**Kauffman Residents’ Association Constitution**

**PREAMBLE**

The name of this organization shall be the Kauffman Residents’ Association, and its governing body shall be the Kauffman Council. The purpose of the Kauffman Residents’ Association shall be to represent the residents of the Kauffman Academic Residential Center; act as a liaison between the Residence Hall Association and the residents; serve as a means of communication among residents; promote unity among the residents; organize and support social, recreational, educational, and cultural activities for the benefit of the residents; and serve as an open forum for the exchange of ideas.

**DEFINITIONS**

*University* – The University shall refer to the University of Nebraska–Lincoln.

*ASUN* – ASUN shall refer to the Association of Students of the University of Nebraska–Lincoln.

 *Kauffman* – Kauffman shall refer to the Kauffman Academic Residential Center, a residence hall located on the campus of the University.

*KRA* – KRA shall refer to the Kauffman Residents’ Association.

*RHA* – RHA shall refer to the Residence Hall Association of the University, which is the governing body of all residence halls on the campus of the University, including Kauffman.

*Membership* – The Membership shall refer to all of the residents of Kauffman, as all residents are considered members of KRA.

*Wing* – A Wing shall refer to one half of one floor of Kauffman. There are four of these at the present time: Second Floor East, Second Floor West, Third Floor East, and Third Floor West. A Wing, as stated in this Constitution, is the equivalent of a Floor as stated in the RHA Constitution and Bylaws.

*Council* – The Council shall refer to the governing body of KRA, composed of persons from within the Membership.

 *Resident Assistant (RA)* – A Resident Assistant (RA) shall refer to the University-employed assistant for each Wing.

**ARTICLE I: MEMBERSHIP AND ORGANIZATION**

**Section 1: Eligibility**

All residents of Kauffman are considered members of KRA. Only persons residing in Kauffman may serve as Executive Board Members or Wing Representatives on the Council.

**Section 2: Structure**

The Council shall consist of the Executive Board as well as three elected representatives from each Wing who shall be referred to as Wing Representatives. The Executive Board of the Council shall consist of the elected Executive Officers. No person shall hold any two positions on the Council simultaneously.

**Section 3: Minimal Organizational Requirements**

A student organization such as KRA shall consist of at least five currently enrolled student members. Non-students will be allowed to participate in any student organization activity but will not be voting members or elected or appointed officers of said organization. A non-student is someone who is not currently enrolled at the University for the fall or spring semester.

**Section 4: Process for Dissolution**

Upon the dissolution of KRA, the officers and advisors shall, after paying or making provisions for the payment of all liabilities of KRA, dispose of all the assets of KRA exclusively for charitable, educational, religious, or scientific purpose to organizations which shall, at the time, qualify as an exempt organization under Section 501C of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law), as the officers and advisors shall determine. Any such assets not disposed of shall be disposed of by the Office of Vice Chancellor of Student Affairs, exclusively for such purposes to such organizations, as determined by the Office of Vice Chancellor of Student Affairs.

**ARTICLE II: EXECUTIVE BOARD**

**Section 1:** **Executive Officers**

The Executive Officers of the Council shall include the President, Vice President, Secretary, Treasurer, RHA Senator, and Freshman Representative. The Executive Officers shall live in Kauffman and meet University eligibility requirements. Executive Officers shall not serve as a Wing Representative and shall not be a Resident Assistant. Executive Officers shall attend all meetings of the Executive Board and the Council.

**Section 2:** **Terms of Office**

Terms of Executive Officers shall begin following their election after a transition period of no more than three weeks and shall end following the transition period of their elected successors. Executive Officers are not limited in the number of consecutive terms to which they can be elected.

**Section 3: Executive Board Elections**

**Subsection A: Overall Election Policies**

Candidates wanting to appear on the ballot for an Executive Board office must first complete the required candidacy forms. Candidacy forms shall be forms required for candidacy as provided by the Assistant Director of Residence Life who serves as the advisor of RHA and distributed by the Election Commissioner. The Election Commissioner shall be the Primary Advisor or the Primary Advisor may appoint a member of KRA not running for an Executive Board office to serve as the Election Commissioner. In the event of a tie, a runoff election shall be held within a week of the tied election.

**Subsection B: Regular Elections**

Regular elections of the Executive Board, except for the office of the Freshman Representative, shall be held within the first two weeks of April. The election of the Freshman Representative shall take place at the same time as the election of Wing Representatives, and should any other Executive Office not be filled within the first two weeks of April due to lack of candidates, another election for said position shall take place at the time of the next election of the Wing Representatives.

**Subsection C: Special Elections**

Special Elections will be held within one week of a position being vacant or of a recall petition. Candidates wanting to appear on the ballot for a Special Election must first complete the required candidacy forms.

**Section 4: Attendance**

All Executive Board members shall be required to attend all meetings of the Council except when excused by the President. An Executive Board member excused from an Executive Board meeting must relay all pertinent information to another Executive Board member.

Two unexcused absences shall be grounds for impeachment.

**Section 5: Vacancies**

***Subsection A: Permanent Vacancies***

Should a permanent vacancy occur in any Executive Office, that vacancy shall be publicized immediately to the Membership by the Presiding Officer. To determine the Presiding Officer, the chain of command in the event of a vacancy shall be as follows: President, Vice President, Treasurer, Secretary, RHA Senator, and Freshman Representative. Vacancies shall be filled by a Special Election, as set forth in Section 3 of this Article. Persons elected to fill a vacancy shall serve the remainder of the original term.

***Subsection B: Temporary Vacancies***

In the case of temporary vacancies, the Presiding Officer shall be the next Executive Officer in succession until such time that the original officer is able to return to the position.

***Subsection C: Simultaneous Vacancies***

In the case that the offices of President, Vice President, Treasurer, Secretary, RHA Senator, and the Freshman Representative are simultaneously vacated, the Council shall be responsible for electing a Presiding Officer. This Special Election shall be carried out as described in Section 3 of this Article. The Presiding Officer shall temporarily have all the powers of the President—with the exception of the veto power.

**Section 6: Removal of Officers**

***Subsection A: Impeachment***

Valid grounds for impeachment shall be failure to discharge the duties of office, conduct unbecoming of an Executive Officer, or failure to work in accordance with Council and Executive Board directives. Impeachment proceedings shall be initiated by the passage of a resolution of impeachment by the Council. Said resolution shall detail the charges against the Officer, require a two-thirds majority of the Council for passage, and not be subject to prior notice or review. Upon passage of a resolution of impeachment, the accused officer shall have his or her case heard before the Council. If said officer is convicted by the Council by a two-thirds majority vote by private ballot, he or she shall immediately be removed from office and shall be ineligible to run for any Executive Board office in any Special Election for the remainder of the academic year in which he or she was impeached. Any vacancies created by an impeachment conviction shall be filled according to Section 5 of this Article.

***Subsection B: Recall***

Any Executive Officer shall be subject to a recall election when the President receives a petition to that effect, bearing the signatures of at least thirty percent of the Membership. If the President is the Executive Officer named in the petition, then the Vice President shall be the Executive Officer to receive the petition. The recall elections shall be held within one week of receipt of the petition, according to the rules for a Special Election in Section 3 of this Article. The only question on the ballot shall be whether or not the Executive Officer in question shall continue in office. A two-thirds-majority vote of the Membership shall be necessary to remove that Officer. If said officer is removed, he or she shall be ineligible to run for any Executive Board office in any Special Election for the remainder of the academic year in which he or she was recalled. Any vacancies created by recall elections shall be filled according to Section 5 of this Article.

**ARTICLE III: WING REPRESENTATIVES**

**Section 1: Qualifications**

All Wing Representatives shall live in Kauffman in their respective Wings, meet University eligibility requirements, and not be a Resident Assistant or an Executive Board member.

**Section 2: Terms of Office**

Wing Representatives shall be elected by their respective Wings no more than three weeks after the beginning of the academic year and shall serve until the end of that academic year.

**Section 3: Wing Representative Elections**

Regular elections for Wing Representatives and Freshman Representative shall be held within the first three weeks of the beginning of the academic year to select three representatives from each wing in Kauffman. Candidates wanting to appear on the ballot for a Wing Representative position must first complete the required candidacy forms. The Election Commissioner shall be the Presiding Officer or the Presiding Officer may appoint a member of KRA not running for Wing Representative to serve as the Election Commissioner. In the case that a wing has less than three candidates, the vacant position will be filled by remaining candidates from other wings with the highest amount of votes.

**Section 4: Attendance**

All Wing Representatives shall be required to attend all meetings of the Council. In the case that a Wing Representative is unable to attend a meeting, he or she shall be responsible for providing a proxy to assume his or her duties during the meeting. A proxy does not need to reside in the same Wing as the Wing Representative, but the proxy shall not be a member of the Executive Board, another Wing Representative, or a Resident Assistant. If a proxy cannot be found, the absence must be approved by the Vice President. If a Wing Representative accumulates three unexcused absences, that Wing Representative shall be considered to have resigned his or her position. It shall be the duty of the Vice President to inform an offending Wing Representative after each of the first two unexcused absences that he or she is in danger of losing his or her position.

**Section 5: Vacancy**

Should a permanent vacancy occur in the position of a Wing Representative, such vacancy shall be publicized to the Membership by the Presiding Officer at the next Council meeting after the vacancy has occurred. Nominations from within the Membership to fill said vacancy shall be made to the Vice President who shall then present the names of those nominated to the Executive Board. Vacancies shall be filled from said nominations by a majority vote of the members of the Executive Board. Persons chosen to fill a vacancy shall serve for the remainder of the academic year.

**ARTICLE IV: ADVISORS**

**Section 1: Eligibility**

KRA shall have one Primary Advisor, who must be a regular Academic/Administrative or Managerial/Professional faculty/staff member of the University. KRA may also have any number of Secondary Advisors, who may be permanent Academic/Administrative, Managerial/Professional, or Office/Service staff members or Graduate Assistants of the University. Only the Primary Advisor may approve expenditures of funds.

**Section 2: Primary Advisor**

The Primary Advisor of KRA shall be the Kauffman Center Residence Director.

**Section 3: Responsibilities**

The Primary Advisor shall be responsible for attending all Council and Executive Board meetings.

**Section 4: Petition of Advisor**

The Council may petition the Director of University Housing to appoint a new Primary Advisor, with the passage of such a motion requiring a two-thirds-majority vote by the Council.

**ARTICLE V: MEETINGS AND PROCEDURES**

**Section 1: Council Meetings**

The Council shall meet no later than the third week of the semester and at intervals thereafter of not more than two weeks through the fourteenth week of the semester. The Council shall not hold official meetings during the fifteenth week or finals week.

**Section 2: Open Meetings**

Anyone within the Membership shall have the right to attend all meetings of KRA. Any outside groups or persons wishing to attend meetings of the Council or speak at open forum must contact the President or the Primary Advisor and receive approval from the Executive Board.

**Section 3: Voting Privileges**

All recognized Wing Representatives shall be given one vote each. Other residents in the Membership, Executive Board members, Advisors, and Resident Assistants shall not have the right to vote.

**Section 4: Quorum**

A quorum in Council meetings shall consist of a simple majority of the Wing Representatives and shall be required to perform any official actions. A quorum in Executive Board meetings shall consist of a simple majority of the Executive Board.

**Section 5: Legislative Powers**

Legislative powers shall reside in the Council and shall be concerned with, but not limited to, matters of mutual concern to all Wings, passage of motions stating policy recommendations, reflecting Membership opinions, or offering approval on matters of interest to the Membership, approval of the Council budget, enactment of Bylaws by a two-thirds vote of the Wing Representatives, and impeachment of members of the Executive Board by the procedures specified in Article II. If the President is permanently absent, all legislation must still pass by simple majority of the current Wing Representatives until a new President is elected.

**Section 6: Regulatory Powers**

The Council shall have the regulatory powers to determine the use of its allocated funds, create standing and ad-hoc committees as the Council deems necessary, decide questions arising from elections contested on the ground of violating this Constitution, and perform any and all other duties set forth in this Constitution.

**Section 7: Veto**

If the President does not veto legislation before the regular Council meeting following the meeting at which said legislation was passed, the legislation shall be considered enacted. If a piece of legislation is vetoed by the President, said legislation must appear on the agenda of the next regular meeting. At that time, the Council may vote to override the veto. A two-thirds vote of the members of the Council present shall be required to override the veto, at which time the legislation shall be considered enacted.

**Section 8: Procedures**

The Council shall follow the most recent edition of the *NU Book: A Policy Guide for Student Organizations and Student Organized Activities*.

**ARTICLE VII: FINANCE**

**Section 1:** **Dues**

There shall be no dues or membership fees required by the Council.

**Section 2: Money-Making Projects**

All money-making projects shall be subject to approval by the Office of Student Involvement.

**Section 3: Handling of Funds**

Organizational monies will be handled by Student Organization Financial Services (SOFS) in association with the Treasurer, regardless of source. KRA shall operate according to the rules and guidelines of a non-profit entity. No part of the net earnings of KRA will inure to the benefit of individuals. KRA shall not be organized or operated for the benefit of private interests, such as the creator or the creator’s family, shareholders of the organization, other designated individuals, or persons controlled directly or indirectly by such private interests. KRA shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in this document. KRA will not, as a substantial part of its activities, attempt to influence legislation (unless it elects to come under the provisions allowing certain lobbying expenditures) or participate to any extent in a political campaign for or against any candidate for public office. Notwithstanding any other provision of this constitution, KRA shall not carry on any other activities not permitted to be carried on by 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).

**ARTICLE VIII: AMENDMENTS**

**Section 1: Origin of Proposals**

Proposals for amendments to this Constitution shall be originated by legislation to that effect or by a petition bearing the signatures of not less than ten percent of the Membership.

**Section 2: Distribution of Proposals**

Proposals shall be published and distributed in their entirety to the Council not less than four days prior to the scheduled vote, and shall be adequately publicized by whatever means the Council deems appropriate not less than two days prior to the scheduled vote. Proposals may be provided to the Council by reasonable electronic means including, but not limited to, electronic mail.

**Section 3: Voting on Proposals**

Proposals shall be voted upon by the Council, with a two-thirds majority of the Wing Representatives necessary for adoption.

**Section 4: Validation of Amendments**

An amendment to this Constitution shall be valid upon being approved by RHA and ASUN.

**ARTICLE IX: NON-DISCRIMINATION POLICY**

This organization does 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, genetic information, race, color, religion, pregnancy, marital status, veteran’s status, national or ethnic origin, gender identity or expression, political affiliation, or sexual orientation. It shall be the policy of KRA to administer its meetings, programs and events in a manner which does not discriminate against participants on any of the bases described in this Article. Any forms of discrimination and/or harassment on the bases described in this Article will not be condoned or tolerated.

This Constitution shall go into effect on September 24th, 2018.

Executive Board Approval:

President Emily Wagner Date 9/24/18

Vice President Sean Plowman Date 9/24/18

Treasurer Karl Shaffer Date 9/24/18

Secretary Allison Inman Date 9/24/18

RHA Senator Caleb Ricketts Date 9/24/18

Freshman Rep. Sierra Futterman Date 9/24/18