

**BOARD OF REGENTS**  
EASTERN MICHIGAN UNIVERSITY

SECTION: <u>18</u>
DATE: January 17, 2006

**RECOMMENDATION**

**BOARD POLICIES RECOMMENDED FOR APPROVAL**

**ACTION REQUESTED**

It is recommended that the Board of Regents approve five revised policies. See attached information.

**STAFF SUMMARY**

The recommended changes reflect current administrative structure and provide updated content.

**FISCAL IMPLICATIONS**

None

**ADMINISTRATIVE RECOMMENDATION**

The proposed Board action has been reviewed and is recommended for Board approval.


\_\_\_\_\_  
University Executive Officer

\_\_\_\_\_  
Date

# EASTERN MICHIGAN UNIVERSITY

## REVISED BOARD POLICIES

Policy Number	Policy Name	Rationale for Revising Policies	SOC Member Responsible
3.7.3	Communicable Diseases	In the Responsibility for Implementation section, the title of Executive Director of Human Resources has been changed to Assistant Vice President of Human Resources to reflect current administrative structure.	Jim Vick
8.1	Student Conduct Code and Judicial Structure	On page 18, Section XV.B the Ombudsman replaces the Dean of Students on the Student Judicial System Review Committee. This change reflects current administrative structure.	Jim Vick
8.3	Prohibition Against Discrimination on the Basis of Disability	References to the Dean of Students in the University Practice and Responsibility for Implementation sections have been eliminated to reflect current administrative structure.	Jim Vick
8.5.1	Limitations to University Authority: Student Body Constitution	Responsibility for implementation of the policy has been changed from Dean of Students to Vice President for Student Affairs to reflect current administrative structure.	Jim Vick
8.4.6	Field Trips and Excursions (retitled: Student Organization Off-Campus Excursion Policy)	The policy revision, including an updated policy title, adds and/or clarifies the following information that was missing in the current policy: 1) it makes student organizations accountable for following applicable rules in the Student Conduct Code as well as other University policies, and federal, state and local laws; 2) it more clearly articulates the circumstances under which the University's liability, automotive or any other insurance coverage applies and 3) the University Practice section reflects the fact that procedures are in place which govern the request for permission to travel, liability waivers, funding for travel, sanctions for violation of the policy, requests for insurance coverage for university-sanctioned student organization travel only as well as additional guidelines that apply to the policy.	Jim Vick

			<b>Policies, Rules And Regulations</b>
<b>Effective Date</b>	<b>Date of Revision</b>		
11-5-91			
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EMPLOYMENT/AFFIRMATIVE ACTION	3.7.3	Page 1 of 2	
		<b>Issue</b>	
		COMMUNICABLE DISEASES	

## UNIVERSITY POLICY STATEMENT

The University recognizes that current and prospective employees and students with communicable diseases (including but not limited to hepatitis, HIV infection, meningitis, tuberculosis and influenza) may wish to pursue or continue in as many activities as their condition allows, including work and educational pursuits.

The University further recognizes its responsibility to provide a safe workplace and classroom environment for all employees and students. Those students and employees with communicable diseases should be allowed access to University programs, services and facilities in an unrestricted manner as long as their presence poses no threat to the health or safety of others and they are physically able to do so.

Eastern Michigan University promotes an environment free from discrimination/harassment by complying with all applicable state and federal laws governing individuals diagnosed with communicable diseases.

Under Michigan law, all records, reports and data pertaining to testing, diagnosis, care, treatment, and research will be held confidential.

## UNIVERSITY PRACTICE

University practices for implementing and administering this policy are:

1. Employment decisions will be based on lawful practices following the principles and guidelines for equal employment opportunity and affirmative action.
2. Non-discriminatory practices will be followed in:
  - a. Personnel actions and benefit programs
  - b. Admission decisions
  - c. Housing assignments and related services
  - d. University programs and services not specified above.
3. Applicable waste management guidelines and blood and body fluid precautions will be followed.
4. Education relating to the prevention and transmission of communicable diseases will be made available. Resources/referrals are available to employees and students through University Health Services.

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COMMUNICABLE DISEASES		

## **RESPONSIBILITY FOR IMPLEMENTATION**


The President has overall responsibility for the implementation of this policy and has delegated its overall management to the Assistant Vice President of Human Resources and the Director of University Health Services.

## **SCOPE OF POLICY COVERAGE**

This policy applies to all current and prospective University employees and students.

<b>Authority for Creation or Revision</b>
Minutes of the Board of Regents, November 5, 1991; para. .4460M.



			<b>Policies, Rules And Regulations</b>
<b>Effective Date</b>	<b>Date of Revision</b>		
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#### **RESPONSIBILITY FOR IMPLEMENTATION**

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STUDENT PROGRAMS AND REQUIREMENTS	8.1	Page 18 of 19
<b>Issue</b>		
STUDENT CONDUCT CODE AND JUDICIAL STRUCTURE		

1. the President as to the continuation of the emergency suspension, the President will direct Student Judicial Services to convene a formal hearing before the University Judicial Board within ten (10) days of the date of the Special Hearing Board's recommendation to the President in order to rule on the original charges brought against the student(s)/student organization(s).
2. Take other actions that may be explicitly stated in or implied by any laws governing the authority of the University and/or the President in emergency situations.

NOTES: Due to the unique circumstances and severe conditions that would lead the President to exercise any of his/her emergency powers, an emergency suspension issued under this section of the Code is to be considered different from an interim suspension issued under the conditions stated in Section XIII. The issuance and review of an emergency suspension will be handled in accordance with the procedures outlined above in sub-sections 4 and 5.

- C. The Board of Regents, regardless of granting any emergency powers to the President, in no way restricts its own powers and prerogative to carry out its obligations and duties as imposed by the Constitution and laws of the State of Michigan.

#### **SECTION XIV: STUDENT DISCIPLINARY FILES AND RECORDS**

- A. Student Judicial Services will establish a student disciplinary file whenever a case is referred for investigation of a possible conduct code violation. A student or student organization's file will be destroyed if the investigation indicates that no violation occurred. The file of a student/student organization found to have violated the conduct code will be retained for four (4) years from the date of the sanction or until the student's graduation from the University, whichever comes first. Student conduct records may be retained longer or permanently if the student was suspended or permanently dismissed or if there is reason to believe the case could result in future litigation.
- B. A notation will be made on the student's official University transcript if the student was suspended, permanently dismissed or given an "E" grade in a course as a result of academic dishonesty.
- C. The release of student disciplinary records will be governed by applicable federal and state laws governing the privacy of educational records.

#### **SECTION XV: REVIEW OF THE STUDENT JUDICIAL SYSTEM**

- A. Student Judicial Services will convene a Student Judicial System Review Committee at least every four (4) years that will be responsible for carrying out the following tasks:
  1. Reviewing the goals and effectiveness of the University's disciplinary system;
  2. Reviewing the effectiveness of the types of sanctions issued;
  3. Recommending changes to the Student Conduct Code;
  4. Recommending changes in the judicial processes and procedures established and followed by Student Judicial Services; and
  5. Recommending training sessions and publications on topics related to the mission of Student Judicial Services to educate the campus community about student conduct and the campus judicial processes.
- B. The Committee will be appointed and chaired by the Director of Student Judicial Services and will include one representative from the following areas: Ombudsman; Legal Affairs; Housing; Health Services; Counseling Services; Student Government; Faculty Council; Department of Public Safety; Chief Justice of the University Judicial Board; and Chief Justice of the Judicial Appeals Board.

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  5. Recommending training sessions and publications on topics related to the mission of Student Judicial Services to educate the campus community about student conduct and the campus judicial processes.
- B. The Committee will be appointed and chaired by the Director of Student Judicial Services and will include one representative from the following areas: ~~Dean of Students~~ OMBUDSMAN; Legal Affairs; Housing; Health Services; Counseling Services; Student Government; Faculty Council; Department of Public Safety; Chief Justice of the University Judicial Board; and Chief Justice of the Judicial Appeals Board.

<b>Effective Date</b>		<b>Date of Revision</b>		<b>Policies, Rules And Regulations</b>
1-16-74				
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<b>Issue</b>				
PROHIBITION AGAINST DISCRIMINATION ON THE BASIS OF DISABILITY				

### UNIVERSITY POLICY STATEMENT:

It is the policy of the University to provide equal education opportunities to all students.

In accordance with University policy, and applicable federal and state laws prohibiting discrimination based on disability, all University personnel are responsible for ensuring that any qualified student with a disability is not denied employment on campus or participation in any program, service, or activity under their supervision. Similarly, all students and student organizations shall be responsible for ensuring that no student is denied participation in a student organization or student sponsored activity on the basis of disability.

### UNIVERSITY PRACTICE:

A. In order to comply with this policy, Eastern Michigan University will:

1. Publish notice of the University's policy against discrimination on the basis of disability. The notice will inform all members of the university of their responsibility to accommodate students with disabilities and will provide the contact information for the University's Access Services office.
2. Respond to student requests for accommodation through the Office of Access Services. Access Services will determine appropriate accommodations in accordance with relevant legal and University standards.
3. Develop and disseminate accommodation guidelines to faculty and hold training sessions on issues related to equal access for students with disabilities.
4. Inform faculty about the accommodations policy and advise faculty of their responsibility to include information in course syllabi explaining the University's responsibility to accommodate students with disabilities in compliance with federal, state and local laws.
5. Develop and implement a process through the Access Services office for addressing student requests for accommodations.

B. Non-students with disabilities and students with disabilities requesting accommodations for non-academic related programs, services or events should be referred to the individual responsible for arranging accommodations for that specific program, service, or event. If the

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accommodation requested is beyond the means or authority of the program, service, or event, the individual handling the request shall be referred to Access Services.

- C. If a requested accommodation is beyond the means or authority of Access Services to implement, Access Services will report the requested accommodation to the Vice President for Student Affairs for consideration.

#### **RESPONSIBILITY FOR IMPLEMENTATION:**


The President of the University has overall responsibility for implementation of this policy and has delegated its overall management to the Vice President for Student Affairs. The Access Services Director is responsible for the daily administration of the policy. In addition, each vice president, dean, director department head, hiring authority, supervisor and student organization leader is responsible for maintaining compliance with this policy. The Director of Student Judicial Services and the Director of Diversity and Affirmative Action are responsible for investigating any violations of this policy.

#### **SCOPE OF POLICY COVERAGE:**

This policy shall apply to all members of the University community, including students, faculty, staff, administrators and university units as well as to all University programs, services, employment and activities.

Authority for Creation or Revision
Minutes of the Board of Regents, January 16, 1974; para. .1318M.



				<b>Policies, Rules And Regulations</b>	
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#### **RESPONSIBILITY FOR IMPLEMENTATION:**


The President of the University has overall responsibility for implementation of this policy and has delegated its overall management to the Vice President for Student Affairs. ~~The Dean of Students and the Access Services Director are~~ IS responsible for the daily administration of the policy. In addition, each vice president, dean, director department head, hiring authority, supervisor and student organization leader is responsible for maintaining compliance with this policy. The Director of Student Judicial Services and the Director of Diversity and Affirmative Action are responsible for investigating any violations of this policy.

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Minutes of the Board of Regents, January 16, 1974; para. .1318M.

<b>Effective Date</b>		<b>Date of Revision</b>			<b>Policies, Rules And Regulations</b>
8-19-70					
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		<b>Issue</b>			
		LIMITATIONS TO UNIVERSITY AUTHORITY: STUDENT BODY CONSTITUTION			

### UNIVERSITY POLICY STATEMENT

It is recognized by Eastern Michigan University that the student body has the right to establish and maintain a Student Body Constitution. The Student Body Constitution sets forth the structure and procedures of student government. The constitution gains no added authority by being referenced in the Policy Manual nor are the students hereby limited in their power to approve or implement changes to their constitution.

To the extent that the Student Body Constitution may be found to conflict with Board approved policy such as may occur in the provisions on judicial power, it is not controlling on the University, its governing board, or administrators.

Student Government bears the legal responsibility for its actions and for its oversight of the Student Body Constitution.

### UNIVERSITY PRACTICE

Student Government will be responsible for maintaining the Student Body Constitution. The Constitution is a reflection of the structure and procedures of student government.


### RESPONSIBILITY FOR IMPLEMENTATION

The Vice President for Student Affairs is responsible for the overall implementation, administration and interpretation of the policy. Student Government is responsible for the daily administration of this policy.

### SCOPE OF POLICY COVERAGE

This policy applies to all students at Eastern Michigan University.

**Authority for Creation or Revision**

			<h1>Policies, Rules And Regulations</h1>
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### RESPONSIBILITY FOR IMPLEMENTATION

The ~~Dean of Students~~ VICE PRESIDENT FOR STUDENT AFFAIRS is responsible for the overall implementation, administration and interpretation of the policy. Student Government is responsible for the daily administration of this policy.

### SCOPE OF POLICY COVERAGE

This policy applies to all students at Eastern Michigan University.

**Authority for Creation or Revision**

			<h1>Policies, Rules And Regulations</h1>
<b>Effective Date</b>	<b>Date of Revision</b>		
April 19, 1972			
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STUDENT PROGRAMS AND REQUIREMENTS	8.4.6	Page 1 of 2	
		<b>Issue</b>	
		<b>STUDENT ORGANIZATION OFF-CAMPUS EXCURSION POLICY</b>	

## UNIVERSITY POLICY STATEMENT

It is the policy of Eastern Michigan University to allow representatives of recognized student organizations and student government groups to engage in off-campus travel. Travel is permitted in order to fulfill the purpose of the organization or in service on behalf of the university. When traveling off-campus a student organization and/or its respective members must comply with Eastern Michigan University's Student Code of Conduct, all other university policies, and federal, state, and local laws.

Recognized student organizations traveling off-campus on behalf of their own organization, and not on behalf of the university and/or not for university-sanctioned events, shall not be considered to be traveling under the auspices of, or with the approval or authorization of, the university. Student organizations traveling on student organization business are not considered to be part of the university and shall not be extended liability, automotive or any other type of insurance coverage. It is the sole responsibility of any student organization traveling off-campus to provide liability insurance and other appropriate insurance coverage for its activities.

## UNIVERSITY PRACTICE

University procedures are established which govern the request for permission to travel, request for student organization travel funding, and waiver of liability, in accordance with this policy. These procedures are administered through McKenny Union and Campus Life. Procedures are also established to request insurance coverage for university-sanctioned student organization travel only, in accordance with this policy. These procedures are administered through Legal Affairs and Risk Management. University procedures are also established which govern the sanctions for violation of this policy.

The following guidelines also apply to this policy:

1. Recognized student organizations traveling off-campus strictly in the conduct of university or university-sanctioned events consistent with the university's mission, policies and state and local laws, must request permission to travel from McKenny Union and Campus Life at least 10 (ten) working days in advance of the travel date. Documents verifying the travel itinerary, purpose of the trip and method of travel must be included with the Travel Authorization Form.
2. Any student organization intending to travel off-campus must complete and sign a waiver of responsibility form for each person participating in the trip. These forms must be submitted to McKenny Union and Campus Life prior to departure.
3. No student organization or student government travel will be authorized or supported with university monies (including student organization accounts) without prior approval from the appropriate university officials. Unapproved travel will not be eligible for reimbursement from a university account.

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4. Trip supervisors may prohibit the participation of individuals showing signs of intoxication or other inappropriate behavior from any or all activities over the duration of the trip.


#### **RESPONSIBILITY FOR IMPLEMENTATION**

The Vice President for Student Affairs is responsible for the overall implementation, administration and interpretation of the policy. The Director of McKenny Union and Campus Life is responsible for the daily administration of the policy. The Director of Student Judicial Services is responsible for administering the Student Conduct Code as it applies to a violation of this policy. The Departments of Legal Affairs and Risk Management are responsible for helping to ensure compliance with university policies and local, state and federal laws.

#### **SCOPE OF POLICY COVERAGE:**

This policy applies to all student organizations at Eastern Michigan University.

<b>Authority for Creation or Revision</b>
Minutes of the Board of Regents, April 19, 1972; para. .1097M.

			<h1>Policies, Rules And Regulations</h1>
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	Issue		
	<del>Field Trips and Conferences</del> STUDENT ORGANIZATION OFF-CAMPUS EXCURSION POLICY		

It is the responsibility of those going on a field trip or conference to be knowledgeable about insurance coverage and liability. Information on insurance coverage and liability can be obtained from the University's Budget Office while information on the use of University vehicles can be obtained from the director of the Physical Plant Department.

The decision whether or not to release a student from class is up to each instructor.

### UNIVERSITY POLICY STATEMENT

It is the policy of Eastern Michigan University to allow representatives of recognized student organizations and student government groups to engage in off-campus travel. Travel is permitted in order to fulfill the purpose of the organization or in service on behalf of the university. When traveling off-campus a student organization and/or its respective members must comply with Eastern Michigan University's Student Code of Conduct, all other university policies, and federal, state, and local laws.

Recognized student organizations traveling off-campus on behalf of their own organization, and not on behalf of the university and/or not for university-sanctioned events, shall not be considered to be traveling under the auspices of, or with the approval or authorization of, the university. Student organizations traveling on student organization business are not considered to be part of the university and shall not be extended liability, automotive or any other type of insurance coverage. It is the sole responsibility of any student organization traveling off-campus to provide liability insurance and other appropriate insurance coverage for its activities.

### UNIVERSITY PRACTICE

University procedures are established which govern the request for permission to travel, request for student organization travel funding, and waiver of liability, in accordance with this policy. These procedures are administered through McKenny Union and Campus Life. Procedures are also established to request insurance coverage for university-sanctioned student organization travel only, in accordance with this policy. These procedures are administered through Legal Affairs and Risk Management. University procedures are also established which govern the sanctions for violation of this policy.

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<b><del>Field Trips and Conferences</del>—STUDENT ORGANIZATION OFF-CAMPUS EXCURSION POLICY</b>		

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3. No student organization or student government travel will be authorized or supported with university monies (including student organization accounts) without prior approval from the appropriate university officials. Unapproved travel will not be eligible for reimbursement from a university account.
4. Trip supervisors may prohibit the participation of individuals showing signs of intoxication or other inappropriate behavior from any or all activities over the duration of the trip.

### **RESPONSIBILITY FOR IMPLEMENTATION**

The Vice President for Student Affairs is responsible for the overall implementation, administration and interpretation of the policy. The Director of McKenny Union and Campus Life is responsible for the daily administration of the policy. The Director of Student Judicial Services is responsible for administering the Student Conduct Code as it applies to a violation of this policy. The Departments of Legal Affairs and Risk Management are responsible for helping to ensure compliance with university policies and local, state and federal laws.

### **SCOPE OF POLICY COVERAGE:**

This policy applies to all student organizations at Eastern Michigan University.

<b>Authority for Creation or Revision</b>
Minutes of the Board of Regents, April 19, 1972; para. .1097M.



**BOARD OF REGENTS**  
EASTERN MICHIGAN UNIVERSITY

SECTION:

DATE:

January 17, 2006

**RECOMMENDATION**

**BOARD POLICY RECOMMENDED FOR DELETION**

**ACTION REQUESTED**

It is recommended that the Board of Regents approve deletion of one policy: 8.5.2 Student Body Constitution. See attached information.

**STAFF SUMMARY**

The Student Body Constitution gains no added authority by inclusion in the Board Policy Manual.

**FISCAL IMPLICATIONS**

None

**ADMINISTRATIVE RECOMMENDATION**

The proposed Board action has been reviewed and is recommended for Board approval.

\_\_\_\_\_  
University Executive Officer

\_\_\_\_\_  
Date

**EASTERN MICHIGAN UNIVERSITY  
DELETED BOARD POLICIES**

<b>Policy Number</b>	<b>Policy Name</b>	<b>Rationale for Deleting Policies</b>	<b>Cabinet Member Responsible</b>
8.5.2	Student Body Constitution	The Student Body Constitution is a Student Government-written and maintained document and Student Government bears the legal responsibility for its oversight of the Student Body Constitution. The Student Body Constitution gains no added authority by inclusion in the Board Policy Manual and the revised Policy 8.5.1 Limitations to University Authority: Student Body Constitution, approved by the Board on 12/2/03, adequately addresses the distinction between the two.	Jim Vick

# Student Body Constitution at Eastern Michigan University

*As Proposed by the Constitutional Convention  
As Appointed by the Student Senate at Eastern Michigan University*

**W**e, the Students at Eastern Michigan University, in order to provide and protect the rights of the Students with a proper and sound Student Government, for the purpose of advocating and securing a powerful and focused voice for the Students, guarding Our welfare, and insuring the tranquility of Our community, do hereby establish this Student Body Constitution.

## Article I

All power and authority vested in this Constitution is derived from the Student Body at Eastern Michigan University. All persons registered as students at Eastern Michigan University shall be Members of the Student Body.

Members of the Student Body shall retain the right to vote in all General Elections of the Student Body. Legislation may be passed which provides specific qualifications regarding voter rights and procedures so long as such legislation does not disenfranchise any specific Member or group of Members of the Student Body.

Elected officials of the Student Body, as provided herein, shall be elected via the General Election. The General Election shall occur yearly on the last consecutive Wednesday and Thursday in March.

The Senate shall establish an Election Commission no less than three calendar months prior to the commencement of the General Election.

The Senate shall initiate and consider election legislation and ordinances no less than two calendar months prior to the commencement of the General Election. The Election Commission shall be responsible for administering the General Election according to the election legislation, ordinances, et al.

This Constitution shall establish *stare decisis* that all actions, legislation, decisions, opinions, and policies appropriately approved by the Several Branches be recognized as valid throughout the ages.

## Article II

All legislative powers of the Student Body shall be vested in the Student Congress at Eastern Michigan University, which shall consist of the Senate and the House of Representatives.

The Senate shall be comprised of one Senator for every one thousand Members of the Student Body, but not less than twenty-five Senators, elected at-large from the Student Body during the General Election. Senators shall maintain office for a term of one year.

Each Senator shall maintain good standing with Eastern Michigan University.

Each Senator will have one vote in the Senate. Absentee and proxy voting will not be allowed. The Student Body Vice President shall be the President of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose its own officers, and also a President pro tempore who shall preside over the Senate in the absence of the President of the Senate, or when the Student Body Vice President is exercising the office of the Student Body President.

The President pro tempore will serve as the chief spokesperson and representative of the Senate and as an ex-officio member of all Senate Standing Committees.

The Senate shall meet no less than once a month during the Fall and Winter semesters. A quorum of the Senate shall consist of the presence of the majority of the Senators.

The Clerk of the Senate shall maintain all Senate proceedings in a permanent file. All documents shall be available for inspection and replication.

The House shall serve primarily as a programming-oriented body, but shall reserve the right to create legislation as deemed necessary.

Members to the House shall be University-recognized student organizations that maintain good standing with the University.

Each member may send two Delegates to the House who shall maintain speaking rights. Members shall inform the Speaker of the House of official Delegates prior to the commencement of business. Without prior and proper notification, an individual shall not be recognized as an official Delegate representing a member of the House.

Each member may cast one vote in the House, which shall be voiced by the respective Delegates.

Delegates may not represent more than one member of the House, nor serve as any other officer, ambassador, or appointed advisor of the Student Body.

The House shall choose its own officers, including a Speaker and a Ranking Delegate.

The Speaker will serve a one-year term beginning with an election by a plurality of the members of the House at the first meeting of the Chamber following the General Election.

The Ranking Delegate will serve a one-year term beginning with an election by a plurality of the members of the House at the first meeting of the Chamber following the General Election.

Delegates may run for the office of the Speaker; however, the Speaker will neither remain a Delegate to the House nor represent any member thereto.

Delegates may run for the office of the Ranking Delegate; however, the Ranking Delegate will neither remain a Delegate to the House nor represent any member thereto.

The Speaker shall prepare the agenda for, and chair, all meetings of the House. The Speaker will also schedule and announce all House meetings to the Student Body.

The Ranking Delegate will assume the duties of the Speaker should the Speaker be absent during a meeting of the House. In the event the office of the Speaker of the House is vacated, the Ranking Delegate will succeed to said office.

The Ranking Delegate will bring forth charges of impeachment against members or Delegates of the House for charges of expulsion if necessary.

Each Chamber may determine the rules of its proceedings, censure its members for disorderly conduct, and with two-thirds approval, expel a member. Expulsions may be appealed to the Student Government Court.

The House shall have the sole power of impeachment. The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the Student Body President is tried the Chief Justice will preside. No person shall be convicted without the concurrence of two-thirds of the members present. Removal from office via impeachment and conviction may not be appealed to any of the Several Branches.

Each Chamber may establish its own Standing Committees. Standing Committees shall consider all proposed legislation. The President of the Senate or the Speaker may direct a Standing Committee of their respective Chamber to revise proposed legislation.

Bills may originate in either Chamber. All bills pertaining to the Department of the Treasury shall originate in the Senate. No ex post facto bills shall be approved.

Upon Standing Committee approval, a bill shall be sent to the originating Chamber for consideration. An approved bill will then be sent to the recipient Chamber to be presented and considered. If said Chamber fails to act at its meeting following reception, the bill will be approved by silent consent.

Every bill which shall have passed through both the Senate and the House, shall be presented to the Student Body President. If approved, it shall be signed, but if not, it shall be returned with objections to the Chamber in which it originated. Said Chamber shall proceed to reconsider it. If after reconsideration two-thirds of said Chamber agrees to pass it, the bill shall be sent with the objections to the other Chamber where it will be reconsidered in the same manner. If approved by two-thirds of that Chamber, it shall become legislation. If any bill shall not be returned by the Student Body President within ten business days, it shall become legislation, with the exception of a recess or other incapacity of the Student Congress, in which case, it shall not be legislation.

### **Article III**

The executive power shall be vested in the Student Body President at Eastern Michigan University and the Student Body Vice President at Eastern Michigan University, who shall be jointly elected by the Student Body during the General Election. A student in good standing with the University who has attained at least sophomore status shall be eligible to hold the office of Student Body President or Student Body Vice President.

The Student Body President shall serve as the chief spokesperson and the principal representative of the Student Body.

The Student Body Vice President will succeed to the office of the Student Body President should said office be vacated.

The Student Body President will appoint, with the advice and consent of the Senate, a Secretary of the Treasury, who shall administer the Department of the Treasury. The Secretary of the Treasury shall formulate the Student Government budget with the advice and consent of the Senate. The Secretary of the Treasury or a designee shall give budget updates to the Student Congress as deemed necessary.

The Student Body President shall appoint, with the advice and consent of the Senate, a Secretary of Governmental Affairs, who shall advise the Executive Branch in issues of governance.

The Student Body President shall appoint, with the advice and consent of the Senate, a Director of Office Management, who shall be responsible for the management of the offices of Student Government. The Director of Office Management shall report to the Secretary of Governmental Affairs, and will be considered subsidiary staff.

The Student Body President shall appoint, with the advice and consent of the Senate, the Advisor to the First Year Council.

The Student Body President shall from time to time give to the Student Congress information of the state of the Student Body, and recommend for their consideration such measures as seem appropriate; the President shall take due note that the legislation governing the Student Body be faithfully executed.

The Student Body President shall report to the Senate on any matters of governance upon written request of the President pro tempore of the Senate, initiated by a majority vote of the Senate.

The Student Body President and the Student Body Vice President shall receive a compensation for service which shall neither be increased nor diminished during the term of said service.

No person shall serve as a member of the Executive Branch while also serving the Student Congress or Student Government Court in any capacity, with the exception of subsidiary staff.

The Student Body President shall have power, with the advice and consent of the Senate, to enter into agreements with other bodies of governance. The Student Body President shall, with the advice and consent of the Senate, appoint officers, ambassadors, advisors, subsidiary staff, and Justices of the Student Government Court.

The Communication Council shall be comprised of the Student Body President, the Speaker of the House of Representatives, the President pro tempore of the Senate, the Chief Justice, and the President of the First Year Council. The Communication Council shall facilitate communication among the Several Branches of Student Government. The Communication Council shall hold meetings on a monthly basis, or of a greater frequency as deemed appropriate by the aforementioned Members.

The Communication Council shall have no legislative power, except in times of urgent necessity when the Student Congress is unable to assemble. At such times, the Communication Council shall have authority to legislate and allocate funds. Such actions require a majority vote of members present.

The Student Body President shall have the power to make appointments to all vacancies that may occur during a recess or other incapacity of the Senate. These appointments are subject to the consent of the Senate upon its first reconvening.

The Student Body President shall have the power to grant reprieves and pardons for offenses against the Student Body, except in cases of impeachment. This power is limited to decisions rendered by the Student Government Court or any of its subordinate judicial bodies.

The Student Body President, the Student Body Vice President, and all officials shall be removed from office on impeachment for, and conviction of, such offenses against the Student Body deemed properly severe.

#### **Article IV**

All judicial powers granted herein, and by legislation consistent with this Constitution, shall be vested in the Student Government Court.

The Court shall have supreme jurisdiction in all cases involving the interpretation of the Constitution and Bylaws of the Executive and Legislative branches and all subsidiaries. This jurisdiction shall extend only so far as to encompass the officers, ambassadors, appointed advisors, and subsidiary staff of the Student Body.

The Court shall consist of no less than five Justices who shall be Members of the Student Body in good standing and properly appointed. Justices shall serve so long as they remain Members of the Student Body or until such time as they resign or are removed.

The Court shall appoint its own Chief Justice from among the Justices. The Chief Justice shall be appointed within two weeks of vacancy. The Court shall determine this appointment process.

The Chief Justice shall chair all official proceedings of the Court, and shall appoint Justices, or Members of the Student Body, to any and all University Judicial boards or proceedings upon request of appropriate University officials.

The Chief Justice shall appoint a Clerk of the Student Government Court.

The Clerk shall maintain records of the Court in a permanent file. All records shall be available for inspection and replication. Deliberations shall be held in executive session and shall not be put on the record.

The Court shall confirm Standing Rules of Order for itself, at minimum, every second year and maintain the regular attendance of the Justices at meetings and proceedings of the Court. The Court may choose to hear or dismiss cases brought before it by Members of the Student Body against officers, ambassadors, appointed advisors, or subsidiary staff of the Student Body and decide constitutionality of cases approved for hearing. The Court shall decide the constitutionality of legislation and other Standing Rules of Order at the request of any Justice. The Court shall have jurisdiction in matters pertaining to the constitutionality of legislation, Standing Rules of Order, and Bylaws at the request of any officer, ambassador, appointed advisor, subsidiary staff, or Member of the Student Body. The Court shall decide the validity and constitutionality of cases and legislation before it using this Constitution and all of its secondary governing documents.

The Court may provide remedies as appropriate, including the levy of financial consequences in cases regarding conduct of officers, ambassadors, appointed advisors, and subsidiary staff of the Student Body.

The Court may establish subordinate judicial bodies as deemed necessary. The Court shall determine jurisdiction of said subordinate judicial bodies consistent with the jurisdiction of the Court. The Court shall retain appellate jurisdiction over matters when jurisdiction may have originated in said subordinate judicial bodies.

The Court may appoint advisors and subsidiary staff as deemed necessary.

The Justices and the Chief Justice shall be removed from office on impeachment for, and conviction of, such offenses against the Student Body deemed properly severe.

#### **Article V**

The First Year Council at Eastern Michigan University shall serve as a subordinate body to the Several Branches and shall work to foster and encourage leadership and involvement among First Year Students at Eastern Michigan University.

First Year Council Members shall consist only of First Year Students.

The Advisor to the First Year Council shall organize and convene a meeting for all First Year Students to attend during the first thirty calendar days of the Fall semester. Attendees of said meeting shall be First Year Council Members. The First Year Council may install additional First Year Council Members.

Failure to attend two consecutive meetings of the First Year Council may result in loss of membership as determined by the Advisor to the First Year Council. Said loss of membership may not be appealed to any of the other Several Branches.

The First Year Council shall select from its membership the First Year Council President at Eastern Michigan University, the First Year Council Vice President at Eastern Michigan University, and the Clerk of the First Year Council at Eastern Michigan University. The First Year Council shall select additional subordinate advisors and staff, as deemed necessary.

First Year Council Members shall serve at least one of the Several Branches in a fashion deemed appropriate by the Advisor to the First Year Council.

The First Year Council may determine the rules of its proceedings, punish its Members for disorderly conduct, and with two-thirds approval, expel a Member. Expulsions may be appealed to the Student Government Court.



#### **Article VI**

The Student Congress, whenever two-thirds of both Chambers shall deem necessary, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the two-thirds of both Chambers of the Student Congress.

#### **Article VII**

All debts contracted and engagements entered into before the adoption of this Constitution, shall be as valid against the Student Body at Eastern Michigan University under this Constitution.

This Constitution, and the legislation of the Student Body which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the Student Body, shall be the supreme law governing the Student Body.

The Senators and Delegates aforementioned, and all Executive and Judicial officers of the Student Body, shall be bound by oath or affirmation, to support this Constitution.

#### **Article VIII**

The ratification by two-thirds of voters during the two thousand one General Election shall be sufficient for the establishment of this Constitution, subject to certification by the Election Commissioner.

Done in convention by the unanimous consent of the Members of the Constitutional Convention, as appointed by the Student Senate at Eastern Michigan University, present the twenty-eighth day of January in the Common Era two thousand one. In witness whereof we have hereunto subscribed our names,

Hrant P. Hratchian  
Kylie B. Crawford  
Neil A. Ripley  
M.E. Emlaw  
Jessica Allen  
Ryan Colthorp  
Hillary M. Glowski  
Laura K. Russell  
Michael T. Selby  
Darnie Ann Sizemore  
Milo S. Thomas