Constitution of the University of Colorado Denver

Student Government Association

Preamble

We, the students of the University of Colorado Denver (CU Denver) at the Denver Campus, in accordance with the authority granted by the University of Colorado Board of Regents and the Office of the Chancellor of CU Denver, in order to give the students an effective voice in the shared governance of the campus, to provide the students with an enriching and fulfilling university experience, and to promote the general welfare of the student body, do ordain and establish this Constitution of the University of Colorado Denver Student Government Association (CU Denver SGA). We do so in accordance with the University of Colorado Board of Regents laws and policies, the Constitution of the State of Colorado, and the Constitution of the United States of America.

Article I

Declaration of Rights

A. Students shall have the right to representation in accordance with the University of Colorado Board of Regents laws and policies in the form of CU Denver SGA.

B. Students shall have the right to participate in CU Denver SGA in accordance with this document and CU Denver SGA bylaws.

C. Students shall have the right to petition and appear before CU Denver SGA for matters of governance as provided by the Constitution of the CU Denver SGA.

D. Students shall have the right to access CU Denver SGA decisions, minutes, and governing documents.

E. Students shall have the right to assemble together, petition, and protest against CU Denver SGA.
F. Students shall have the right to equitable treatment and advocacy from CU Denver SGA.

G. Students shall have the right to appear before and speak to CU Denver SGA.

H. Students shall have the right to attend all committee and sub-committee meetings of CU Denver SGA.

I. Students reserve all rights guaranteed and protected by the Constitution of the University of Colorado Denver Student Government Association, the Constitution of the State of Colorado, and the Constitution of the United States of America.

J. CU Denver SGA and its elected and appointed representatives shall not discriminate while carrying out the functions of CU Denver SGA. The University of Colorado does not discriminate on the basis of race, color, national origin, sex, age, disability, creed, religion, sexual orientation, gender identity, gender expression, veteran status, political affiliation, or political philosophy in admission and access to, and treatment and employment in, its educational programs and activities.

K. CU Denver SGA is committed to the principle viewpoint of neutrality. Accordingly, no decision related to the recognition or funding of any student group, access to any of the benefits afforded by CU Denver SGA, or participation in any CU Denver SGA endeavor, shall be made from the partisan viewpoint of any individual or group.

Article II

Qualification for Office

A. All students enrolled at CU Denver at the Denver Campus are constituents of the CU Denver Student Government Association, and thereby eligible to vote in any election held under the authority granted by this Constitution.

B. Elected offices of CU Denver SGA shall be President, Vice President, members of the Senate, College Council, and CU Denver SGA representatives to the Student Advisory
Committee to the Auraria Board of Directors (SACAB), as provided herein. Appointed offices of CU Denver SGA shall be the Judicial Branch, Freshman Council, CU Denver SGA representatives to the Student Fee Review Committee (SFRC), and Election Commissioners, as provided for herein, along with any other such offices as the Senate may create from time to time.

C. CU Denver SGA constituents are eligible to serve in elected or appointed office of CU Denver SGA and paid staff positions, subject to the following conditions:

i. Undergraduate students must be degree-seeking and enrolled in a minimum of six (6) credit hours for the duration of their term. Graduate students must be enrolled in a minimum of three (3) credit hours for the duration of their term or receiving thesis/dissertation credits.

ii. All students holding elected or appointed office within CU Denver SGA, or any paid staff position, must remain in good academic standing as defined by CU Denver and with their respective school(s) and/or college(s).

iii. All students holding elected office within CU Denver SGA must disclose any affiliations with any/all recognized CU Denver and/or student fee funded organizations. The President, Vice President, and Chair of the Finance and Funding Committee may not concurrently hold any executive office, including, but not limited to, the offices of President, Vice President, Secretary or Treasurer in any student fee funded organization.

iv. No student may hold more than one (1) elected or appointed office of CU Denver SGA or any paid staff position, except as follows:

   a. A student holding elected or appointed office within CU Denver SGA, other than the President, Vice President, and members of the Judicial Branch, may concurrently hold one (1) paid staff position within CU Denver SGA upon approval by a two-thirds (2/3) vote of the Senate.
b. A student not holding elected office within CU Denver SGA, excluding the Judicial Branch may concurrently hold two (2) or more paid staff positions upon approval by a two-thirds (2/3) vote of the Senate.

c. Paragraph (a) of this paragraph (iv), notwithstanding, a Senator who sits on more than one standing committee of the Senate may not concurrently hold a paid staff position within CU Denver SGA.

d. The provisions of this paragraph (iv) shall not apply to any ad-hoc committee created by the Senate pursuant to this Constitution.

v. Failure to meet any of these conditions throughout the duration of a term of office shall be grounds for removal from CU Denver SGA by impeachment or at the discretion of the Chancellor.

Article III

Legislative Branch

Senate Composition

A. The legislative authority of CU Denver SGA resides in the Senate which shall be comprised of:

i. Eighteen Senators, elected from the student body at-large in accordance with this Constitution.

ii. The Chair of the College Council, who shall be a full voting member of the Senate.

iii. The Chair of the Freshman Council, who shall be a full voting member of the Senate.
B. The Vice President shall chair, and preside over meetings of the Senate, but shall not be a voting member. The Senate shall elect from among its members a President Pro Tempore who shall preside over meetings of the Senate in the absence of, or at the request of the Vice President.

C. Meetings of the Senate shall be held at least once per month during the Fall and Spring semesters, and at least once during the Summer semester. Additional meetings may be held at the discretion of the Vice President, or the President Pro Tempore if the Vice President shall refuse to act, or upon affirmative vote or signature of a majority of the Senate membership.

D. The Senate may adopt legislation, as provided herein through approval by the President, upon introduction by any member of the Senate, recommendation of the Legislation and Drafting Committee, or upon request by any other elected officer of CU Denver SGA. Legislation proposals introduced by any member of the Senate shall be referred by the President Pro Tempore to the Legislation and Drafting Committee and to such other standing committees or ad-hoc committees of the Senate as the President Pro Tempore shall deem necessary, except that the Senate may consider any such legislative proposal without committee review or may refer proposed legislation for additional committee review. If the President shall veto such legislation, the Senate may override said veto by a two-thirds (2/3) vote of its sitting membership.

E. The Senate shall approve the CU Denver SGA operating budget in accordance with CU Denver rules and procedures, including procedures adopted by the Student Fee Review Committee (SFRC) as described herein or relevant. The Senate may establish or eliminate offices of CU Denver SGA in addition to those provided for herein and may establish or eliminate such paid staff positions, except that the Senate may not eliminate any paid staff position unless or until it is vacant.

F. The Senate shall adopt bylaws which provide for orderly proceedings. The Senate shall not act except upon the presence of a quorum, which shall be a majority of the sitting membership.

G. The Senate shall have the sole power to try all impeachments as set forth herein.
Committees

H. There shall be three standing committees of the Senate as follows:

i. The Legislation and Drafting Committee shall investigate, research, and draft proposed legislation upon referral by the Senate or President Pro Tempore, as provided herein, or upon request by an elected officer of CU Denver SGA, and shall timely forward any legislation so referred or requested with recommendations to the Senate.

ii. The Finance and Funding Committee shall recommend Funding Guidelines for the allocation of student fee monies to recognized student organizations, and any revisions thereto the Committee deems appropriate, to the Senate, which shall approve or reject, but which shall not further amend such Guidelines or revisions. The Funding Guidelines shall be consistent with the principal viewpoint of neutrality and subject to approval by the Chancellor. The Finance and Funding Committee shall allocate student fee funds to recognized student organizations in accordance with the Funding Guidelines. Funding decisions of the Finance and Funding Committee are appealable to the Judiciary on the grounds that such decision was not in accordance with the duly adopted Funding Guidelines.

iii. The Events and Planning Committee shall promote, plan and execute CU Denver SGA events and activities for the benefit of CU Denver students at the Denver campus.

I. The Executive Branch shall nominate, for the consideration and confirmation of the Senate, a chair for each standing committee, who shall not vote in their chaired standing committee, except in the event of a tie. In addition to the chair, each standing committee shall be comprised of an odd number, not less than three (3) and not more than seven (7), Senators elected at-large. Each committee member shall be nominated by the Executive Branch, with the consensus of at least two (2) of the three (3) standing committee chairs for the consideration and confirmation of the Senate. In the event that the Executive Branch and two (2) of the three (3) standing committee chairs do not reach consensus, the Senate may appoint
members to the standing committees by a two-thirds (2/3) vote. At the discretion of the committee or the Senate, additional non-voting members may be appointed to any standing committee upon nomination by the committee chair or the Executive Branch and confirmation by the Senate.

J. The Senate may create ad-hoc committees and define the membership of such committees, without limitation, as needed.

K. Each Senator elected at-large shall serve on at least one (1), but not more than two (2), standing committees.

Advisory Committees of the Legislative Branch

L. Pursuant to §23-70-102, C.R.S. (2013), as it may hereinafter be revised or renumbered, there exists a Student Advisory Committee to the Auraria Board of Directors (SACAB), comprised in part of CU Denver SGA representatives who shall be elected and shall serve in the manner prescribed by law. In the event of a vacancy by a CU Denver SGA representative to SACAB, it shall be the highest priority of the CU Denver SGA to fill such vacancy in the manner prescribed by law. The Senate shall be responsible for adopting procedures to fill vacancies as prescribed by law, and for carrying out any other responsibilities imposed by law on the student government or governing body related to SACAB.

M. Pursuant to CU Denver policy, there exists a Student Fee Review Committee (SFRC), which is responsible for making recommendations to the CU Denver administration for the allocation of student fee monies to designated student fee funded services and activities and concerning new student fee and changes to existing fees. The membership of the SFRC shall be as prescribed by CU Denver policy; provided, however, that the President shall nominate and the Senate shall confirm any CU Denver SGA representatives to the SFRC other than the CU Denver SGA officers specifically designated by CU Denver policy. CU Denver SGA representatives shall provide regular reports to the Senate, as required by the Senate.
Article IV

Executive Branch

President

A. The executive authority of CU Denver SGA shall reside in the President, who shall be responsible for oversight and general functioning of the entire body. The President shall be the liaison between CU Denver Administration and CU Denver SGA, the spokesperson for the student body, and shall represent CU Denver SGA, or shall designate a representative, on the system-wide intercampus forum.

B. The President, together with the Vice President, shall be annually elected at-large by the Student body.

C. The President shall approve or veto, in writing, any legislation adopted by the Senate within five (5) school days. If the President has not acted upon any legislation within five (5) school days, it shall be considered approved.

D. The President shall from time to time address the Senate on the state of the campus and recommend for their consideration such measures as he/she deem necessary and expedient, and shall have the authority to call special sessions of the Senate.

E. The President shall participate in any executive committee of CU Denver SGA, having been established by the Senate in the manner prescribed by the Senate.

Vice President

F. The Vice President, together with the President, shall be elected at-large by the student body.

G. The Vice President shall aid the President in executing the duties of the office. The President may delegate specific duties in writing to the Vice President.

H. The Vice President shall serve as the chair of the Senate and shall not be a voting member.
I. The Vice President shall participate in any executive committee of CU Denver SGA, having been established by the Senate in the manner prescribed by the Senate.

Article V

Judicial Branch

A. The Judicial Branch shall consist of one (1) Chief Justice and two (2) Associate Justices, having been nominated by the President and confirmed by the Senate.

B. The Judicial Branch shall interpret this Constitution and committee bylaws or rules adopted by the Senate, and make judgments on disputes arising from decision of CU Denver SGA in accordance with the provisions of this Constitution; except that complaints of financial misconduct, criminal acts, discrimination, sexual harassment and/or any other violation of the Code of Student Conduct or other violations of CU Denver policy shall be forwarded to appropriate CU Denver administration for processing in accordance with CU Denver policies and procedures. All judgments of the Judicial Branch shall be binding on the SGA.

C. The Judicial Branch shall advise the Election Commissioners and, if the Election Commissioners are unable or unwilling to administer regular or special elections as provided herein, or if both election commission offices are vacant, shall carry out the duties of the Election Commissioners as described herein.

Article VI

Advisory Councils

College Council

A. There shall be a College Council comprised of representatives from each of the following Schools/Colleges: Architecture and Planning, Arts and Media, Business, Education and Human Development, Engineering and Applied Science, Liberal Arts and Sciences, and Public Affairs.
B. Representatives of the College Council shall be elected by the student population at CU Denver and shall be confirmed by the Senate in accordance with procedures established by the Senate. The College Council shall be constituted upon confirmation by the Senate of six (6) or more representatives. Members of the College Council shall serve a term that commences upon constitution or selection to the College Council and ends upon commencement of the College Council during the next academic year.

C. The Chair of the College Council, who shall be a voting member of the Senate, shall rotate annually among the representatives of each School/College designated herein in a manner prescribed by the Senate.

D. The College Council shall meet at least once a month during the Fall and Springs semesters, provided, however, that the College Council shall not be constituted and shall not, therefore, be required to meet at any time there are two (2) or more vacancies within the College Council.

**Freshman Council**

E. There shall be a Freshman Council which shall represent the voice of the freshman student population at CU Denver, and provide opportunities for first time students to become active and involved in CU Denver SGA.

F. All CU Denver freshmen as defined by academic policies are CU Denver SGA constituents, and are thereby eligible to serve on the Freshman Council, which shall be annually constituted by the Senate during the Fall semester.

G. The membership of Freshman Council shall consist of four (4) appointed members, members of the Freshman Council shall serve a term that commences upon constitution or selection to the Freshman Council and ends upon commencement of the Freshman Council during the next academic year.

H. The President shall nominate and the Senate shall confirm the Chair of the Freshman Council, who shall be a voting member of the Senate.
I. The Freshman Council shall meet at least once per month during the Fall and Spring semesters, or more often as prescribed by the Senate; provided, however, the Freshman Council shall not be required by the Senate to meet more than once per week.

Article VII

Elections and Terms of Office

Election Commissioners

A. There shall be two (2) Election Commissioners who shall be nominated by the President and confirmed by the Senate. The Election Commissioners shall be responsible for conducting all CU Denver SGA elections in accordance with the Election Policy, which shall be proposed by the Election Commissioners and approved by the Senate; except that the Senate may adopt revisions to the Election Policy not proposed by the Election Commissioners upon a two-thirds (2/3) vote of its sitting membership. All revisions to the election policy must be in accordance with CU Denver policy.

General Elections

B. Elections shall be held at the time and manner set forth in the Election Policy. The general elections for all elected CU Denver SGA offices shall be held annually during the Spring semester and no election may occur during the Summer semester or during any break in the academic year.

Terms of Office

C. The terms of all regularly elected offices established herein shall be one (1) year, of which shall begin on June 1st following the General Election and end on May 31st of the following year. Any member elected to fill a vacancy under a special election as set forth herein shall serve the remainder of the regular term of such office. All appointed offices of CU Denver SGA shall be coterminous with the regular elected term, except as otherwise provided herein or as approved by the Senate.

Referenda

D. Upon approval by a two-thirds (2/3) vote of the sitting membership of the Senate, and subject to prior approval by the Chancellor, any question may be submitted to the student body for approval at the next general election or at a time and place set forth in the Election Policy.
E. Upon petition by at least ten percent (10%) of the CU Denver student body, and subject to prior approval by the Chancellor, any question may be submitted to the student body for approval at the next general election, at a special election as set forth in the Elections Policy, or as determined by the Senate.

F. A referendum shall consist of a single question such that a student may vote either “yes” or “no”, and any referendum submitted to the student body by student petition shall have the exact wording of the petition or motion initiating the election.

Special Elections

G. Special elections shall be conducted as set forth in the Election Policy or as determined by the Senate.

Article VIII

Removal and Vacancies

Impeachment

A. Any elected or appointed officer of CU Denver SGA, excluding paid staff positions, who fail to substantially fulfill the duties of the office, may be impeached. Paid staff positions of CU Denver SGA shall be subject to termination at any time by the President, in accordance with CU Denver policies and applicable laws.

B. Articles of impeachment may be filed with the Judicial Branch at any time by any elected or appointed officer of CU Denver SGA. Articles of Impeachment shall state with specificity the grounds and factual basis for impeachment. Upon submission of articles of impeachment, the Judicial Branch will investigate the allegations and present their findings to the Senate along with a recommended action. The member against whom articles of impeachment have been filed shall have an opportunity to address the Senate, as well as any CU Denver SGA member who wishes to speak on behalf of that individual. Upon a two-thirds (2/3) vote of the Senate determining that grounds for impeachment exist, the Senate shall determine the remedy, which may include removal from office. Any remedy shall be adopted by a two-thirds (2/3) vote of the Senate.

Recall

C. Any CU Denver SGA constituent may initiate removal of any elected or appointed officer of CU Denver SGA by submitting a recall petition to the Judicial Branch. A petition must contain a statement of specific reasons for proposed removal and be signed by at least ten
percent (10%) of the CU Denver student body. Upon submission of the recall petition, the Judicial Branch shall certify that the recall petition meets the requirements of this paragraph (A) and forward such petition to the Senate. Upon receipt of the recall petition, the Senate shall determine whether to submit a recall question to the student body, initiate impeachment as provided herein, or impose a remedy other than removal from office. If the Senate determines a recall questionnaire to the student body is appropriate, a special election shall be held as described in this Constitution and the Election Policy.

**Vacancies**

D. Should the office of President become vacant during the term, the Vice President shall serve as President, and the Senate shall select and confirm a Vice President from the sitting membership of the Senate. Should the office of President and Vice President become vacant, the succession of office shall be as follows: President Pro Tempore, Legislation and Drafting Committee Chair, Finance and Funding Committee Chair, Chief Justice, and Events and Planning Committee Chair. Should all positions be open, the Senate shall select an interim President and Vice President. Successors to the office of President described within this paragraph shall serve the remaining term if the vacancy occurs during the Spring semester.

E. If the office of President becomes vacant during the Fall semester, a special election shall be held.

F. Should any elected or appointed office of CU Denver SGA, other than President, become vacant during the term, the President shall nominate and the Senate shall confirm an eligible student to hold such office; except that any vacancy within SACAB shall be filled in the manner prescribed by law.

**Article IX**

**Amendments**

A. Proposed amendments to this Constitution shall be adopted by the Senate before the last Friday in February and submitted to the student body at a special election or the next general election, as determined by the Senate.

B. Any Amendment to this Constitution shall be deemed adopted and effective immediately if approved by a majority of the students who vote in the general or special election at which such amendment is submitted to the student body.
RATIFICATION: This document is effective upon approval by the student body and replaces/supersedes any other constitution or governing document of CU Denver SGA now or previously in effect.

Adopted by the 2014-2014 CU Denver SGA Senate this 30th day of January, 2015.

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Scott Cao         Renee Davis
President, CU Denver SGA     Chair, Legislation and Drafting

Approved by the CU Denver Chancellor on this ____ day of February, 2015.

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Jerry Wartgow
Interim Chancellor, CU Denver

Adopted by the CU Denver student body at the special election on March ____ , 2015.

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Election Commissioner