

Student Constitution

The University of North Carolina at Chapel Hill

(as amended February 12, 2013)

THE CONSTITUTION FOR THE STUDENT BODY OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

PREAMBLE

With strong purpose to resolve the doubts we have inherited from one hundred and fifty years of formless growth, with resolute determination to preserve the best in our tradition of responsible student self- government, we assert our goals to preserve order, make personal freedom secure, establish justice, and win a lasting opportunity for responsible individual and collective action; and to these ends we ordain and establish this Constitution for the Student Body of the University of North Carolina at Chapel Hill.

ARTICLE I. LEGISLATIVE

Section 1. Legislative Power

The legislative power of the Student Body shall be vested in the Student Congress, which shall be a unicameral body.

Section 2. Membership

The elected membership of the Student Congress shall consist of a number of undergraduate students and graduate and professional students equal in proportion to the number of undergraduate and graduate and professional students in the Student Body.

Section 3. Number of Representatives

The number of Representatives shall be set in the manner prescribed by law in the Student Code, but shall at no time be less than one-tenth (1/10) of one (1) percent of the student population.

Section 4. Congressional Districts; Apportionment of Representatives

The Representatives shall be elected from districts established annually by the Congress.

1. Undergraduate representatives shall be elected from districts composed of a set of residence units containing the place of actual physical residence as distinguished from one of temporary sojourn.
2. Graduate and professional representatives shall be elected from districts composed of a set of graduate and professional academic departments.

Section 5. Elections.

Representatives shall be elected in a Spring General Election, the date being set in the manner prescribed by law in the Student Code.

Section 6. Qualifications for Representatives

Each Representative, as of the first day of classes of the fall semester following the Spring General Election, shall be enrolled as a fee-paying student at the University of North Carolina at Chapel Hill and belong to the district he/she was elected to represent.

Section 7. Term of Office

Representatives elected in the Spring General Election shall serve for one-year terms beginning on the first Tuesday in April upon inauguration and ending the first Tuesday in

April of the following spring semester. Representatives elected in any special election shall serve from upon inauguration until the subsequent first Tuesday in April.

Section 8. Vacancies

Every vacancy occurring in the membership of the Congress shall be filled in the manner prescribed by law in the Student Code.

Section 9. Officers of the Student Congress

The Congress shall elect from its membership a Speaker and other officers, as it shall determine.

Section 10. Journal

The Congress shall keep a journal of its proceedings, which shall be made public and preserved in the University Archives.

Section 11. Powers of the Student Congress

The Congress shall have the power to:

1. With the approval of the Board of Trustees or the Board of Governors, and with approval by means of a Student Body referendum, determine the following fees:
 - a. Student Activities Fee;
 - b. Student Legal Services Fee;
 - c. Undergraduate Teaching Award Fee;
 - d. A.P.P.L.E.S. Program Fee;
 - e. Student Body Scholarship Fee;
 - f. Student Endowed Library Fund Fee;
 - g. Senior Class Enrichment and Publicity Fee;
 - h. Childcare Services Fee;
 - i. Student Safety and Security Fee;
2. Appropriate all revenue within the Student Activities Fee provided that:
 - a. Congress appropriates at least \$13.00 per student per year to the Carolina Union;
 - b. Congress appropriates at least \$1.56 per student per year to WXYC;
 - c. Congress appropriates at least \$1.95 per student per year to Student Television;
 - d. Congress appropriates at least \$9.75 per graduate and professional student per year to the Graduate and Professional Student Federation;
 - e. Congress appropriates at least twenty (20) percent of the Student Activities Fee collected during the summer sessions to the Carolina Union for the purpose of summer programming; and,
 - f. All unspent funds shall revert to the General Reserve except those of the Carolina Union, WXYC, Student Television, and the Graduate and Professional Student Federation.
3. Establish the annual budget;
4. Establish procedures annually for the execution of its business;
5. Establish laws governing elections;
6. Approve or reject all codified appointments made by the Student Body President;
7. By a two-thirds (2/3) majority of members present and voting, override a veto of the Student Body President;

8. Impeach, initiate trials, and remove from office any codified student government official;
9. Require reports from all committees and from all organizations receiving funds from Student Government;
10. Establish remuneration for all Student Government officials it deems appropriate provided any changes shall not affect the officers then holding the positions in question;
11. Review, approve, or reject the constitutions, charters, and bylaws of all student organizations receiving funds from the Congress;
12. Conduct the financial affairs of all student organizations, including the Carolina Union, WXYC, Student Television, the Honor Court, the Residence Hall Association, and the Carolina Athletic Association, but not the Graduate and Professional Student Federation, by legislation of the Congress;
13. Approve changes to the Instrument of Student Judicial Governance;
14. Determine the powers, composition, and functions of the Summer School Student Government;
15. Determine the composition and approve any changes to the bylaws of the Carolina Union Board of Directors, the Student Fee Audit Committee, the Student Legal Services Board of Directors, the Campus Recreation Board, the Student Library Advisory Board, and the Board of Elections, provided that the Chancellor shall appoint any faculty representatives on these boards; and,
16. Make all laws necessary and proper to promote the general welfare of the Student Body.

Section 12. Congressional Limitations

1. The Student Congress shall not be prevented from allocating student fee money to programs, services, or events because of their religious or politically partisan nature;
2. The Student Congress shall adhere to the University Non-Discrimination Policy, and shall not discriminate in matters of policy or financial allocation on the basis of age, gender, race, color, national origin, religion, creed, political ideology, political affiliation, political party, disability, veteran status, sexual orientation, gender identity, gender expression, or genetic information;
3. No Student Congress member shall be entitled to a salary.

ARTICLE II. EXECUTIVE

Section 1. Executive Power

The executive power of the Student Body shall be vested in the Student Body President.

Section 2. Election, Term, and Qualifications

The Student Body President shall be enrolled as a fee-paying student at the University of North Carolina at Chapel Hill and shall be elected in the Spring General Election for a one-year term beginning the first Tuesday of April upon inauguration and ending the first Tuesday of April of the following spring semester.

Section 3. Duties of the Student Body President

1. Submit legislation to the Student Congress;
2. Enforce and administer laws enacted by the Student Congress;
3. Veto acts of the Student Congress, provided that the President shall exercise such power of veto within ten (10) school days upon passage of the Student Congress;
4. Call and preside at meetings of the Student Body;
5. Serve as a non-voting, ex-officio members of all standing committees and boards;
6. Issue orders to the standing committees and require reports;
7. Represent the Student Body in relation to other schools, the faculty, the administration, the Board of Trustees, and Board of Governors;
8. Be an ex-officio member of the Board of Trustees;
9. Establish such subsidiary bodies deemed necessary and proper to aid the performance of the duty of the President;
10. Appoint the Chairs of all Executive Branch Committees; and,
11. Nominate Executive Branch officers and other codified positions.

Section 4. Other Executive Officers

The president shall have the assistance of a Student Body Undergraduate Vice President, a Student Body Treasurer, and a Student Body Secretary, who shall be appointed by the Student Body President from a pool of nominees recommended by the Selection Committee and with the approval of two-thirds (2/3) of present and voting members of the Student Congress at a regular meeting of the Congress.

1. Selection Committee. The Selection Committee shall accept and review applications for the offices of Vice President, Treasurer, and Secretary. From the pool of applications, the Committee shall select three (3) of the applicants for each position to be submitted to the incoming Student Body President, who shall choose one (1) applicant for each position to nominate for the enumerated office.
 - a. The Selection Committee for the positions of Vice President and Secretary shall consist of
 - i. The Chief Justice of the Supreme Court, who shall be an ex-officio, non-voting member and serve as chair of the committee;
 - ii. A designate of the Student Body President-elect;
 - iii. The outgoing Student Body President;
 - iv. The outgoing Student Body Vice President;
 - v. The outgoing GPSF President;
 - vi. The outgoing Speaker of Student Congress;
 - vii. The outgoing Rules & Judiciary Committee Chair of Student Congress.

- b. The Selection Committee for the position of Treasurer shall consist of:
 - i. The Chief Justice of the Supreme Court, who shall be an ex-officio, non-voting member, and serve as chair of the committee;
 - ii. A designate of the Student Body President-elect;
 - iii. The outgoing Student Body President;
 - iv. The outgoing Student Body Treasurer;
 - v. The outgoing GPSF President;
 - vi. The outgoing Speaker of Student Congress;
 - vii. The outgoing Finance Committee Chair of Student Congress.
 - c. The policies and procedures of the Selection Committee shall be prescribed by law in the Student Code.
 - d. It shall be the duty of the outgoing Student Body Secretary to manage the application process subject to the policies and procedures prescribed by law in the Student Code.
2. Duties. The respective duties of the Vice President, Treasurer, and Secretary shall be prescribed by law in the Student Code.
 3. Vacancies. Vacancies in any of the executive offices shall be filled in the manner prescribed by law in the Student Code.

ARTICLE III. JUDICIAL

Section 1. Student Responsibility

It shall be the responsibility of every student at the University of North Carolina at Chapel Hill to obey the Honor Code and Student Code.

Section 2. Judicial Power

The judicial power of the Student Body shall be vested in the courts provided by the Instrument of Student Judicial Governance for the University of North Carolina at Chapel Hill. The Instrument, accepted by the Chancellor, approved by the Student Body, and approved by the Faculty Council, shall be set forth in a separate document and provide its own procedures for amendment. The Instrument shall provide a Code of Conduct for the Student Body and establish officers, structures and procedures by which the Code is implemented and offenses adjudicated. Provisions of the Instrument in relation to these matters shall be exclusive.

Section 3. Savings Clause

When provisions of the Constitution or the Instrument of Student Judicial Governance are changed, cases and controversies which are pending at the time the change becomes effective shall be tried under the later provisions except when such a change has the effect of creating new penalties or new violations of law.

Section 4. Student Attorney General

The Student Attorney General shall perform the duties and functions for which he/she is made responsible under the Instrument of Student Judicial Governance. The Student Attorney General shall be appointed in the spring by the Student Body President subject to the approval of two-thirds (2/3) of present and voting members of the Student Congress at a regular meeting of the Congress, and shall serve until a successor is confirmed.

Section 5. Supreme Court of the Student Body

Original jurisdiction in controversies concerning executive and legislative action raising questions of law arising under this Constitution and laws enacted under its authority shall reside with the Supreme Court of the Student Body.

Section 6. Composition of the Supreme Court

The Student Supreme Court shall be composed of a Chief Justice and a number of Associate Justices to be prescribed by law in the Student Code. Justices of the Supreme Court shall be appointed by the Student Body President subject to the approval of two-thirds (2/3) of present and voting members of the Student Congress at a regular meeting of the Congress.

Section 7. Student Solicitor General

The Student Solicitor General shall serve as the counsel for Student Government branches and agencies. The Student Solicitor General shall be appointed in the spring by the Student Body President subject to the approval of two-thirds (2/3) of present and voting members of the Student Congress at a regular meeting of the Congress, and shall serve until a successor is confirmed.

ARTICLE IV. ADDITIONAL GOVERNING BODIES

Section 1. Constitutionally Established Bodies

The following organizations, boards, and committees shall exist to represent and serve specific interests of the Student Body as prescribed in the following sections. The Carolina Union Board of Directors, Student Fee Audit Committee, Student Legal Services Board of Directors, Campus Recreation Board, and Student Library Advisory Board shall contain a number of graduate and professional students in proportion to the number of graduate and professional students in the Student Body, to be appointed in the manner prescribed by law in the Student Code.

Section 2. Graduate and Professional Student Federation

There shall be a Graduate and Professional Student Federation whose duty it shall be to regulate matters concerning the welfare and activities of the graduate and student population.

1. The president of the Graduate and Professional Student Federation shall additionally serve as an ex-officio Student Body Graduate Vice President, and shall advise the Student Body President on matters concerning graduate and professional students. Additional powers of the Student Body Graduate Vice President shall be prescribed by law in the Student Code.

Section 3. Residence Hall Association

There shall be a Residence Hall Association whose duty it shall be to handle all matters concerning student life in University-owned and approved undergraduate residence halls.

Section 4. Carolina Athletic Association

There shall be a Carolina Athletic Association whose duty it shall be to represent the athletic concerns of the Student Body.

Section 5. Carolina Union Board of Directors

The Carolina Union Board of Directors shall be the governing body of the Carolina Student Union.

Section 6. Student Fee Audit Committee

The Student Fee Audit Committee shall oversee the levying and expenditure of all student fee dollars and shall be the supervising committee of the Student Activity Fund Office. The committee shall have the power to inspect the financial record of any student organization receiving Student Activity Fee money.

Section 7. Student Legal Services Board of Directors

The Student Legal Services Board of Directors shall supervise the business of Student Legal Services.

Section 8. Campus Recreation Board

The Campus Recreation Board shall be the governing body of UNC Campus Recreation.

Section 9. Student Library Advisory Board

The Student Library Advisory Board shall direct the expenditures of the Student Endowed Library Fund.

ARTICLE V. ELECTIONS

Section 1. Board of Elections

All elections for Student Government officers established under this Constitution, or established by the Student Congress, shall be carried out in the manner prescribed by law in the Student Code by the Board of Elections.

Section 2. Composition of the Board of Elections

The Board of Elections shall be composed of a Chair, a Vice Chair, and a number of members to be prescribed by law in the Student Code. Members of the Board of Elections shall be appointed by the Student Body President subject to the approval of two-thirds (2/3) of present and voting members of the Student Congress at a regular meeting of the Congress.

Section 3. Recall

Any constituency shall have the power to recall any officer elected by that constituency under this Constitution. A petition signed by at least fifteen (15) percent of the qualified voters of the constituency in question shall be filed with the Chair of the Board of Elections. If the Chair deems the petition to have the requisite number of signatures, the Board of Elections shall conduct an election for the office in question, in which the officer in question shall have the right to be a candidate. The officer in question shall continue in office until the election returns shall be officially announced.

Section 4. Initiative

The Student Body shall have the power to initiate any act within the power of Student Congress, provided that at least ten (10) percent of the Student Body shall sign a petition calling for an election on a bill that shall be submitted in writing with the petition to the Chair of the Board of Elections. If the Chair deems the petition to have the requisite number of signatures, the Board of Elections shall conduct an election on the bill in the manner prescribed by law in the Student Code. A favorable majority of votes cast in an election in which at least two-and-a-half (2.5) percent of the Student Body votes on the bill shall be sufficient to pass the bill.

Section 5. Review

The Student Body shall have the power to call for a ballot on any act passed by the Student Congress, provided that at least ten (10) percent of the Student Body shall sign a petition calling for an election and specifying the act in question to the Chair of the Board of Elections. If the Chair deems the petition to have the requisite number of signatures, the Board of Elections shall conduct an election on the act in question in the manner prescribed by law in the Student Code. A favorable majority of votes cast in an election in which at least two-and-a-half (2.5) percent of the Student Body votes on the bill shall be sufficient to review the act in question.

Section 6. Coercion of Voters Prohibited

No group or organization on the campus of the University shall coerce any student or in any unduly manner influence his or her vote. The Student Congress shall have the power to make laws to enforce this provision.

Section 7. Undergraduate- or Graduate-Specific Votes

When an initiative or review of an act of Student Congress would affect only undergraduates or only graduate and professional students, at least two-and-a-half (2.5) percent of the affected party alone shall be sufficient turnout for the vote to be binding in accordance with the above sections.

ARTICLE VI. AMENDMENTS

Section 1. Amendments Proposed in Congress

The Student Congress shall have the power to propose amendments to this Constitution, subject to a simple majority vote of the Student Body, provided that at least two-and-a-half (2.5) percent of the Student Body votes on the amendment.

Section 2. Amendments Proposed by Petition

Any member of the Student Body shall have the power to propose amendments to this Constitution by submitting a petition in writing to the Chair of the Board of Elections. If the Chair of the Board of Elections deems the petition to be signed by at least ten (10) percent of the duly enrolled students of the Student Body, the Board of Elections shall conduct an election in which a favorable vote of two-thirds ($2/3$) of those voting, provided that at least two-and-a-half (2.5) percent of the Student Body votes on the amendment, shall be required to ratify the proposed amendment.

ARTICLE VII. STUDENT SUPREME LAW

Section 1. Constitution and Laws Supreme

This Constitution and all laws enacted pursuant thereto shall be Supreme Student Law.

Section 2. Present Laws and Rules to Continue in Effect

All laws enacted by the Student Congress shall continue in full force and effect until repealed or changed in accordance with this Constitution or enacted laws.