



**THE CONSTITUTION OF THE
STUDENT UNION GOVERNMENT OF
BRANDEIS UNIVERSITY**

- I. Preamble
 - II. Supremacy
 - III. Union Senate
 - IV. Union Executive Office
 - V. Union Judiciary
 - VI. Finance Board
 - VII. Union Organizations
 - VIII. Union Finances
 - IX. Union Representation
 - X. Union Elections
 - XI. Removal From Office
 - XII. Petitions
 - XIII. Amendments
 - XIV. Constitutional Review
 - XV. Implementation
-

Preamble

We, the undergraduate students and Transitional Year Program students of Brandeis University, to enable students to better provide for the needs of the student body; to help student activities achieve their maximum effectiveness; to provide for meaningful address of student concerns and perspectives through the principle of democratic representation; to exercise our indisputable right to be represented meaningfully in the affairs of the University; to foster observance of the shared goals and ideals of the University community; to develop a sense of responsibility for our own conduct and for the welfare of this University; and to protect the individual and collective rights of students do associate ourselves as an Undergraduate Student Union and do hereby establish this Constitution for the Undergraduate Student Union of Brandeis University.

Article I: Supremacy

Section 1

The Brandeis University Undergraduate Student Union, hereinafter referred to as the "Union," shall be governed by this Constitution.

Section 2

This Constitution shall supersede all other Constitutions, documents, and other related governing instruments of the Union Government and all Union Organizations.

Section 3

This Constitution shall be enacted in accordance with all federal, state, and local laws, and University policies, but the Union Government shall not be responsible for the enforcement of such laws and policies.

Section 4

A Union member will be defined as a currently registered, degree-seeking undergraduate student, including students on Study Abroad and on Domestic Leave with Credit Programs, or a student enrolled in the Transitional Year Program.

Section 5

All members of the Union, as defined In Article I, Section 4, shall have the right to vote.

Article II: Union Senate

Section 1

The legislative powers of the Union shall be vested in the Union Senate, hereinafter referred to as the "Senate." The Senate shall:

1. Represent and reflect through legislation views of the members of the Union.
2. Enact legislation consistent with the purposes set forth in this Constitution.
3. Establish and maintain Union Government By-Laws, hereinafter referred to as "By-Laws," to specify the means by which the Union Government will fulfill its Constitutional duties and exercise its Constitutional powers. These By-Laws shall remain consistent with this Constitution.
4. Approve the creation of Union Chartered Organizations and Union Recognized Organizations.
5. Confirm Union Presidential appointments to Union Executive Office positions and positions of Union representation by a simple majority.
6. Ratify the Union Government Operations Budget for each semester.
7. Reserve all powers not specifically granted elsewhere in this Constitution.

Section 2

The Union Senate shall be composed of the Union Vice-President, two Union Senators at-large, each elected by the membership of the entire Union, two Union Senators from each graduating class each elected by the members of his/her class, one Union Senator from each residential quadrangle elected by Union residents of his/her residential quadrangle, one Union Senator from an off-campus residence elected by Union members living off campus, one Union Senator for Racial Minority Students, and one Union Senator for Transitional Year Program students elected by members of the Transitional Year Program.

The term of each position shall be one year, as defined in Article IX.

The Senate shall be the sole judge of what constitutes a residential quadrangle for the purposes of Union representation, and who qualifies as a resident thereof.

The Union Senator for Racial Minority Students shall be elected by a majority vote of all Union members who have declared themselves to the University as being racial minority students.

Section 3

Each Union Senator shall have one vote. The Union Vice-President shall cast a vote only when that vote will affect the outcome of a decision.

Section 4

The Executive Senator shall be the Secretary of the Senate, with responsibilities as defined in the By-Laws. The term of the Executive Senator shall be one semester. The Executive Senator shall:

1. Be a regularly elected member of the Senate.
2. Be the President Pro-Tempore of the Senate, presiding over Senate meetings at the discretion, or in the absence, of the Union Vice-President. In such a situation, the Senate shall select a Senator to serve as Secretary.
3. Serve as an advocate for individual Union Senators and as a resource to help Senators carry out their responsibilities.
4. Serve as the Senate liaison to the Union Executive Office.

5. Assume the Senate duties of the Union Vice-President if that office becomes vacant.

Article III: Union Executive Office

Section 1

The executive powers of the Union shall be vested in the Union Executive Office. It shall be responsible for overseeing the day-to-day operations of the Union and carrying out the operations of the Union Government, in accordance with the Constitution, By-Laws, all Senate legislation, and all Union Judiciary decisions.

Section 2

The Union President, hereinafter referred to as "President," shall be the Chief Executive Officer of the Union. The President shall be elected by the membership of the entire union for a term of one year as defined in Article IX. The President shall:

1. Be ultimately responsible for upholding the Constitution and By-Laws.
2. Be ultimately responsible for the operations of the Union Executive Office.
3. Have the authority to introduce and sponsor proposed Senate legislation.
4. Reserve the power to veto specific allocations of the Union Finance Board, in accordance with the Constitution and By-Laws.
5. Be ultimately responsible for the execution of Senate legislation, Union Finance Board decisions, and Union Judiciary decisions.
6. Present charges on behalf of the Union against any Union Organization or Union Government official for failure to act in accordance with the Constitution and By-Laws, as applicable.
7. Establish and appoint presiding officers and members to Union task forces necessary to the execution of the Union Constitution and By-Laws and Senate legislation.
8. Have the power to write and sign checks on behalf of the Union. The President shall not have the authority to initiate any expenditures not previously authorized by the Senate or the Union Finance Board.
9. Create additional Union Executive Office positions and nominate appointees to fill such positions.
10. Communicate and/or meet with the President of the University at least twice each semester.
11. Communicate a State of the Union message to the Union membership at least once each semester.

Section 3

The Union Vice-President, hereinafter referred to as "Vice-President," shall be the President and Presiding Officer of the Senate. The Vice-President shall be elected by the membership of the entire Union for a term of one year as defined in Article IX. The Vice-President shall:

1. Set and publish the schedule for Senate meetings for the entire academic year, and call special meetings of the Senate as necessary.
2. Establish special committees of the Senate as necessary.
3. Assign members and appoint chairs to all standing and special committees of the Senate.
4. Assume the duties of the President in the absence of the President, or in the event the office becomes vacant.

Section 4

The Union Treasurer, hereinafter referred to as "Treasurer," shall be the Chief Financial Officer of the Union. The Treasurer shall be elected by the membership of the entire union for a term of one year as defined in Article IX. The Treasurer shall:

1. Act as the comptroller of all Union funds in accordance with this Constitution, the Union Government Budget, and Union Finance Board decisions.
2. Maintain all financial records of the Union, including Union Organization budgets.

3. Have the power to write and sign checks on behalf of the Union. The Treasurer shall not have the authority to initiate any expenditures not previously authorized by the Senate or the Union Finance Board.
4. Serve as a member of the Union Finance Board.
5. Prescribe in consultation with the Finance Board, the necessary financial reporting standards that shall be required of all Union Organizations, including the Union Government and Finance Board itself to receive their respective portions of the Student Activities Fee.
6. Draft and submit a Union Government Budget each semester, on behalf of the President, to be ratified by the Senate.
7. Have the authority to initiate an investigation into the finances of any Union Organization.
8. Retain the ability to delegate administrative duties to students appointed and confirmed by the Senate expressly for such purposes.

Section 5

The Union Secretary, hereinafter referred to as "Secretary," shall be the Chief Operations Officer of the Union. The Secretary shall be elected by the membership of the entire union for a term of one year as defined in Article IX. The Secretary shall:

1. Execute or oversee the daily operations of the Union Government.
2. Maintain an accurate record of amendments to this Constitution and the By-Laws.
3. Maintain Union documents and records including but not limited to Senate legislation, Union Judiciary decisions, records of the Union Executive Office, and Union Organization administrative documents.
4. Oversee and certify all Union elections, petition referenda, and amendment referenda.

Section 6

All Union documents and records shall be public knowledge and made available for inspection to any member of the Union by the Secretary.

Section 7

The order of ascendancy to the Presidency in case of a vacancy or absence shall be:

1. Vice-President
2. Treasurer
3. Secretary

If all positions of Union Executive Office mentioned in this Constitution shall become vacant, new Executive Elections shall be held. Until that time, the Executive Senator shall serve as interim Union President and shall be responsible for appointing an Elections Commissioner to oversee these elections.

Article IV: Union Judiciary

Section 1

The judicial powers of the Union shall be vested in a Union Judiciary. The Union Judiciary shall have jurisdiction in disagreements:

1. Between Union Organizations.
2. Between a member of the Union and a Union Organization.
3. Between a member of the Union and a Union Government official.
4. Between the Union and a Union Government official.
5. Between the Union and a Union Organization.
6. Between the Union and a member of the Union.
7. On the constitutionality of any Union Government legislation, decision, or action.

8. On any and all other questions of constitutionality within the Union.

Section 2

The Union Judiciary shall consist of one Chief Justice, four Associate Justices, and one Clerk of the Court. All Justices shall be elected by the membership of the entire union for a term of one year as defined in Article IX.

The Chief Justice shall be elected by a majority vote of the five Union Justices by secret ballot.

The Chief Justice shall be responsible for proper conduct of all business of the Union Judiciary, including the calling of and presiding at all sessions.

Should the Chief Justice not be able to carry out his or her duties for a temporary period of time, a justice chosen by a majority vote of the remaining Justices shall fulfill his/her responsibilities until such time as the Chief Justice can resume those responsibilities.

Section 3

The Clerk of the Court shall also be elected by a majority vote of the five elected Union Justices. S/he shall be a full time undergraduate or Transitional Year Program Student during his or her term. The term of the Clerk of the Court shall be one year and shall expire during the end of the school year. Should the Clerk of the Court not be able to carry out his or her duties, for a temporary time, a new Clerk will be appointed by the Chief Justice. The Clerk of the Court is responsible for all pre-trial duties including but not limited to: collection of evidence, establishing and coordinating dates, collection of all pre-trial documents. S/he is required to present all material to the Chief Justice by 5:00 p.m., the class day prior to the hearing.

Section 4

A written complaint, which levies specific charges, must be presented to the Clerk of the Court for a case to be heard.

The Union Judiciary shall be compelled to hear a case if one justice grants certiorari.

The case shall be heard within five academic days of its presentation to the Clerk of the Court, contingent upon certiorari, unless both parties agree to a date after this period.

Section 5

A Justice shall have the right to excuse him/herself from hearings of any case where s/he is directly involved, or where a reasonable conflict of interest exist or is perceived.

During impeachment hearings in which a Justice is directly involved, he or she must excuse his or herself from the hearing.

Section 6

A quorum of four Justices is necessary for an official session of the Union Judiciary unless one or more of the Justices has excused him/herself from hearing the case. In such a situation, a quorum shall be four minus the number of excused Justices.

Section 7

The Union Judiciary shall, by majority vote, establish its own standing rules of order which will govern the procedures for hearings. These rules must be provided in writing to all parties to a case brought before the Union Judiciary prior to the hearing of that case. The By-Laws shall not govern the conduct of the Union Judiciary.

Section 8

The Union Judiciary must release a written explanation of all decisions to the Union membership no later than five academic days after the hearing.

Section 9

The Union Judiciary shall decide all cases by a majority vote of the Justices present and voting. If a majority cannot be reached on a particular charge or motion, the Justices may decide to reargue the case or dismiss it.

Section 10

All decisions of the Union Judiciary shall be final and binding. The Union Judiciary shall have the power to specify any and all measures appropriate to the execution of its decisions. The President shall have the responsibility to execute Union Judiciary decisions.

Section 11

The Union Judiciary shall be the final arbiter of all Union Government elections.

The Union Judiciary may issue an injunction prohibiting the continuance of election proceedings for no more than ten academic days. Specific written charges must be submitted to the Clerk of the Court along with the injunction request for such a request to be considered.

The Union Judiciary may order an election to be re-run if it finds that the Constitution or other elections rules have been violated so as to unfairly negatively impact the campaign of one or more candidates, or if an election rule itself is found to have unconstitutionally negatively impacted the campaign of one or more candidates. An order to re-run an election must be issued within five academic days of the original election.

Section 12

All hearings of the Union Judiciary shall be open to the public. The Union Judiciary may, by a unanimous vote of members prior to or during the hearing, choose to close a particular hearing to the public if information regarding the identities of participants, or about the case in general, is deemed so sensitive as to be inappropriate for public knowledge or if the presence of the public is deemed to have a negative impact on the hearing. The Union Judiciary shall, by a majority vote of the members, have the right to re-open a hearing. The Union Judiciary shall always release a full written explanation of the case and the decision to the Union membership; Justices may, however, omit particular names by unanimous consent in the interest of propriety.

Article V: Finance Board

Section 1

The Union shall establish a Finance Board, which shall allocate the Finance Board Allocations Fund to Chartered and Secured Organizations in accordance with this Constitution and its By-laws and which shall oversee and supervise the financial affairs of all such Chartered and Secured Organizations.

Section 2

The Finance Board shall consist of the Treasurer, a Representative for Racial Minority Students, a member appointed by the President and confirmed by the Senate, and four additional members, each of which shall be elected for a one-year term by the Union membership, as defined in Article IX.

The Finance Board Member for Racial Minority Students shall be elected by a majority vote of all Union members who have declared themselves to the University as being racial minority students.

Section 3

By majority vote, the members of the Finance Board shall elect from such members a Chair, who shall be ultimately responsible for the conduct and operations of the Finance Board. The Treasurer shall not serve as chairperson. By majority vote, the members of the Finance Board shall also establish rules of order and policies in accordance with this Constitution and the Bylaws. Said rules shall become Union documents in accordance with Article III, Section 6.

Section 4

The Finance Board shall assist the Treasurer in overseeing the financial matters of all Chartered and Secured Organizations funded through the Finance Board Allocations Fund as defined in Article VII, Section 6 of this Constitution. Such oversight shall include, but is not limited to:

1. ensuring compliance with the financial reporting requirements of this Constitution and the Bylaws;
2. conducting training workshops, as more fully described in Article VII, Section 9 of this Constitution; and
3. prescribing the form and manner of all reporting and ensuring all such reports are available for public review.

Section 5

The President shall have the power to veto any specific allocation decision made by the Finance Board, in accordance with the time constraints as specified in the Bylaws. Any such presidential veto may, in accordance with the time constraints as specified in the Bylaws, be overturned by a two-thirds vote of all of the members of the Finance Board.

Section 6

In allocating funds to Secured Organizations, the Finance Board may not withhold reasonable operating expenses consistent with the approved purpose of a Secured Organization below the baseline allocations articulated in Article VII, Section 6. The Finance Board may count unspent funds allocated in previous years to a Secured Organization that are currently in the custody of said organization toward the designated minimum level stipulated in Article VII, Section 6.

Article VI: Union Organizations

Section 1

1. Chartered Organizations
All organizations duly chartered in accordance with this Constitution and its By-laws shall be known as Chartered Organizations.
2. Recognized Organizations
All organizations duly recognized but not chartered in accordance with this Constitution and its By-laws shall be known as Recognized Organizations.
3. Secured Organizations
WBRS, BEMCo, the Waltham Group, BTV, Student Events, the Archon, and the Justice, shall be considered Secured Organizations for all intents and purposes of this Constitution. As such, they shall be entitled to the following privileges:
 - a. The ability to submit budgets and budget adjustments to the Finance Board ahead of Chartered Organizations.
 - b. One member of the Finance Board serving as each organization's principal contact and financial liaison. This excludes the Justice, which shall receive its allocation independent of the Finance Board.
 - c. Excepting the Justice, the guarantee to receive a reasonable level of funding to support necessary operating expenses, in accordance with the purposes defined in their respective approved constitutions. These secured groups shall prepare and submit budgets in accordance with the baseline

figures noted in Article VII, the Justice shall be guaranteed to receive only their printing costs in accordance with Article VII, Section 6.

4. Union Organizations

All organizations, whether chartered, recognized or secured, shall collectively be known as Union Organizations.

Section 2

Only Chartered and Secured Organizations shall be eligible to receive funding from the Finance Board Allocations Fund, as hereafter defined, in accordance with this Constitution and its Bylaws. The Justice shall not have the ability to request money via the Finance Board Allocations Fund.

Section 3

The rights of Union Organizations to endorse specific candidates or take a position regarding specific issues in accordance with this Constitution shall not be abridged.

Section 4

The criteria Chartered and Recognized Organizations must meet, and the process by which they are chartered or recognized shall be established in the By-Laws.

Section 5

Secured Organizations shall not pay salaries to Brandeis students. Wages or stipends may be paid only upon the authorization of the Treasurer. The Treasurer's decision shall not prevent a Secured Organization from fulfilling its function as mandated by the student body in the organization's approved purpose on record with the Secretary. The Treasurer may only approve wages or stipends for services that are necessary for the execution of a Secured Organization's approved purpose as mandated by the student body.

Section 6

The Senate shall reserve the right to establish additional regulations regarding all Union Organizations, with the exception of the Justice (except as authorized in this Constitution), in accordance with this Constitution.

Article VII: Union Finances

Section 1

The University shall assess to all members of the Union, excluding students who are on Study Abroad Programs and students who are on Domestic Leave with Credit Programs, a Student Activities Fee on behalf of the Student Union. The Student Activities Fee shall consist of:

1. The Union Activities Fee, equal to 1% of University tuition, and;
2. The Student Government Administrative Fee.

Section 2

The Union Activities Fee shall be used to fund the activities and operations of the Union and all Union Organizations, and shall only be used in furtherance of the stated purpose of such organizations. In the event of non-compliance by any such organization with the requirements and provisions of this Constitution or its Bylaws, the Treasurer may either withhold from such organization its respective portion of the Union Activities Fee or may freeze such organizations finances. Such decisions may be appealed to the Union Judiciary.

Section 3

The Student Government Administrative Fee (hereinafter Administrative Fee) shall exist to fund the full-time position of the Student Union Administrative Assistant (hereinafter, Administrator). The Administrative Fee shall be determined by the Treasurer on behalf of the President, and shall be presented before the Senate for ratification by a 2/3 vote. Such presentation shall occur before the end of each academic year for the following year. The Administrative Fee shall be used solely to fund the position of the Student Union Administrative Assistant, a University employee who may not be a member of the Union.

Section 4

The Treasurer shall bear ultimate responsibility for the distribution of the Student Activities Fee in accordance with this Constitution and the Bylaws. Notwithstanding such responsibility, the Treasurer may transfer and assign to the Administrator of the Student Activities Fee all administrative and bookkeeping responsibilities associated with the Student Activities Fee. In no event shall the Treasurer delegate to such member of University staff policy making and/or rule making responsibilities related to the Student Activities Fee.

Section 5

All fixed amounts received by organizations or funds in the 2006-2007 academic year as stipulated in Article VII, Section 6 shall increase at a rate proportional to the most recent yearly increase of the Consumer Price Index as published by the US Government Bureau of Labor Statistics each year.

Section 6

1. The Union Government Fund
The Union Government Fund shall the fund affairs and operations of the Union and shall be distributed to the Union Government. This Fund shall be set at the amount of \$52,000 in the 2006-2007 academic year.
2. The Justice Printing Expenses Fund
The Justice Printing Expenses Fund (JPEF) shall fund the newspaper printing expenses of the Justice in the interest of preserving journalistic independence. Provided that the Justice is in compliance with all necessary financial reporting guidelines and at least once per academic year solicits quotes for printing through a process of open and competitive bidding and accepts the lowest responsible bid, the Treasurer shall approve the distribution of necessary funds, up to \$50,000, expressly for the purpose of said printing. All funds within the JPEF that remain unallocated at the conclusion of each academic year shall be redistributed to the Finance Board Allocations Fund by the Treasurer.
3. The Finance Board Allocations Fund
The Finance Board Allocations Fund shall fund the operations and affairs of Chartered and Secured Organizations, excluding the Justice. Provided that Secured Organizations have met all constitutionally-compelled financial reporting requirements, they shall be eligible to receive the following baseline allocations upon approval by the Finance Board:
 - a. The Archon: \$56,000
 - b. BEMCo: \$23,500
 - c. BTV: \$18,200
 - d. WBRS: \$62,500
 - e. Student Events: \$193,400
 - f. Waltham Group: \$17,500

Section 7

There shall exist a Senior Programs Fee, which shall be \$27 for the Academic Year 2003-2004. This fee shall increase at a rate equivalent to 2/3 the percentage increase in tuition. This fee shall be collected from seniors by the University. The Treasurer shall be responsible for the distribution of the Senior Programs Fee. The Senate shall establish rules in the By-Laws governing the use of this fee.

Section 8

All Union Organizations that receive funds from the Union Activities Fee, including all Secured Organizations, shall designate one member as the Financial Liaison for such organization. The Treasurer shall consider this Financial Liaison to be the fiscal authority for each such organization, and shall communicate on financial matters with such Liaison. The Financial Liaison shall be responsible for the compliance of their organization with the fiscal policies of the Union, including the preparation of all required financial information as specified below. Should any Union Organization fail to designate a Financial Liaison, the Treasurer shall either withhold from such organization its respective portion of the Union Activities Fee or shall freeze such organization's finances.

Section 9

Each semester, the Treasurer and the Chair of the Finance Board shall conduct at least two training workshops on fiscal matters and policies of the Union including all required financial information and reporting. Each Financial Liaison is required to attend at least one of the two workshops. Should any Union Organization fail to send its trained Financial Liaison to said workshops, the Treasurer may either withhold from such organization its respective portion of the Union Activities Fee or, if such funding has previously been received, refuse to disburse further from such funding.

Section 10

Prior to receiving any funding from the Union Activities Fee, all Union Organizations, including including the Justice, shall fully disclose to the Treasurer and/or the Chair of the Finance Board the following:

1. all sources of financial support and income and all other revenue sources, including but not limited to interest income on deposited monies and official documentation to verify the total balance of all assets deposited in outside accounts;
2. an itemized budget of projected income and expenses for the entire academic semester in a form and manner as prescribed by the Treasurer in consultation with the Finance Board;
3. an itemized budget of actual income and expenses for the prior academic semester, in a form and manner as prescribed by the Treasurer in consultation with the Finance Board.
4. a complete listing of club property of any form valued over \$50, in a form and manner as prescribed by the Treasurer in consultation with the Finance Board.

The form and manner of reporting of all such items of required financial information shall be prescribed by the Treasurer with the assistance of the Chair of the Finance Board. All such required financial information shall be Union documents in accordance with Article III, Section 6.

In the event any Union Organization either refuses to disclose the required financial information or omits from such information any material matter, the Treasurer shall have the authority to withhold, from such organization its respective portion of the Union Activities Fee, or if such funding has previously been received, refuse to disburse further from such funding. In addition, the Treasurer may order such organization into temporary receivership until such time as the disclosures are either made and/or corrected. Such actions may be appealed to the Union Judiciary.

Section 11

No later than one month following the start of each academic semester, the Treasurer shall present to the Senate an accounting review of the collection, distribution and final allocation of the Union Activities Fee during the prior academic semester. The semester review, once presented to the Senate, shall be a Union document in accordance with Article III, Section 6.

Section 12

At the conclusion of each academic semester all Finance Board Allocations Fund monies that remain unclaimed, and/or unallocated to Union Organizations, shall revert to the Finance Board for future allocation in a manner consistent with the Constitution and Bylaws. The Finance Board may extend the availability of allocated funds to Union Organizations

for a second semester at or after the instance of initial allocation in a manner consistent with the Constitution and By-Laws.

At the conclusion of each Fall academic semester all Union Government funds that remain unallocated or unexpended, shall revert to the Union Government for future allocation in a manner consistent with the Constitution and By-Laws. Union Government Funds that remain unallocated or unspent at the conclusion of each Spring Semester shall be redistributed to the Finance Board for allocation in a manner consistent with the Constitution and By-Laws.

Section 13

The Treasurer shall create a Capital Expenditures and Emergency Fund, hereinafter referred to as the CapEx Fund, to ensure the stability of the Union's financial affairs and allocations. The CapEx Fund shall be funded by the Treasurer at a rate of \$10,000 per semester directly from the Union Activities Fee after its collection by the University and prior to distribution by to the Justice Printing Expenses, Finance Board Allocations, and Union Government Funds, until such times that the fund achieves a balance of \$150,000. At such times that the fund reaches a balance of \$140,000 or more, the Treasurer shall fund the CapEx Fund with such a semester allocation that the CapEx Fund achieves a balance of \$150,000.

The Finance Board shall be responsible for allocation of all monies from the CapEx Fund, in a manner consistent with the Constitution and By-Laws. The Finance Board may additionally fund the CapEx Fund in excess of the Treasurer's contribution from any funds that have reverted to the control of the Board from other funds or sources, provided that the balance of the Fund remains at \$150,000 or below. To ensure the stability of the Finance Board's allocations, the Board may allocate from the CapEx Fund for non-recurring or emergency requests of \$5000 or more from Union Chartered and Secured Organizations, provided that such groups do not possess sufficient funds in their accounts to cover such expenses.

Article VIII: Union Representation

Section 1

There shall be two student representatives to the Board of Trustees, each elected by the membership of the Union for a term of two years.

Each representative shall attend all meetings of the Board of Trustees and all assigned committees.

There shall be one junior and one senior representative at all times.

Section 2

There shall be two student representatives to the Alumni Association, each elected by the membership of the Union for a term of two years.

Each representative shall attend all meetings of the Alumni Association and all assigned committees.

There shall be one junior and one senior representative at all times.

Section 3

There shall be three student representatives to the Undergraduate Curriculum Committee. Two representatives shall be elected by the membership of the Union, and the third representative shall be appointed by the President and confirmed by the Senate. The term of each elected representative shall last for two years. There shall be one junior and one senior representative. The appointed representative shall have a term of one year. Each representative shall attend all meetings of the Undergraduate Curriculum Committee.

Section 4

All representatives specifically mentioned in this Constitution shall attend the Senate meeting immediately prior to the meeting of the body to which they are representatives and the Senate meeting immediately following that meeting.

Section 5

The Senate shall have the power to create additional positions of Union representation.

The Senate shall create such positions only for specific purposes, for example establishing representative positions to University bodies. Such positions and the responsibilities of each position shall be established in the By-Laws.

The President shall reserve sole power to appoint individuals to such positions of Union representation, except for positions for which the By-Laws call for an election by the entire student body. All Presidential appointments shall be subject to Senate confirmation.

Section 6

The President shall reserve all powers of Union representation not specifically granted elsewhere in the Constitution or By-Laws.

The President may, at his/her discretion, confer all or part of his/her powers of Union representation to individuals to act on his/her behalf, for specific purposes only.

The President shall identify, upon request, any and all individuals exercising powers of Union representation on his/her behalf.

This power shall not in any way be construed so as to interfere with the duty or ability of the Vice-President to assume the full powers of the Presidency in the true absence of the President.

Article IX: Union Elections

Section 1

To be eligible to run for an elected Union office, a student must be:

1. A currently registered, degree seeking undergraduate student of Brandeis University or student in the Transitional Year Program.
2. Studying on the Waltham campus for the entire period in which s/he will hold office.

A candidate for an office must be a voting member of the constituency that the office represents.

Section 2

There shall exist four regular elections for Union offices during the academic year.

1. Fall Elections shall take place between the second and fifth Wednesday after the first academic day. Fall Elections shall include:
 - a. Residential Quad Senators
 - b. Off Campus Senator
 - c. First Year Class Senator
 - d. Transitional Year Program Senator

2. In the event of vacancies of Union Government positions, Winter Elections shall take place between the second and fourth Wednesday after the first academic day of the spring semester. Winter Elections shall include any positions that are vacant at the given time.
3. First Spring Elections shall take place between the eighth and eleventh Wednesday after the first academic day of the spring semester. First Spring Elections shall include:
 - a. President
 - b. Vice President
 - c. Secretary
 - d. Treasurer
 - e. Member of the Union Finance Board
 - f. Representative to the Board of Trustees
 - g. Representative to the Alumni Association
 - h. Representative to the Undergraduate Curriculum Committee
4. Second Spring Elections shall take place between five and fifteen academic days following First Spring Elections. Second Spring Elections shall include:
 - a. Senator at Large
 - b. Class Senators
 - c. Senator for Racial Minority Students
 - d. Associate Justice of the Union Judiciary

The Chief Justice of the Union Judiciary may, in a written statement, change these elections timetables in the event of compelling circumstances.

Section 3

No endorsements shall be made for candidates for Member of the Finance Board or Associate Justice of the Union Judiciary at any time.

Section 4

1. Spring Inaugurations shall take place at the first regularly scheduled Senate meeting following the official certification of election results. The term of office for the Union President, Vice President, Secretary, Treasurer, Member of the Union Finance Board, Senator at Large, Class Senators, Senator for Racial Minority Students, and Associate Justice of the Union Judiciary shall be one year, and shall expire at the next Spring Inauguration.
2. Fall Inaugurations shall take place at the first regularly scheduled Senate meeting following the official certification of election results. The term of office for the Residential Quad Senators and Off Campus Senator shall be one year, and shall expire at the next Fall Inauguration.
3. The term of the Transitional Year Program Senator shall be one year and shall expire at the end of the academic year.
4. The term of Representative to the Board of Trustees, Representative to the Alumni Association, and Representative to the Undergraduate Curriculum Committee shall be two years and shall expire at Fall Inaugurations.

Section 5

No person may hold more than one Union Government office simultaneously nor may one person be a candidate for two positions in the same election. Candidates who ran unsuccessfully for a position in the First Spring Election shall be eligible to run for a position in the Second Spring Election.

Section 6

The winner of any election for Union Government office shall be the option who receives the greatest total number of votes cast in that election. If there is a tie in a final election between two or more candidates for a single-position office, or for the last position in a multi-position office, a run-off election between the tied candidates shall be held within five academic days of the announcement of the tie vote. If there is a tie in a primary election, all individuals in the tie will advance to the final election. Abstain shall be an option on all union ballots. If there is a tie between a candidate and

abstain, then the candidate will be declared the winner of the election. If abstain receives the greatest number of votes during a final election, than there will be a vacancy in the office until the next election, except in the case of the President in which new elections will be held five academic days later.

Section 7

The Secretary shall serve as the Chief of Elections for all Union Elections.

1. The incumbent Secretary may be a candidate for office in a given election. In this case the Union Secretary shall appoint a Chief of Elections, who shall assume all powers granted to the Secretary herein.
2. The Chief of Elections shall appoint additional individuals or group of individuals to serve as Elections Commissioner(s) for each election.
 - a. The Chief of Elections shall oversee all actions of the Elections Commissioners.
 - b. An Elections Commissioner shall not be a candidate for any Union office while serving as Commissioner.
3. The Chief of Elections and the Elections Commissioner(s) shall establish and make public additional rules and guidelines as necessary for an election campaign in accordance with the Constitution and By-Laws. These rules and guidelines shall be binding over all Union members and all Union Organizations.
4. The Chief of Elections and the Elections Commissioner(s) shall be empowered to resolve any and all election disputes. Such decisions may be appealed to the Union Judiciary.

Section 8

If an elected official can no longer serve the remainder of his/her term for any reason, s/he shall be replaced in the following manner, except as otherwise provided in this Constitution:

1. It shall be the responsibility of the elected official to notify the Secretary of his/her resignation.
2. All vacancies in Union Government office shall become official only when announced by the Secretary. In the event the vacancy is that of the Secretary, this responsibility shall shift to the President.
3. In the event of a vacancy, a current Government office holder must resign his/her position before declaring candidacy for that vacancy.
4. An election must be held within fifteen academic days of the official announcement of the vacancy.
5. Less than thirty academic days from the end of the official's term of office, that position shall remain vacant until the next regular inauguration.
6. In the event of a vacancy in the Union Presidency, the next person on the ladder of ascendancy to the Presidency specified in Article III shall assume the office immediately upon the official declaration of vacancy. There shall be no mid-term election for the positions of President or Vice-President except as provided for in Article III.

Section 9

If an appointed official can no longer serve the remainder of his/her term for any reason, s/he shall be replaced in the manner s/he was appointed.

Article X: Removal From Office

Section 1

An elected official's constituency shall have the right to recall that official. A petition signed by fifteen percent of an elected official's total constituency shall mandate a recall vote.

1. Each signer of the petition must state his/her name, class year, mailbox number, and place of local residence if relevant to determining constituency.
2. This petition shall be submitted in person to the Secretary, who will be charged with certifying the petition. If the recall petition is with respect to the Secretary, this responsibility shall shift to the President.

3. Once a recall petition is certified, a vote for recall shall then be held for that official whose name appears on the petition. This vote shall take place within ten academic days of certification of the petition. The official shall be recalled if at least two-thirds of the officials' voting constituents vote in favor of recall.

Section 2

It shall be the right of the Senate to impeach any elected Union Government official for breach of his/her constitutional duties.

1. A two-thirds vote of the Senate is required to impeach an elected Union Government official.
2. A motion to impeach shall levy specific charges, in writing, against the elected official in question.
3. Upon a successful Senate vote to impeach, the official in question shall be notified by the Secretary and given five academic days from the time of notification to prepare for a case before the Union Judiciary. In the event the official in question is the Secretary, the responsibility of notification shall shift to the President.
4. The Union Judiciary shall hear the case and try the official for such breach of constitutional duties as were levied in the Senate vote no less than five and no more than ten academic days from the time the official in question was notified.
5. The Union Government official shall be removed if the Union Judiciary finds him/her guilty of such breach of constitutional duty as was specified by the Senate.

Section 3

Any individual holding an appointed Union Executive Office or position of Union representation may be removed by a two-thirds vote of the Senate. Such a vote shall be announced at a meeting of the Senate and the actual vote shall take place at the next regularly scheduled Senate meeting.

Article XI: Petitions

Section 1

Any issue upon which members of the Union wish to express a formal opinion may be presented for consideration in a petition. Petitions may not be amendments to the Union Constitution.

Section 2

Petitions shall be registered with the Secretary. In order for a petition to be registered, it shall:

1. Be presented in person to the Secretary by an identified sponsor prior to circulation for signatures.
2. Identify a sponsor or sponsors of the petition by name. The Secretary shall not be a sponsor.

Section 3

In order for a petition to be validated by the Secretary, it must be signed by at least fifteen percent of the members of the Union. Each signed must state his/her name, class year, and telephone number.

Section 4

Once a petition has been officially validated by the Secretary, it becomes the property of the Union Government and may not be altered in any way.

Section 5

At the next regularly scheduled Senate meeting following validation, there shall:

1. Be a presentation of the petition to the Senate by the sponsors of the petition.
2. Exist the option for the sponsors to withdraw their petition if the majority of the sponsors wish to do so.

Section 6

The petition vote shall occur within fifteen academic days after the presentation of the petition to the Senate. At least eight academic days prior to the Union vote, the Union Secretary shall announce to all members of the Union and all Union media a description of the petition.

Section 7

The sponsors of the petition shall submit to the Secretary an argument FOR the petition. Members of the Union shall have the right to submit an argument AGAINST the petition, if they so choose. These arguments must be submitted to the Secretary at least 48 hours prior to the vote.

Section 8

The ballot for a petition shall contain:

1. The Student Union Constitution
2. The Student Union By-Laws
3. A copy of the petition
4. An argument IN FAVOR OF the petition
5. An argument AGAINST the petition, if one is submitted
6. The following options:
 - a. "I cast my vote IN FAVOR OF the petition"
 - b. "I cast my vote AGAINST the petition"
 - c. "I choose to ABSTAIN"

Section 9

In order to become the official opinion of the Union, a simple majority of the total number of votes cast must be IN FAVOR of the petition. Abstentions shall not be included in the total number of votes when determining a majority.

Section 10

The Union Secretary shall certify the results of the petition no later than five academic days following the end of the voting period.

Article XII: Amendments

Section 1

A Union Constitutional amendment proposal shall be registered with the Secretary. In order for an amendment proposal to be registered, it shall:

1. Identify a sponsor or sponsors of the amendment by name. The Secretary shall not be a sponsor.
2. Identify all relevant existing wording from this constitution, and clearly state the proposed new wording of this constitution.
3. Be presented in person to the Secretary in its final form.

Section 2

In order for an amendment proposal to be validated by the Secretary, it shall:

1. Be signed by at least ten Union Senators or by fifteen percent of the Union.
2. State the name, class year, and telephone number of each signer.

Section 3

Once a proposal for an amendment referendum has been officially presented to the Secretary, it becomes the property of the Union Government and may not be altered in any way.

Section 4

At the next regularly scheduled Senate meeting following validation, there shall:

1. Be a presentation of the petition to the Senate by the sponsors of the proposed amendment.
2. Exist the option for the sponsors to withdraw their referendum proposal if the majority of the sponsors wish to do so.

Section 5

The amendment referendum vote shall occur within fifteen academic days after the presentation of the amendment referendum proposal to the Senate. At least eight academic days prior to the Union vote, the Union Secretary shall announce to all members of the Union and all Union media a description of the amendment.

Section 6

The sponsors of the amendment shall submit to the Secretary an argument FOR the amendment. Members of the Union shall have the right to submit an argument AGAINST the petition, if they so choose. These arguments must be submitted to the Secretary at least 48 hours prior to the vote.

Section 7

The ballot for an amendment referendum shall contain:

1. The Student Union Constitution
2. The Student Union By-Laws
3. A copy of the proposed amendment
4. An argument IN FAVOR OF the amendment
5. An argument AGAINST the amendment, if one is submitted
6. The following options:
 - a. "I cast my vote IN FAVOR OF the amendment"
 - b. "I cast my vote AGAINST the amendment"
 - c. "I choose to ABSTAIN"

Section 8

The amendment referendum shall amend existing wording in this constitution if two-thirds of the total number of votes cast are IN FAVOR of the amendment. Abstentions shall not be included in the total number of votes when determining the number of required votes.

Section 9

The Union Secretary shall certify the results of the amendment no later than five academic days following the end of the voting period.

Article XIII: Constitutional Review

Section 1

Every four years there shall be established an independent Constitutional Review Task Force charged with conducting a full review of all aspects of the Union, including the operation of clubs, Secured Organizations, and Union Government.

Section 2

This task force shall be composed of one representative from each of the following constituencies, elected or appointed by their respective constituencies:

1. Intercultural community
2. Club sports
3. Religious organizations
4. Artistic/performance organizations
5. Secured Major Media organizations
6. Secured non-media organizations
7. Non-sports competition organizations
8. Division of Student Affairs
9. Student Union Executive Office
10. Student Union Finance Board
11. Student Union Senate

Section 3

The task force shall also be composed of the following representatives, appointed by the President:

1. Three alumni of the School of Arts and Sciences
2. Two members-at-large
3. One Community Advisor

If a constituency named in Section 2 fails to put forth an individual for the task force, the Union President may appoint an individual to represent that constituency.

Section 4

The President shall name one undergraduate member of the task force as chair.

Section 5

All appointments shall be confirmed by a majority vote of the Senate.

Section 6

The task force shall establish its own standing rules of order:

1. The task force chair shall report to the Senate at least once each calendar month
2. The task force shall hold public meetings at least once each calendar month and shall publicize such meetings to the community
3. The task force shall release its final report no later than the first week of March
4. The task force may release preliminary and supplementary reports and materials before and after that date

Section 7

The task force final report shall include:

1. A complete report on existing Union structures and practices, including perceived inefficiencies and problems with the current systems.
2. A list of "best practices" determined based on the review
3. One or more proposals to rectify perceived inefficiencies and bring the Union in line with the identified "best practices"
 - a. These proposals may take the form of amendments to the Union Constitution and/or Bylaws

The task force final report shall be a Union document.

Section 8

The task force shall not be subject to review or oversight by the President, Senate, or Finance Board. Disputes regarding the actions of the task force may be brought before the Union Judiciary.

Article XIV: Implementation

Section 1

This Constitution will take affect in its entirety on April 15, 2006; at which time it will replace any and all existing Student Union Constitutions. This Constitution will not affect any allocations or decisions made for Spring 2006 Semester.

Section 2

The procedures outlined in this Constitution will take affect beginning with allocations for the Fall 2006 Semester.

Section 3

Article XIV will cease to exist as a portion of the Constitution on June 1, 2006.

NOTES