

VOLUME I

# Constitution of the University of North Carolina Association of Student Governments<sup>i</sup>

We, the students of the constituent institutions of the University of North Carolina, desiring to preserve within this University an atmosphere of free discussion, inquiry and self-expression, to insure the personal freedom and general welfare of the Student Body, and to continue in this State's time-honored tradition of responsible self-government, do hereby establish this Constitution of the University of North Carolina Association of Student Governments.

## Article I. MISSION, PURPOSES AND MEMBERSHIP.

**SECTION ONE – Mission.** Founded and funded by students, the University of North Carolina Association of Student Governments champions the concerns of students and ensures affordability and accessibility to quality education today and tomorrow.

**SECTION TWO – Purposes.** As noted in the University of North Carolina Board of Governors policy formally recognizing the Association of Student Governments as the student organization designated to represent the interests of students in the deliberations of the Board, the purposes of the Association shall be to:

- A. represent the students of the University before the University of North Carolina Board of Governors;
- B. develop and maintain open lines of communication between institutions, promote each student's right to a quality education, and promote the issues deemed beneficial to students;
- C. actively promote affordable, quality higher education within the State of North Carolina;
- D. act as a liaison between the students and the Governor of the State of North Carolina, the North Carolina General Assembly, the Office of the President of the University of North Carolina, and other state and federal officials;
- E. address and act on the collective interests of students enrolled in member institutions;
- F. involve students in the political process by educating students on the issues affecting them and the university;
- G. actively involve students in the area of governmental relations so as to promote the passage or defeat of legislation, which the Association deems relevant to the education of students, their institutions, and higher education in North Carolina;

- H. promote and maintain conditions conducive to academic freedom; and
- I. promote unity and cooperative efforts between the seventeen public institutions of The University of North Carolina.

**SECTION THREE – Membership.** The Association of Student Governments shall be comprised of the recognized constituent institutions of the University of North Carolina, as specified in §116.4 of the General Statutes of the State of North Carolina, specifically:

- 1. the University of North Carolina at Chapel Hill;
- 2. North Carolina State University at Raleigh;
- 3. the University of North Carolina at Greensboro;
- 4. the University of North Carolina at Charlotte;
- 5. the University of North Carolina at Asheville;
- 6. the University of North Carolina at Wilmington;
- 7. Appalachian State University;
- 8. East Carolina University;
- 9. Elizabeth City State University;
- 10. Fayetteville State University;
- 11. North Carolina Agricultural and Technical State University;
- 12. North Carolina Central University;
- 13. the University of North Carolina School of the Arts;
- 14. the University of North Carolina at Pembroke;
- 15. Western Carolina University;
- 16. Winston-Salem State University; and,
- 17. the North Carolina School of Science and Mathematics.

All members of the Association shall be entitled to full participation in its governance and activities, and no amendment, act, legislation or similar instrument shall be in order that prevents any member from so participating.

## Article II. LEGISLATIVE.

**SECTION ONE – The General Assembly.** The supreme authority of the Association of Student Governments shall be vested in the General Assembly, when assembled and otherwise vested in the Council of Student Body Presidents.

**SECTION TWO – Sessions of the Association.** Each regular session of the General Assembly shall begin on May 1st of each calendar year and shall end on April 30th.

**SECTION THREE – Composition and apportionment.** The General Assembly shall be composed of 68 delegates who shall represent each of the constituent members of the Association, as well as such other members as may be specified herein or in the Association Statutes. Delegates shall be apportioned equally among the constituent members. All delegates shall be students in good academic and conduct standing and enrolled as degree-seeking students at their respective institutions, and shall remain enrolled and students in good academic and conduct standing throughout their term of office.

**SECTION FOUR – Selection of delegates.** Delegates shall be chosen in such a manner as each constituent member of the Association may prescribe through the legislative authority thereof, provided the Student Body President at each institution shall be an *ex officio* delegate and delegation leader for the institution.

If no means of selection is prescribed for the remaining delegates to be selected by an institution, the Student Body President of that institution shall appoint such delegates subject to the approval of the institution's legislative authority or the General Assembly when appropriate.

**SECTION FIVE – President and Senior Vice President as *ex officio* members.** The President of the Association shall be an *ex officio* member of the General Assembly, except that he or she shall not have a vote. The Senior Vice President shall be an *ex officio* member of the General Assembly, except that he or she shall not have a vote except in the case of a tie vote by the General Assembly.

**SECTION SIX – Term of office.** The term of office for each *ex officio* delegate shall begin on the date of his or her election and shall end on the date he or she leaves office or upon the adjournment *sine die* of the General Assembly, whichever occurs first. The term of office for each non-*ex officio* delegate shall begin

on the date of his or her appointment or election and shall end on the date prescribed by the institution represented or upon the adjournment *sine die* of the General Assembly, whichever occurs first.

**SECTION SEVEN – Vacancies.** Vacancies created by the resignation or removal of a duly serving delegate, or upon a duly serving delegate's election or appointment as an Executive Officer of the Association, shall be filled by an alternate who shall be selected in identical form to the selection of delegates prescribed herein.

**SECTION EIGHT – Officers of the General Assembly.** The Senior Vice President of the Association shall be the presiding officer of the General Assembly. The General Assembly shall elect from its membership, at the first meeting of each annual session and at such other times as the position may become vacant, a Speaker *Pro Tempore* who shall preside over the General Assembly whenever the Senior Vice President is unable or unwilling to do so and who shall succeed to the position of Senior Vice President should it become vacant. The General Assembly shall elect from its membership such other officers as may be necessary for its successful operation.

**SECTION NINE – Powers and duties of the General Assembly.** The General Assembly shall:

- A. accredit its own membership;
- B. establish its own meeting times;
- C. establish its own rules of procedure by majority vote, which shall be included in the Association Statutes;
- D. enact by a two-thirds majority vote the Association Statutes;
- E. enact all legislation necessary and proper to promote the personal freedom and general welfare of the Student Body of the University of North Carolina;
- F. maintain a detailed journal of all proceedings and votes thereof, which it shall cause to be printed and made public at the earliest possible convenience after the adjournment of such proceedings;
- G. provide for the annual compilation and publication of relevant Association documents in order that the students may be informed;
- H. approve an annual budget for any funds placed under the authority of the Association;
- I. allocate designated funds under the authority of the Association to (a) units of the Association, or (b) the constituent members of the Association

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for such purposes as the General Assembly shall deem compatible with the personal freedom and general welfare of the Student Body;

- J. override a presidential veto by a two-thirds vote;
- K. confirm or reject appointments by the Association President by a majority vote, except for such minor appointments as the General Assembly shall deem proper not to require approval;
- L. try all impeachments and suspend or remove from office by a three-fourths majority vote any elected or appointed official for malfeasance in office if the individual (a) has been elected by the General Assembly, or (b) has been confirmed by the General Assembly through a constitutionally-specified majority; and,
- M. have such further powers and duties as may be prescribed in the Association Statutes.

**SECTION TEN – Committees of the General Assembly.** The concerns of the Association, including relevant legislation, shall be investigated and reviewed by such standing committees of the General Assembly as it may deem necessary to establish. All standing committees and applicable committee duties shall be chartered in the

Association Statutes. Select, *ad hoc* and other such committees may also be created as prescribed in the Association Statutes. The Senior Vice President shall be an *ex officio* voting member of all committees of the General Assembly.

**SECTION ELEVEN – The Council of Student Body Presidents.** The Council of Student Body Presidents shall be a permanent standing committee of the General Assembly and shall have general oversight regarding the financial and personnel matters of the Association. The membership of the Council shall include the President of the Association and the Student Body President of each constituent member of the Association; the Senior Vice President and Speaker *Pro Tempore* shall also be *ex officio* members of the Council, except that they shall not have a vote. The initial meeting of the Council in each session shall be convened and presided over by the President, whereupon the Council will proceed to elect by majority vote both a Chairman and a Vice Chairman. The Council shall meet during each regular meeting of the General Assembly and at such other times as it or the President may deem appropriate.

**Article III. EXECUTIVE.**

**SECTION ONE – The Executive Branch.** The executive authority of the Association shall be vested in an elected President, who shall have the assistance of an elected Senior Vice President and such other Vice Presidents and other officials as the President may deem appropriate to appoint. All such officials shall be considered Executive Officers of the Association. All Executive Officers shall at the time of election or appointment be students in good academic and conduct standing and enrolled as degree-seeking students at constituent members of the Association, and shall remain enrolled and students in good academic and conduct standing throughout their respective terms of office.

**SECTION TWO – Election of President and Senior Vice President.** The President and Senior Vice President shall be elected for a one-year term by a majority vote of the General Assembly in a single election during its March meeting. If the General Assembly does not have quorum at that meeting, the election shall take place during its April meeting. No person shall be eligible for election to the office of President or Senior Vice President unless he or she has first served as a delegate to the Association or executive officer of the Association for the majority

of at least one session. In addition, no person shall be elected to the position of President or Senior Vice President more than twice.

**SECTION THREE – Term of office.** The term of office of the President and Senior Vice President shall coincide with the session of the General Assembly immediately following their election.

**SECTION FOUR – Succession.** If the President is removed or leaves office for any reason, the Senior Vice President shall become President. If the Senior Vice President is removed or leaves office for any reason, the Speaker *Pro Tempore* shall become Senior Vice President.

**SECTION FIVE – Powers and duties of the President.** The President of the Association shall:

- A. be Chief Executive Officer of the Association;
- B. act as the Association’s official representative and spokesperson to the public and all governmental agencies and bodies;
- C. serve as an *ex officio* member of the University of North Carolina Board of Governors, as specified in §116-6.1 of the General Statutes of the State of North Carolina;

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- D. serve as an *ex officio* member of the Council of Student Body Presidents and all subcommittees of the Council;
- E. serve as an *ex officio* non-voting member of the General Assembly;
- F. assume, and retain at all times, administrative control of the finances of the Association;
- G. prepare and recommend to the General Assembly a comprehensive budget of the anticipated revenues and proposed expenditures of the Association for the ensuing fiscal year;
- H. appoint officers necessary for the operation of the Association, to serve at the President's discretion;
- I. have the authority to veto any act of the General Assembly within ten (10) calendar days of receipt of an engrossed copy from the Senior Vice President;
- J. enforce and administer all enrolled acts passed by the General Assembly;
- K. address the General Assembly at such times as it may invite him or her to do so or at such times as he or she may request the Senior Vice President to let him or her do so;
- L. recommend to the General Assembly's consideration such measures as he or she shall deem imperative;
- M. prepare an annual report of the Association's activities following each election but prior to the adjournment *sine die* of the General Assembly; and,
- N. have such further powers and duties as may be prescribed in the Association Statutes.

### **SECTION SIX – Powers and duties of the Senior Vice President.**

- The Senior Vice President shall:
- A. be Chief Operations Officer of the Association;
  - B. serve as an *ex officio* member and presiding officer of the General Assembly, non-voting except in the case of a tie vote;
  - C. serve as an *ex officio* non-voting member of the Council of Student Body Presidents;
  - D. serve as an *ex officio* member of all other committees of the General Assembly;
  - E. call all meetings of the General Assembly;
  - F. appoint the chairmen of all committees of the General Assembly unless otherwise provided;
  - G. forward all legislation within two days of its passage to the President for his or her review;
  - H. ensure all acts of the General Assembly are faithfully executed;
  - I. coordinate the efforts of the several Vice Presidents and gather reports from them for monthly distribution to the General Assembly;

- J. assist the President in the performance of his or her duties;
- K. exercise the powers of the President if he or she is absent or otherwise prevented from doing so;
- L. have such further powers and duties as may be prescribed in the Association Statutes.

### **SECTION SEVEN – Vice Presidents and Associate Vice Presidents.**

The President shall appoint such Vice Presidents as he or she deems necessary for the successful operation of the Divisions of the Association, subject to the confirmation of the General Assembly. For each Vice President so appointed, the President shall also appoint an Associate Vice President who shall assist the respective Vice President in the execution of his or her duties. Each Vice President and Associate Vice President shall serve as a staff person to the appropriate Department of the Association as assigned by the President. The Vice President of each Department shall also produce a report of the Department's activities and submit the report to the Senior Vice President for distribution to the Association when prescribed by the Association Statutes.

### **SECTION EIGHT – Other Executive Officers.**

The President shall be empowered to appoint such other minor Executive Officers as he or she shall deem necessary for the successful operation of the Association without confirmation of the General Assembly. Executive Officers so appointed shall not receive a stipend and shall serve at the discretion of the President.

**SECTION NINE – The Board of Directors.** The Board of Directors of the Association shall be generally responsible for conducting the business of the Association between meetings of the General Assembly. The Board shall be composed of members as prescribed in the Association Statutes.

**SECTION TEN – Departments.** The operational activities of the Executive Branch shall be organized into Departments administered by a Vice President as assigned by the President and composed of delegates of the Association and such additional members as may be prescribed by Executive Order or in the Association Statutes. Each Department shall implement the various policies, programs and other initiatives placed under its jurisdiction, hold investigative hearings on matters within its jurisdiction, and produce reports on relevant topics for the Association or the President and Senior Vice President.

## Article IV. OPEN GOVERNANCE.

**SECTION ONE – Illegal Acts Prohibited.** The Association and all of its constituent units shall abide by the Constitution and laws of the United States of America, and the Constitution and laws of the State of North Carolina not inconsistent therewith.

**SECTION TWO – Open Meetings.** The Association and all of its constituent units shall follow the letter, spirit and intent of the Open Meetings Law of North Carolina, N.C. General Statutes Chapter 143, Article 33C.

**SECTION THREE – Open Records.** The Association and all of its constituent units shall follow the letter, spirit and intent of the Public Records Law of North Carolina, N.C. General Statutes Chapter 132.

**SECTION FOUR – Rules of Order.** Except as otherwise prescribed in the Association Statutes, the deliberative units of the Association shall use the latest edition of Robert’s Rules of Order, Newly Revised as their parliamentary authority.

## Article V. ASSOCIATION STATUTES.

The Statutes of the University of North Carolina Association of Student Governments, or simply the Association Statutes, shall be the by-laws of this Constitution and shall require passage by a two-thirds majority vote of the General Assembly.

## Article VI. AMENDMENTS TO THIS CONSTITUTION.

Ratification of this Constitution and future amendments thereto shall require a three-fourths majority vote of those delegates present and voting at a regular meeting of the General Assembly. This Constitution supersedes and replaces any previous documents and practices existing prior to its adoption.

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### <sup>i</sup> *Constitution Revision History*

- Created by: GB 14, 37th Session (2008-2009), adopted 08/30/2008.
- Amended by:
  - GB 20(amends Article 3 Section 8 and Section 10), 39th Session (2010-2011), adopted 01/29/2011.
  - GB 28 (amends Article 3, Section 2), 41st Session (2012-2013), adopted 2/23/2013.
  - GB4 (repeals Section Two J; amends Article II Sections One – Four, and Section Nine; amends Article III Section 1 and Section 7; repeals Article III Section 8; renames Article III Sections 8-10), 43<sup>rd</sup> Session (2014-2015), adopted 3/21/2015.