

Constitution of the Residence Hall Association of the University of Nebraska-Lincoln

PREAMBLE

Section 1: Name. The name of this organization shall be the University of Nebraska-Lincoln Residence Hall Association, hereafter referred to as the Association.

Section 2: Definitions

a. General Membership. General Members of the Association are those students living in the University of Nebraska-Lincoln residence halls. Students are General Members for the duration of their residence. There shall be no manner in which General Membership may be revoked.

b. Frame of Reference. All times cited in this Constitution refer to times in which the University is in session during the fall and spring semesters.

c. Prior Notice. Legislation requiring Prior Notice must be distributed, in writing or electronically, at least ninety-six (96) hours prior to the regular Senate meeting at which a vote is taken.

Section 3: Purpose. The purpose of this organization shall be to:

- Serve as the student government of the University of Nebraska-Lincoln residence halls;
- Enhance the living and learning environment of the halls and to work jointly with the University Administration to create and alter policies designed to establish and maintain such an environment;
- Encourage and coordinate the representation of the General Membership throughout campus;
- Communicate to the General Membership any information pertinent to them;
- Discuss, to act upon, and to communicate the opinion of the Association on matters of interest to the General Membership;
- Communicate with other student organizations on campus.

ARTICLE I: MEMBERSHIP

Section 1: Powers. The General Members of the Association shall have the power to petition the Senate in the following ways:

a. Initiative: A petition with the verified signatures of five (5) percent of the General Membership of the Association shall bring a proposal before the Senate. A proposal brought forth in this manner must be voted upon by the Senate within two (2) regular sessions after the petition's verification.

b. Suspension: A petition with the signatures of ten (10) percent of the General Membership of the Association shall suspend a decision of the Senate. A petition of this sort must be received by the Speaker of the Senate within twenty-eight (28) days of the decision. Suspension shall take effect immediately upon verification of the petition. A suspension may be overridden by a two thirds (2/3) vote of the Senate.

c. Referendum: A petition with the signatures of fifteen (15) percent of the General Membership of the Association shall require the Association to hold a general vote on the content of the petition within fourteen (14) days of the petition's verification. A proposal of this sort must then be approved by a majority of those General Members voting in said referendum. A proposal approved in this manner may not be vetoed by the President or overridden by the Senate.

d. Form and Content: The title "UNL-RHA Petition" and the requested action of the petition shall be clearly stated at the top of each page of the petition. Valid signatures must include the signer's printed name, signature, and

student identification number. All information must be legible. The Division of University Housing shall verify a petition within 48 hours of its receipt by the Speaker of the Senate.

Section 2: Honorary Membership. An Honorary Member of the Association shall be any person who does not meet the aforementioned requirements for General Membership, and is designated an Honorary Member by the enactment of Senate legislation. An Honorary Member of the Association shall not be made to have any financial commitment to the Association. Honorary Membership may be revoked at the discretion of the Senate or the Honorary Member.

Section 3: Membership Guidelines.

a. Non-Student Participation. Non-Students will be allowed to participate in Association activities, but will not be General Members, voting members, or elected or appointed officers of the Association. A non-student is someone who is not currently enrolled at the University of Nebraska-Lincoln for the fall or spring semester.

b. Minimum Membership. In accordance with the Office of Student Involvement guidelines, the Association shall consist of at least five (5) members.

ARTICLE II: THE SENATE

Section 1: Definition. The Senate shall be the legislative assembly of the Association, considering all legislation brought before it. The Senate shall take on any additional powers or responsibilities as enumerated by this Constitution.

Section 2: Membership. The Membership of the Senate shall be recognized local government Senators. For a local government with more than 150 residents, the number of Senators apportioned to that local government shall be its number of residents divided by 150, rounded down to the nearest whole number. If a local government has 150 residents or less, it shall receive exactly one Senator. The number of Senators apportioned to each local government for the following term of office shall be determined annually, according to its population on the first Monday in February.

a. Eligibility. All Senators must have a minimum 2.0 GPA. The Senator must not be on conduct probation at the University of Nebraska-Lincoln, and may not be an A- or B-line housing official or a Resident Assistant. The senator must currently live in the jurisdiction which they represent, and meet any additional requirements as stipulated by the local government which they represent. If at any time a Senator fails to meet these requirements, or those as defined by their respective local government, they shall be considered removed from their office.

b. Attendance. Any member with more than two absences in any one semester, excepting those which are excused, shall lose their vote for the remainder of that semester. Members must contact the Chair before, or within two (2) days of, missing a meeting. It is the duty of the Chair to determine whether a member's absence is excused or not. The decision of the Chair may be overridden by a majority vote of Senate.

c. Committee Membership. All members of the Senate must be an active member of a Senate or Association Committee, as defined in Article VI of this Constitution.

Section 3: Duties and Powers. Each Member of the Senate may submit legislation, except Budget Bills.

a. The Senate shall consider and vote upon all Association legislation.

b. The Senate may override all Presidential vetoes, pursuant to Article III, Section 2 of this Constitution.

- c. The Senate shall consider and vote upon all appointments.
- d. The Senate shall assume all duties, necessary to the functioning of the Association not already delegated to another body or official.
- e. The Senate may, through enactment of legislation, request that the Director of University Housing appoint a new advisor.
- f. The Senate shall have the power to charter local governments as specified in the Bylaws.

ARTICLE III: ASSOCIATION BUSINESS

Section 1: Meetings of the Senate. Meetings of the Senate shall be chaired by the Association Vice-President. Should the Vice-President be temporarily absent then the Association Secretary shall be the Chair pro-tempore. In the event that both the Vice-President and the Secretary are temporarily absent, then the Speaker of the Senate shall chair the meeting until a Chair pro-tempore is chosen.

- a. Rights of Debate in Senate Meetings. All Members of the Senate may speak, make and second motions, and vote on all Association business, unless otherwise restricted from doing so. The President, Secretary, and Treasurer, while not being Members of the Senate, shall have the right to speak during meetings of the Senate. The Vice-President, while not being a Member of Senate, shall have the right to speak at meetings of the Senate, except when prohibited from doing so in accordance with parliamentary authority.
- b. Voting. Members of the Senate, or their recognized proxies, must be present to vote. No member shall cast more than one vote per balloting. In the event of a tie, the Chair shall cast the deciding vote.
- c. Quorum. Quorum for meetings of the Senate shall consist of a simple majority of the Members of the Senate.
- d. Parliamentary Authority. At the first regular session of a newly elected Senate the Vice-President shall recommend a form of parliamentary authority. The Senate, by a two thirds (2/3) majority vote, shall approve or not approve the recommended form.
- e. Regular Sessions. Regular sessions of the Senate shall be set by the Executive Board with at least forty eight (48) hours prior notice. Regular sessions shall be held at least every two weeks during the fall and spring semesters.
- f. Special Sessions. Special sessions of the Senate shall immediately be called by the Vice-President upon occurrence of any one of the following: The reception of a petition signed by one third (1/3) of the membership of the Senate; Senate approval of a motion calling for such a session; or the reception of a Presidential order calling for such a session.

All petitions, motions or orders for a special session must state the purpose of the session, the business that may be discussed, and the time for session to be held. Twenty-four (24) hours prior notice must be given for all special sessions.

Section 2: Legislation. Upon Senate approval by the margin specified in this Constitution, the Bylaws, or parliamentary authority, legislation shall be forwarded to the President for approval or veto. If any two documents are found to be in conflict on this matter, the margin defined in the highest precedence document shall be the margin used. The order of precedence shall be the following: Constitution, Bylaws, parliamentary authority.

- a. Passage of Legislation. Should the President sign the legislation or fail to veto it prior to the regular session immediately following original passage, the legislation shall be considered passed and enacted appropriately.
- b. Presidential Veto. A valid veto shall have the word "veto" written across each page of the legislation. The President shall also sign and date the legislation at the time of veto. Vetoed legislation shall not be considered passed and shall not be executed. The President shall, at the regular session immediately following original passage, notify the Senate that the legislation has been vetoed. Vetoed legislation must appear on the agenda by the second regular session following original passage. Should the President fail to follow correctly any of the aforementioned procedures, the legislation shall be considered passed and shall be enacted appropriately.
- c. Veto Override. When vetoed legislation appears on the agenda, the Senate may consider overriding the Presidential Veto. With a two thirds (2/3) majority vote the Senate may override Presidential Vetoes. For legislation that originally required a two thirds (2/3) majority vote for passage, a three fourths (3/4) majority vote shall be required to override a Presidential Veto.
- d. Exemption from Veto. Legislation dealing with the impeachment or removal of Officers, or amending this Constitution, is not subject to veto.

Section 3: Selection of Officers

- a. Speaker of the Senate. The Speaker of the Association Senate shall be elected from and by the Senate in accordance with the guidelines set forth in the Bylaws.
- b. Committee Chairs. The Senate Committee Chairs shall be elected from and by the Senate in accordance with the guidelines set forth in the Bylaws.
- c. Filling Permanent Vacancies in Elected Offices.
1. Should a permanent vacancy occur in the office of the President, the Vice-President shall assume the office of the President.
 2. Should a permanent vacancy occur in the office of the Vice-President, the Treasurer or the Secretary, then the President shall appoint a replacement within twenty one (21) days.
 3. Should permanent vacancies occur simultaneously in the offices of the President and Vice-President, then the Speaker of the Senate shall assume the duties of the Presidency until a special election can be held. The date of the special election must be set within fourteen (14) days of the Speaker's assumption of office, and the date of the special election must fall within sixty (60) days of the Speaker's assumption of office. The special election shall be conducted in accordance with the Bylaws.
 4. Should simultaneous vacancies occur in the offices of the President, Vice-President, Secretary, and Speaker of the Senate, the Senate shall then, by majority vote, select a President pro-tempore. The President pro-tempore shall serve as Chair of Senate meetings, and as Election Commissioner, until the election of a new President. The President pro-tempore must meet all qualifications for being an Association officer. Until the election of a new President, no legislation may be passed nor any appointments made. The President pro-tempore must set the date of the special election within fourteen (14) days of his or her assumption of office, and the date of the special election must fall within sixty (60) days after the assumption of office by the President pro-tempore. The special election shall be conducted in accordance with the election bylaws.
 5. Should simultaneous vacancies occur in the offices of the Vice-President, Secretary, and Speaker of the Senate, a Chair pro-tempore shall be chosen by majority vote of the Senate. The temporary chair shall serve until a new Vice-President is appointed. Should the senate not approve a nomination, the President shall nominate a different candidate within fourteen (14) days.

6. Should a permanent vacancy occur in the office of the Speaker of the Senate, the Senate shall elect a new Speaker in accordance with the Bylaws.

d. Filling Vacancies in Appointed Positions. The President shall make nominations for all appointments by the second regular meeting of that numbered Senate. Appointed officers shall assume office upon approval by the Senate. If a permanent vacancy occurs in an appointed office the President shall select a nominee within twenty one (21) days. Should the Senate not approve a nomination, the President shall nominate a different candidate within fourteen (14) days. All appointees, whether filling an elected position that has been vacated, or an appointed position, must be interviewed by at least the President, the Speaker of the Senate, and one other member of the Review and Recommendations Committee.

Section 4: Removal of Officers

a. Impeachment of Elected Officers. Valid grounds for impeachment of elected officers shall be failure to discharge the duties of office, and/or conduct unbecoming an Association Officer.

b. Procedure

1. Impeachment proceedings shall be initiated by the passage of a resolution of impeachment. Said resolution shall detail the charges against the officer, require a two thirds (2/3) majority vote for passage, and shall not be subject to Prior Notice, review, or Presidential veto.

2. Should the Senate wish to remove the officer from office, a bill shall be drawn up, the purpose of which shall be to formally remove the officer from office. Said bill shall require two thirds (2/3) majority vote for passage, and shall not be subject to Prior Notice, review, or Presidential veto. Upon passage of this bill, the officer is considered to be convicted of the charges outlined in the resolution of impeachment, and shall immediately be removed from office.

c. The Speaker of the Senate. In the event that the Speaker of the Senate is impeached and convicted, he or she shall be removed from the position of Speaker, but shall remain as a representative of his or her local government unless further action is taken by that government.

d. Removal of Appointed Officers. An appointed officer may be removed by legislation specifying such action. Such legislation shall require a two thirds (2/3) majority vote for passage. Valid grounds for removal of appointed officers shall be:

1. Failure to discharge the duties of office
2. Conduct unbecoming an Association officer
3. Failure to work in accordance with Senate and Executive Board directives

ARTICLE IV: ASSOCIATION OFFICERS

Section 1: Officers. The Officers of the Association shall be the President, Vice-President, Secretary, Treasurer, Speaker of the Senate, Committee Chairs, the National Communications Coordinator, and the Election Commissioner. All Officers shall report to the Association Senate upon request and take on any additional duties as specified in this Constitution, in the Association Bylaws, or in parliamentary authority. If at any time an officer fails to meet the requirements set forth below, he or she shall be considered removed from his or her office.

a. Elected Officers. The President, Vice-President, Secretary and Treasurer shall be elected annually by the General Membership of the Association. They shall assume the duties of their office at the first regular meeting of the Association Senate after their election. The President and Vice-President shall be elected as a single item on the ballot. The Secretary and the Treasurer shall each be elected separately.

b. Eligibility of Elected Officers. Elected Officers must have a minimum 2.0 cumulative GPA, cannot be on conduct probation at the University of Nebraska-Lincoln, and cannot be A- or B-line Housing officials. They must have lived within the halls for at least one semester. Resident Assistants may not serve as elected Officers.

c. Eligibility of Appointed Officers. Appointed Officers must have a minimum 2.0 cumulative GPA, cannot be on conduct probation at the University of Nebraska-Lincoln, and cannot be A- or B-line Housing officials. They must have lived within the halls for at least one semester. Resident Assistants may serve as appointed Officers.

Section 2: Duties and Powers of Association Officers.

a. The President shall:

1. Verify quorum and attendance at meetings of the Executive Board;
2. Report to the Senate on all Executive Board actions;
3. Serve as the Association representative;
4. Appoint alternate or additional representatives with Executive Board approval;
5. Submit a balanced budget for Senate approval by the fourth regular session of each semester;
6. Appoint Association and Special Committee chairs;
7. Appoint replacements for unfilled executive offices;
8. Not have the power to submit legislation to the Association Senate, except for Budget Bills;
9. Not have the right to vote, make, or second motions;
10. In good faith, and to the best of his or her ability, enact all duly passed legislation; and,
11. Direct action to the Association and Special Committees.

b. The Vice-President shall:

1. Set agendas for, call, verify quorum and attendance for, and preside over Senate meetings;
2. In the event of a temporary absence of the President, assume the duties of the President, for the duration of the President's absence;
3. Not have the right to vote, except in the event of a tie; and,
4. Not have the right to submit legislation, make, or second motions.

c. The Secretary shall:

1. Take and distribute minutes at meetings of the Senate and the Executive Board;
2. Keep a record of minutes taken;
3. Submit material to the University Archives; and,
4. Chair meetings of the Senate when the Vice-President is unable to do so.

d. The Treasurer shall:

1. Keep all financial records of the Association; and,
2. Upon request, report to the Senate concerning the financial records of the Association.

e. The Speaker of the Senate shall:

1. Serve as the Senate's representative to the Executive Board;
2. Chair the Committee on Review and Recommendations;
3. Preside over meetings of the Senate in the absence of the Vice-President and Secretary until a temporary chair is selected.

Section 3: Duties and Powers of Appointed Officers. The Appointed Officers shall be the Association committee chairs, National Communications Coordinator, and Election Commissioner.

a. The Committee Chairs shall:

1. Set the agenda for, call, and preside over meetings of their committee, giving at least twenty four (24) hours prior notice for said meeting;
2. Report to the Senate and the Executive Board all actions of their committees; and,
3. Have any other responsibilities as defined in the Bylaws or through the passage of legislation.

b. The National Communications Coordinator shall:

1. Coordinate delegations to the MACURH and NACURH conferences;
2. Attend regional and sub-regional business meetings;
3. Maintain monthly communications with other National Communications Coordinators in this region;
4. Maintain resource files of program materials acquired at conferences, and serve as a general programming resource for the Association and local governments;
5. Perform all duties as outlined by the MACURH and NACURH constitutions and bylaws; and,
6. Be appointed by February 1 and serve until February 1 of the next year

c. The Election Commissioner shall:

1. Serve as chair of the Electoral Commission; and,
2. Coordinate and oversee all elections of the Association.

ARTICLE V: THE EXECUTIVE BOARD

Section 1: The Executive Board shall supervise and direct those bodies and individuals involved in the execution of this Constitution, the Bylaws, local government charters, duly passed legislation, and all procedures and regulations of the Association. The Executive Board shall further take on any powers and responsibilities granted it elsewhere in this Constitution or in the Bylaws, or through the passage of legislation.

Section 2: The Executive Board shall consist of the elected and appointed Officers of the Association.

Section 3: The Executive Board shall meet at the discretion of the President.

Section 4: Quorum for meetings of the Executive Board shall consist of a simple majority of all current membership of the Executive Board.

Section 5: Executive Board Directives and Policies. All actions and policies concerning the Association office and employees shall be dealt with solely by the Executive Board. The Executive Board shall take all action necessary to represent the views of the Association to University committees, administrators and other external bodies. The Executive Board shall coordinate the representation of the Association during breaks.

ARTICLE VI: COMMITTEES

Section 1: Types and Powers. There shall be three types of Committees: Association Committees, Senate Committees, and Special Committees. In addition, the Electoral Commission shall be considered a Committee. The powers and scope of each Committee shall be as set forth in the Bylaws.

Section 2: Association Committees. Association Committees shall be concerned with the educational and social needs of the General Membership. Membership shall be open to all General Members of the Association.

Section 3: Senate Committees. Senate Committees shall be concerned with University policy and Association business. Membership on Senate Committees is restricted to Members of the Association Senate. Senate Committees shall require one voting representative from each of the recognized local governments, except when this forces a Member of the Senate to be on two such Committees.

Section 4: Special Committees. Special Committees shall be concerned with those matters, pressing or of limited duration, not adequately addressed by the other Committees.

Section 5: The Electoral Commission. The Electoral Commission shall be responsible for Association elections and all other tasks as defined in this Constitution and the Association Bylaws.

Section 6. The President and the Vice-President shall be non-voting members of every Committee, having the right to attend all meetings and functions. Senate Committees, by a majority vote, may exclude the President and the Vice-President from their meetings.

ARTICLE VII: THE LOCAL GOVERNMENTS

Section 1: Local governments shall reserve the right to exercise the inherent powers of the local governments pursuant to the provisions of this Constitution, the Bylaws, local government charters, and all applicable procedures, regulations, and directives of the Senate.

Section 2: Local government powers. The inherent powers of the local governments shall be to:

- a. Elect or appoint their own officials and form appropriate governmental structures as deemed necessary to fulfill the stated purposes and goals of the local government;
- b. Set their own budget within the financial boundaries prescribed by the Association;
- c. Plan and execute events of a social or educational nature for residents within their jurisdiction;
- d. Establish procedures for the election and operation of floor governments and the selection of local government assembly members;
- e. Work with their local Housing staff to improve living conditions within their jurisdiction;
- f. Set policies for the use of common areas within their jurisdiction;
- g. Express the opinion of the General Membership within their jurisdiction; and,
- h. Introduce legislation and issues to the Senate for its consideration.

Section 3: Local Government Charters. The local governments shall each operate under a separate and unique local government charter, as set forth in the Bylaws. A local government charter, and any changes made subsequently thereto, must be in accordance with this Constitution and the Association Bylaws in order to become valid. A member residence hall must belong to a recognized local government with a valid charter in order to receive the privileges and benefits of a member residence hall as set forth in this Constitution.

Section 4: Local Elections. Local hall Presidents and Senators shall be elected or appointed from the student population of the hall which they represent. Elections in the local governments shall be consistent with this Constitution, the Bylaws, and the respective local government charter.

Section 5: Jurisdiction. The local governments shall each represent a separate and unique constituency; no overlapping of jurisdictions shall be allowed.

ARTICLE VIII: ADVISORS

Section 1: The Association shall have one Primary Advisor, which must be a permanent Academic/Administrative or Managerial/Professional faculty/staff member of the University of Nebraska-Lincoln, and may have any number of Secondary Advisors, which may be permanent Academic/Administrative, Managerial/Professional, or Office/Service staff members or Graduate Assistants of the University of Nebraska. Only the Primary Advisor may approve expenditures of funds.

Section 2: The director of University Housing shall appoint the Advisors of the Senate and Executive Board.

Section 3: The Senate may petition the Director of Housing to reconsider his or her appointment of any Advisor by enacting legislation to that effect, requiring a two-thirds (2/3) vote for approval.

Section 4: An Advisor of a body shall have the same rights of debate as a voting member of the body, but shall not have the right to make, second, or vote on motions of the body.

ARTICLE IX: FINANCE

Section 1: Funding of the Association. The Division of University Housing shall collect an amount specified annually by the Senate, per student per semester, for the Association. The Association may execute any money-making projects which do not violate the provisions of this Constitution or any applicable state or federal law, and are approved by the appropriate University agencies.

Section 2: The funds of the Association shall be handled by the office of Student Organizations Financial Services, regardless of source.

Section 3: The Association shall operate within its budget. No revision subsequently made to the budget shall place the proposed expenditures of the Association in excess of its current financial resources.

ARTICLE X: CONSTITUTIONAL AMENDMENTS

Section 1: Amendments to this Constitution shall require Prior Notice and a two thirds (2/3) vote of the Senate in addition to ratification, as described below. Constitutional Amendments shall not be subject to Presidential Veto.

Section 2: A Constitutional amendment so passed shall, as specified in the enacting legislation of the Constitutional amendment, be ratified by either majority approval by the legislative assemblies of local governments representing at least two thirds (2/3) of the General Membership of the Association, or majority approval of the General Membership voting in a regularly-held election of the Association.

Section 3: All amendments to this Constitution must be approved by ASUN. Ratified amendments to this Constitution that are approved by ASUN shall become valid immediately upon approval, or at a later time as specified in the enacting legislation of the amendment. Constitutional amendments not approved by ASUN shall be considered null and void.

ARTICLE XI: BYLAW AMENDMENTS

Section 1: An amendment to the Association Bylaws shall require Prior Notice and shall be voted upon at the next regular session. A two-thirds (2/3) majority of the Senate is required for the passage of a bylaw amendment. No ratification shall be required.

ARTICLE XII: DISTRIBUTION OF FINANCES AND PROPER BUSINESS AUTHORITY

Section 1: Organizational monies will be handled by Student Organizational Financial Services, regardless of source. No part of the earnings of RHA shall inure to the benefit of or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered. The Association shall not engage in any activities not permitted to an organization exempt from federal income tax under Section 501 of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue laws).

Section 2: No substantial part of the activities of the Association shall be the carrying on of propaganda. The Association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

ARTICLE XIII: NON-DISCRIMINATION

Section 1: The Association shall not discriminate in the selection of members or appointments when discrimination is defined as denying individuals membership or appointment on the basis of gender, age, disability, race, color, religion, marital status, veteran's status, national or ethnic origin, gender identity or expression, or sexual orientation.

ARTICLE XIV: CONSTITUTIONAL AUTHORITY

Section 1: This Constitution is the final authority in all Association business. Any bylaw, Local Government Charter, or legislation that conflicts with this Constitution shall be considered null and void.

ARTICLE XV: PERIODIC REVISION OF THE CONSTITUTION

Section 1: This Constitution shall be reviewed, and, if needed, revised periodically, with the time between actions not to exceed sixty (60) months.

Section 2: Review and revision of this Constitution shall be the responsibility of a Special Committee, to be chaired by the Speaker of the Senate, or another Member of the Senate, at the discretion of the President. This Constitutional Revision Committee shall be composed of the Review and Recommendations Committee, any interested Members of the Senate, and any interested General Members of the Association.

ARTICLE XVI: EFFECTIVE DATE

Section 1: This constitution shall go into effect March 15, 2006.