposals from the North Dakota Student Association.

### Subsection C: Finance Committee

- This committee shall be chaired by the Secretary-Treasurer of the Student Government Association.
- The tasks of this committee shall be to review and set the guidelines for the annual Student Government Association budget, to communicate with the Bismarck State College controller regarding the distribution of funds, and working with the President of Bismarck State College to determine the student government fee.

## **Article X**

### **Procedure for Voting on Student Fees**

The vote to determine the changes to the student fees for the following academic year shall take place at the end of January or the beginning of February. In order to prepare for that vote, the Student Government Association shall:

- Consider forming an ad hoc committee for the student fee process in October.
- Decide in October on which clubs, student organizations, and/or societies shall be invited to present on their budgets.
- Decide in October which department heads, vice presidents, deans, and/or other staff members shall be invited to present.
- Meet with the Executive Vice President of BSC to explain the student fee process to the student senate during the Fall Semester.
- Invite the chosen recipients of student fees to present on their annual budgets. Presentations shall cover a brief survey of what has been spent in the previous fiscal year, and what their spending and/or saving plans are for the upcoming year.

Presentations shall be made by a student representative or advisor to the student senate, and they shall take place throughout November and December.

- Invite the selected department heads, vice presidents, and/or other staff members to also present in November and December.
- Leave January for further presentations, meetings, and a time for research and discussion.
- Invite the Executive Vice President to present his/her suggested changes to student fees by the third Friday of January.
- Conduct an Executive Board meeting after the Executive Vice President's presentation in which a template will be created to help discussion in the student senate.
- Vote on the proposed changes to student fees for the upcoming academic year by February 1<sup>st</sup>.

## **Article XI**

### **Recall of Student Government Association Members**

#### Section 1: Recall Procedure

- The Student Senate shall have the power to recall any member of the Student Government Association.
- The recall of a member shall be initiated by a petition signed by at least one-third of the senators submitted to the Student Government Association advisor who shall be responsible for adding the recall to the agenda of the next meeting of the Student Senate.
- The member who is the subject of a removal from office has the right to due process, which includes the right to speak in front of the Student Senate in regards to the recall.
- A two-thirds vote of the senators is required to remove the member from his or her office.

#### Section 2: Appeal Procedure

- Valid reasons to appeal a removal from office shall be limited to procedural errors, violation of election procedure, or new information that was not considered in the original decision.
- An appeal must be submitted in writing within 10 days of the removal from office to the Student Government Association Advisor who shall be responsible for adding the appeal to the agenda of the next meeting of the Student Senate.
- Upon reconsidering the recall, a two-thirds vote of the senators is required to overturn the decision.

## **Article XII**

## **Amendments to the Constitution**

### Section 1: Introduction of Amendments

Proposed amendments to the Constitution must be submitted to the Student Senate a minimum of two weeks and two meetings prior to voting.

### Section 2: Approval of Amendments

An amendment is considered approved by a two-thirds majority vote of the Student Senate, along with the approval of the Director of Student and Residence Life.

## **Article XIII**

### **Approval of the Constitution**

This Constitution shall be approved upon a two-thirds majority vote of the senators of the first Student Senate of the Bismarck State College Student Government Association.

#### Constitution History:

Ratified—September 4, 2013

Amended—October 2, 2013

Amended—December 4, 2013

Amended—February 5, 2014

Amended—April 16, 2014

Updated—May 16, 2014

Amended – January 14, 2015

Amended—October 28, 2015

Revised—June 1, 2016

Revised—June 1, 2017

Amended—October 9, 2018

Amended—May 6, 2019

Revised—August 1, 2019

Revised—October 20, 2021

Revised—April 21, 2022

Amended—January 27, 2023

Amended—March 9, 2023

Amended—May 1, 2023