

Constitution of the Western Student Association

We, the Students of Western Michigan University, desiring to:

- Provide order to ensure the democratic organization and republican governance;
- Provide fair representation of the Student Body;
- Maintain an active voice in University affairs;
- Recognize the Western Student Association (WSA) as the legitimate Student representative body;
- Charge the WSA with the responsibility to effectively and efficiently represent and act in the collect interest of Western Michigan University Students;

do hereby establish the Western Student Association (WSA) and this constitution.

Article I Purpose of The Association

Section One: Purpose of the WSA

- (a) To provide a central student union, responsive to the needs of WMU Students.
- (b) To work to guarantee the rights, integrity, and individuality of students in relation to the University regardless of actual or perceived race, sex, religion, color, height, weight, age, handicap, national origin, socioeconomic standing, sexual orientation, gender identity and gender expression or veteran status.”
- (c) To advocate policies which best serve the students of the University in compliance with all SALP and University policies, procedures, and practices and all local, state, and federal laws.
- (d) Provide an official voice for WMU students in University affairs.
- (e) To ensure the fair distribution of the Student Assessment Fee (SAF).

Article II Legislative Branch

Section One: Composition of the Senate

- (a) One Senator for each five hundred students or a major fraction (in excess of one half) thereof, enrolled in each of the Colleges of Western Michigan University shall be popularly elected to serve in the Senate with full voting rights. Each College shall receive at least one Senator.
- (b) One Senator can be elected from within each Registered Student Organization properly registered with the Student Activities and Leadership Programs (SALP) office. The following provisions apply:
 - i. Full voting rights will be obtained by formal registration with the Speaker of the Senate.
 - ii. Membership in a Committee shall be contingent upon the Bylaws.
 - iii. Formal registration of RSO Senators expires the last day of classes of the Spring semester.
 - iv. All committee assignments expire the last day of classes of the Spring semester, unless another expiration date is provided for in the committee’s bylaws

Section Two: Powers and Duties of Senators and the Senate

- (a) The following duties shall be fulfilled by each Senator.
 - i. Serve as a voting member of at least one Committee
 - ii. Attend Senate meetings subject to the Senate Bylaws.
 - iii. Elect from their membership a Speaker and Speaker pro-tempore of the Senate at the first officially convened meeting of a newly elected Senate, subject to quorum.
- (b) The Senate shall exercise the following powers.
 - i. Formulate, debate, and enact legislation proposed by Senators
 - ii. Override a Presidential veto with a two-thirds vote within ten working days of the veto.
 - iii. Revise the Bylaws, subject to Article VII limitations
 - iv. Amend the Constitution, subject to Article VIII limitations.
 - v. Establish lower courts of the Judicial Branch as necessary.
 - vi. Establish Ad-hoc Committees of the Legislative Branch as necessary.
 - vii. Submit a formal request for interpretation of any portion of the Constitution or Bylaws to the Judicial Council.
 - viii. Select the President and Vice President if none are provided by an election.
 - ix. Approve appointments to vacant offices in the Executive Branch, Judicial Branch, or Standing Committee Chairs within ten working days of the nomination, by two-thirds vote.
 - x. Take action deemed necessary and proper to accomplish the goals and purpose of the Western Student Association.
 - xi. Retain any power not explicitly granted to the Executive or Judicial Branch.
- (c) The current edition of Robert's Rules of Order, Newly Revised where they are neither inapplicable nor inconsistent with the Constitution or Bylaws, shall be the parliamentary procedure used by the Senate.

Section Three: Speaker of the Senate

The Speaker of the Senate shall fulfill and exercise the following powers and duties.

- (a) Call and preside over Senate meetings.
- (b) Organize the proceedings and agenda of the Senate meetings
- (c) Maintain a minimum of five Senators on each Standing Committee, except the Allocations Committee, which must be maintained in accordance with its Bylaws.
- (d) Report committee assignments in writing to the respective Senators and Committee Chairs.
- (e) Fill all vacancies of the Legislative Branch with majority approval of the Senate, with the exception of Standing Committee Chairs.
- (f) Enforce the Bylaws of the Senate.
- (g) Accept all resignations.
- (h) Serve concurrently the offices of Speaker of the Senate and RSO Senator for WSA, superseding all previously maintained positions.
- (i) Act as the spokesperson of the Senate.
- (j) Initiate removal from office proceedings against Senators due to poor meeting attendance.

Section Four: Speaker pro tempore of the Senate

The Speaker pro tempore of the Senate shall fulfill and exercise the following powers and duties.

- (a) Serve as Acting Speaker of the Senate upon request of the Speaker.
- (b) Serve as Speaker of the Senate upon vacancy of that office.
- (c) Assist the Speaker of the Senate in their duties.

- (d) Record the minutes of all Senate meetings and submit them for inclusion in a future meeting agenda.
- (e) Record attendance and votes at all Senate meetings.
- (f) Give notification of unscheduled Senate meetings.
- (g) Serve as a Senator throughout their tenure in office.
- (h) Maintain records of Senate meeting minutes, membership, rules, declarations, resolutions, bylaws, legislation, and all other pertinent non-financial information.

Section Five: Committees

The Senate establishes three types of committees; Standing, Select, or Ad-hoc; based on need and permanence of their respective mandates. All Committee Chairs must minimally hold monthly committee meetings and appoint a Vice Chair, with majority approval of the members, to assist in the operation of the committee.

- (a) **Standing Committees.** The commissions of Standing Committees contend with perennial issues and mandate permanent existence with continuous operation and staffing. The Standing Committees, their commissions, duties, and powers are:

- i. **Campus Sustainability**

- 1) Increase sustainability awareness within the Western Student Association, University Community, and Kalamazoo Community.
- 2) Actively disseminate information regarding sustainability matters on campus and beyond.
- 3) Address sustainability issues and concerns working collaboratively with faculty, staff, and administration.
- 4) Promote and advance eco-cultural sustainability, so as to foster a campus culture of sustainability.

- ii. **Diversity Guidance**

- 1) Provide a forum to discuss multicultural affairs and diversity issues.
- 2) Ensure a representative voice within the University community for all aspects of a diverse student body.
- 3) Develop action to improve community diversity.
- 4) Work to integrate the University community.
- 5) Promote intercultural competence within the Western Student Association and the University community.
- 6) Address diversity issues to and from the Western Student Association.

- iii. **Political Affairs**

- 1) Handle the political, legislative, and lobbying affairs of the Western Student Association.
- 2) Ensure voting representation in both state and national student government organizations.
- 3) Head delegations to city, state, and national government organizations from the Western Student Association.
- 4) The Chair shall be the liaison to and from the city, state, and national government organizations.

- iv. **Public Relations**

- 1) Promote Western Student Association events.
- 2) Handle Western Student Association media relations.
- 3) Maintain a public monthly calendar listing: dates, times, and places of all Western Student Association events and meetings.

- v. **Student Affairs**

- 1) Ensure all student seats are filled by WMU Students on University boards, commissions, committees, councils, etc.
- 2) Ensure all other positions of representation requested are filled by WMU Students.

- 3) Develop and oversee pertinent Western Student Association activities and programs.
 - 4) Provide a forum for debate on issues pertinent to student life.
 - 5) Address student concerns to and from WSA.
 - 6) Address academic concerns to and from WSA.
- vi. **University Pride**
- 1) Promote pride and spirit by hosting activities to foster them.
 - 2) Support and advance the role of the WSA in WMU pride initiatives.
 - 3) Recognize and increase the visibility of the facets of the University in which the Campus should take pride.
- (b) **Select Committees.** The commissions of Select Committees contend with annual or semi-annual issues and mandate permanent existence with intermittent operation and staffing. The Select Committees, their commissions, duties, and powers are:
- i. **Philanthropy**
 - 1) Coordinate WSA support for at least one philanthropic event per year.
 - 2) Act as a liaison between the WSA and collaborating organizations for the duration of the philanthropic event.
 - ii. **Rules, Bylaws, and Administration**
 - 1) Compile, review, and revise the statutory structure of the WSA as necessary.
 - 2) Provide supplemental guidance regarding parliamentary procedure and administration.
 - 3) Voting for revisions of Compensation Bylaws shall be limited to those not receiving compensation.
 - 4) Ex-officio members: Senate Leadership, Chief of Operations, and Chief Justice.
- (c) **Ad-hoc Committees.** The commissions of Ad-hoc Committees contend with individual issues and mandate existence, operation, and staffing for a particular purpose only. Ad-hoc Committees shall be established by a majority vote of the Senate and not operate in excess of the Senate's term.

Article III Executive Branch

Section One: Composition of the Executive Branch

- (a) Shall consist of a President, Vice President, Treasurer, Chief of Operations, Information Technology Coordinator, and Executive Agencies.
- (b) The President and Vice President shall be elected as a slate during the General Election.
- (c) The Treasurer and Chief of Operations shall be nominated by the President within five working days of the president's inauguration and shall only be confirmed by a two-thirds vote of the Senate.

Section Two: President

The WSA entrusts the President with the following powers and duties.

- (a) To be the spokesperson and principle representative of Western Michigan University's students.
- (b) Educate the student body concerning the roles of the Western Student Association.
- (c) Execute the mandates of the Student Senate.
- (d) Attend all Western Michigan University Board of Trustees, Faculty Senate, WSA Senate meetings, and major university events; if unable to attend, arrange for appropriate representation.

- (e) Formally present to the WSA Senate a State of the WSA report, which outlines the goals of the WSA for the semester, within the first fifteen working days of the beginning of the fall and spring semesters.
- (f) Provide all Senators written reasoning for vetoed legislation within five working days of veto.
- (g) Propose in cooperation with the Treasurer an annual operational budget, subject to Student Senate approval.
- (h) Propose legislation to the Student Senate in written form.
- (i) Sign into effect legislation passed by the Student Senate.
- (j) Veto, in full, within five working days any legislation passed by the Student Senate.
- (k) Nominate a full Cabinet within thirty working days after inauguration.
- (l) Nominate appointments to vacancies of the Executive Branch, Judicial Branch, and Committee Chairs within thirty days of vacancy.
- (m) Determine the general policy of the Executive Branch.
- (n) Submit a written request to the Judicial Council for interpretation of any portion of the Constitution or Bylaws.

Section Three: Vice President

The WSA entrusts the Vice President with the following duties.

- (a) Serve as President in the event of vacancy of office or the President's inability serve.
- (b) Assist the President in their duties, including:
 - i. Be the spokesperson and principle representative of Western Michigan University's students.
 - ii. Educate the student body concerning roles of WSA.
 - iii. Attend all Western Michigan University Board of Trustees, Faculty Senate and WSA Student Senate meetings, in coordination with the President.
 - iv. Submit a written request to the Judicial Council for interpretation of any portion of the Constitution or Bylaws.

Section Four: Treasurer

The WSA entrust the Treasurer with the following duties.

- (a) To keep and maintain all WSA financial records.
- (b) Oversee the payment of WSA bills within thirty working days of issue.
- (c) Propose, in cooperation with the President, an annual operational budget, subject to approval of the Senate. The term of one budgetary year shall run from two weeks following a presidential inauguration to two weeks following the next presidential inauguration.
- (d) Compile all WSA financial records when requested for audit.
- (e) Prepare a report, for the Senate at the final meeting of each month, of current balances in all WSA accounts and any recent expenditure.
- (f) Prepare an end-of-semester report of account of balances to be presented at the first Senate meeting of the following semester.

Section Five: Chief of Operations

The WSA entrust the Chief of Operations with the following duties.

- (a) Oversee executive agencies.
- (b) Administer the daily operations of the WSA offices including office staff and facilities.
- (c) Maintain records of all WSA correspondence, legislation, Cabinet minutes, and all other non-financial pertinent executive information.
- (d) Be responsible for all WSA correspondence, unless otherwise directed by the Student Senate.
- (e) Record minutes of all Executive Cabinet meetings.

- (f) Oversee transition between administrations.

Section Six: Information Technology Coordinator

The WSA entrusts the IT Coordinator with the following duties.

- (a) Ensure that website content remains current and accurate and is updated in a timely manner.
- (b) Act as the liaison with regard to IT concerns between the WSA and the University.

Section Seven: Executive Agencies

(a) Executive Cabinet

i. Composition

- 1) President, Vice President, Treasurer, Chief of Operations, IT Coordinator, Senate Leadership, Chief Justice, and all Standing Committee Chairs.
- 2) The Executive Cabinet shall be chaired by the President and Vice President.

ii. Powers and Duties

- 1) Make formal written recommendations to the Student Senate on affairs of interest to the WSA.
- 2) Meet at least every two weeks to discuss the affairs of the WSA.
- 3) Keep record of all Cabinet actions.
- 4) Act in place of the Senate in the following circumstances, subject to quorum and Bylaw limitations. Any action taken by the Cabinet shall be the first item for consideration once Senate meetings resume:
 1. Between the end of Spring semester and start of Fall semester.
 2. During the Winter recess.
 3. In emergency situations where the Senate cannot be reasonably expected to attain quorum.
- 5) Maintain a minimum cumulative GPA of 2.3 throughout the duration of their position. President and Vice President must maintain a minimum cumulative GPA of 2.5.

(b) Allocations Commission

i. Composition: the AC will be staffed and maintained as per its Bylaws.

ii. Powers and Duties

- 1) Operates the allocation process of all SAF monies under its jurisdiction.
- 2) Allocates SAF monies in accordance with its Funding Guidelines.
- 3) The Chair must maintain a minimum cumulative GPA of 2.3 throughout the duration of their position.

(c) Elections Control Board

i. Composition

- 1) The President and Speaker of the Senate shall coordinate the appointment of the Chair with two-thirds approval of the Senate, in an unbiased, coordinated manner.
- 2) Members are ineligible to seek office in the General Election they control.

ii. Powers and Duties

- 1) Administer the process for nominations, elections, and referendums.
- 2) Update the Student Election Code (SEC) to provide for free, fair, and democratic elections each year.
- 3) The Chair must maintain a minimum cumulative GPA of 2.3 throughout the duration of their position.

Section Eight: Succession

Should the President of the WSA be unable to serve for any reason, the Vice President of the WSA will succeed him or her. Should the Vice President be unable to serve as the President, the Speaker of the Senate shall become the President.

Article IV Judicial Branch

Section One: Composition

- (a) The Judicial Council shall consist of one Chief Justice and six Associate Justices.
- (b) All Justices shall be appointed subject to two-thirds approval of the Senate.
- (c) Each Justice shall serve a one year term, subject to re-appointment.
- (d) Three Justices shall be appointed by the current President, two weeks before the General Election.
- (e) Four Justices, including the Chief Justice, shall be appointed by the new President.

Section Two: Authority, Duties, and Powers

The judicial power of WSA is vested in the Judicial Council and in the other such lower courts deemed necessary by the Senate. It shall have the following authority, duties, and powers:

- (a) Has the supreme jurisdiction and final say in all cases involving interpretation of the Constitution and Bylaws of the WSA.
- (b) The Judicial Council shall settle disputes brought before it arising: between organizations, between organizations and students, within organizations, and over WSA elections.
- (c) Render within five working days a formal written interpretation of any portion of the Constitution or Bylaws upon written request from the WSA or a simple majority of the Student Senate.
- (d) Hear grievances against the WSA or WSA members.
- (e) Shall have final say in matters regarding Removal from Office.
- (f) Shall review cases involving appeals of AC decisions.
- (g) The Judicial Council shall render a decision within ten working days upon receiving an appeal of an AC decision.
- (h) The Chief Justice shall administer the oath of office to the President, Vice President, and elected members of the Senate.
- (i) Shall rule on the significance of Constitutional amendments and the ratification method appropriate to it.
- (j) The Judicial Council shall have general supervision over the judicial organs of the WSA, and it may adopt rules to govern the same.
- (k) Reasonable fines may be imposed by the Judicial Council to relieve damages to the WSA. All fines are payable to the Western Student Association.

Article V Removal from Office

Section One: Initiation

Initiation of Removal from Office proceedings may be brought on any WSA member(s) for misfeasance, malfeasance, and/ or nonfeasance of office. Removal from Office proceedings must be initiated in writing to the Judicial Council, identifying the defendant, plaintiff, and including all relevant evidence.

De-registration of an RSO from the WSA Senate Roll and indeterminate loss of voting rights due to poor attendance of Senate meetings may occur by:

- (a) De-registration by the RSO Senator to the Speaker of the Senate.
- (b) De-registration by the signature and/or verbal consent by the president of the RSO to the Speaker of the Senate.
- (c) De-registration by two-thirds vote of the Senate as it deems necessary and proper.

Section Two: Investigation

Upon receipt of the removal initiation, the Judicial Council must make every effort to contact the defendant(s) whom the proceedings are against. If contact is successful, the defendant(s) shall have ten working days to prepare and submit any defense or evidence necessary. The Judicial Council shall then have five working days from the deadline for evidence and defense submission to investigate and rule on all materials submitted. The Judicial Council shall keep all proceedings and materials involved separate and confidential.

Section Three: Judgment

The decision of the Judicial Council shall be final upon a majority vote. Both parties must be given written notification of the decision issue-dated no later than three working days following the decision.

**Article VI
Elections**

Section One: Voting Qualifications

All WMU students enrolled in classes with a validated Western Identification Numbers (WIN) shall be eligible to vote in WSA general elections.

Section Two: Eligibility for WSA Positions

- (a) All WSA candidates must meet all Office of Student Life eligibility requirements detailed in the Student Organization Handbook.
- (b) All candidates must be in good academic standing with the University and enrolled in at least six credit hours of classes.
- (c) College Senator Candidates must have a declared curriculum in accordance with the academic college they wish to represent.
- (d) Candidates may not run for two positions concurrently.
- (e) President and Vice Presidential Candidates must have a 2.5 GPA and maintain this requirement throughout their administration.

Section Three: Administration of Elections and Referendums

- (a) By the last Friday of December, the Speaker of the Senate and President shall appoint a Chair of the Elections Control Board (ECB), subject to two-thirds approval of the Senate.
- (b) General elections shall be held no later than the last Friday of March on a date determined by ECB.
- (c) The ECB shall determine by the last Friday of February its procedures and bylaws for elections, subject to two-thirds approval by the Senate.
- (d) No election provision can be changed once the election date is declared.
- (e) Upon completion of the election, the ECB will submit a fully documented report to the Senate and Judicial Council detailing official results.
- (f) All grievances submitted to the ECB shall be filed with the Judicial Council within five working days subject to elections control bylaws.
- (g) The ECB shall develop procedures and bylaws for the execution of referendums as needed.

Section Four: Terms of Office

Terms of office of regular elections shall be for one year and shall begin after the elections are confirmed valid.

Article VII Bylaws

Section One: WSA Bylaws

Bylaws to the Constitution may be proposed by any Senator or the President or Vice President. Bylaws shall be presented in writing to the Senate prior to the vote on adoption. Proposed Bylaws duly presented shall be made effective immediately following a two-thirds ratification of the Senate.

Section Two: Committee Bylaws

Each committee of the WSA may establish its own operational bylaws, subject to two-thirds approval of the Senate. The Senate must approve any changes made to the bylaws by a two-thirds vote. These bylaws shall not come into conflict with the Constitution or Association Bylaws.

Article VIII Amendments

Section One: Proposal of Amendments

The following entities may propose amendments to the Constitution:

- (a) Senators of the WSA.
- (b) Committees of the WSA.
- (c) President or Vice President of the WSA.

Section Two: Ratification Process

- (a) Submit the proposed amendment in writing to the Senate and Judicial Council.
- (b) Concurrently the amendment shall be debated by the Senate and requires approval by three-fourths (3/4) affirmative vote, while the Judicial Council shall review the significance of the proposed amendment on altering the nature, focus, or intent of the Constitution.
- (c) If the amendment has a minor impact upon the existing Constitution, then it will be considered ratified. However;
- (d) If the amendment has a major impact upon the existing Constitution, then it shall be placed on the ballot in the next duly called General Election as a referendum.
- (e) In cases of amendment by referendum, a three-fifths (3/5) affirmative vote of those students voting to approve the amendment shall suffice for ratification.

Section Three: Call for Referendum

- (a) If the proposed amendment was submitted to the Senate by a referendum group fulfilling Section One requirements and the Senate does not affirm the proposal, then it shall automatically be placed on the ballot in the next duly called campus-wide referendum.
- (b) When an amendment has past judicial review and ratified by the Senate, a petition containing five percent of the student body who voted in the previous WSA General Election shall suffice to suspend ratification of the amendment and placed it on the ballot in the next duly called campus-wide referendum.

- (c) The Judicial Council may call for a referendum on any proposed amendment submitted for judicial review.

Article IX

Statutory Preemption

The policy of the Western Student Association is codified in its statutes. Authority of policy is prioritized by difficulty of statute codification. Authority of policy shall be prioritized: Constitutional statute, then Bylaw statute, finally ordinary statute. Statutes of higher authority prioritization preempt statutes of lower authority prioritization

Adopted April 2008
Amended March 2011