



**The University of Houston  
Student Government  
Association Constitution**

Proposed Amendment – March 24<sup>th</sup>, 2024 (60<sup>th</sup> Administration)

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## **Preamble**

We, the students of the University of Houston, in order to provide an official and representative organization to receive student questions and suggestions, investigate student problems and take appropriate action, provide the official voice through which the students' opinion may be expressed, encourage the development of responsible student participation in the overall policy and decision making processes of the university community, foster an awareness of the students' role in the academic community, enhance the quality and scope of education at the University of Houston, and provide means for responsible and effective participation in the organization of student affairs, do establish this Constitution for the Student Government Association at the University of Houston.

# **Article I: Foundations**

## **Section A: Name**

Clause 1: This Constitution establishes, under the laws of the United States of America and the State of Texas, a unitary democratic republic that will be known as the Student Government Association of the University of Houston, hereinafter “the Student Government Association.

## **Section B: Membership**

Clause 1: All currently enrolled students at the University of Houston will be considered members of the Student Government Association.

## **Section C: Branches**

Clause 1: The Student Government Association will consist of four (4) separate branches of government: the Legislative Branch, Executive Branch, Judicial Branch, and Justice Branch.

## **Section D: Bylaws**

Clause 1: There will be a document entitled the ‘Bylaws,’ which will refine, outline, and build on the structures, procedures, roles, and rules outlined in this Constitution. The Bylaws are subordinate to the Constitution; thus in any occasion in which an element of the Bylaws contradicts the Constitution, that element will be legally null and void.

## **Section E: Election Code**

Clause 1: There will be a document entitled the ‘Election Code,’ which will refine, outline, and build on the structures, procedures, roles, and rules outlined in this Constitution with regard to elections managed by the Student Government Association. The Election Code is subordinate to the Constitution; thus in any occasion in which an element of the Election Code contradicts the Constitution, that element will be legally null and void.

## **Section F: Officials**

Clause 1: A student is considered a Student Government Association “official” if they have been elected or appointed to any “office” (position) outlined in this Constitution, the Bylaws, or in any legal decree.

Clause 2: All Student Government Association officials are accountable to the laws of the Student Government Association and may not, under any circumstances, violate them.

Clause 3: No official may hold more than one position within the Student Government Association simultaneously unless otherwise stated in this Constitution.

Clause 4: To protect the separation of powers of each branch of government, no officials in one branch of government will be accountable to a person holding office in a separate branch of government, except as explicitly outlined in this Constitution, the Bylaws, the Election Code, or any legal decree.

## **Section G: Powers**

Clause 1: All powers in the Student Government Association are outlined explicitly in this Constitution or the Bylaws. If a branch has not been clearly provided a specific power in one of these documents, it does not have said power, regardless of context. No powers are implied, and no entity, branch, or actor in Student Government will grant a power to themselves or another that is not outlined in this Constitution.

# **Article II: Bill of Rights**

## **Section A: General Rights**

Clause 1: As a component of the University of Houston, a public educational institution of the State of Texas, the Student Government Association will take no action abridging the rights, immunities, or privileges granted to students under the Constitution of the United States of America, the Constitution of the State of Texas, federal law, or state law.

## **Section B: Right to Non-Discrimination**

Clause 1: All students of the University of Houston will enjoy equal protection under the laws of the Student Government Association with regard to race, nationality, creed, age, disability status, sex, gender identity, or sexual orientation.

## **Section C: Right to Vote**

Clause 1: No student will be deprived of the right to vote in an election of the Student Government Association, nor will any student be deprived of the right to vote on any measure put before the student body by the Student Government Association, for reasons other than ones explicitly outlined in this document.

Clause 2: Additionally, no vote cast by a student in a Student Government Election, unless the vote is definitively proven to be cast fraudulently, will be thrown out from the final determination of election results. Nor will any student be expected to vote more than once in order for their vote to be counted in the final determination of results. Secondary voting rounds and run-off elections are strictly prohibited.

## **Section D: Right to Transparency**

Clause 1: There will be a publicly available Student Government website, which will display no less than the following information, with none of it being no more than seven (7) calendar days out of date:

- (1) The most up-to-date version of the Constitution, Bylaws, and Election Code.
- (2) The list of elected and appointed officials currently in office and their university email or official email (if they have one).
- (3) The list of university-wide committees, their committee members, and their university emails.

- (4) The record of all official meetings of the Senate and the actions taken in these meetings.
- (5) The record of all bills, resolutions, amendments, code revisions, and bylaw reforms that have been fully passed and are now law.
- (6) The record of all official meetings of the Supreme Court and the actions taken in these meetings.
- (7) The record of all briefs submitted to the Supreme Court and opinions issued by the Supreme Court.

Clause 2: No member of the student body or press will be denied access to any record of activities done by officials within the Student Government Association, including legislation and meeting voting records.

### **Section E: Right to Seek Office**

Clause 1: A student will be eligible to pursue or hold office in the Student Government Association if and only if:

- (1) They are in good academic and disciplinary standing with the University of Houston.
- (2) They have not at any time served sanctions for offenses of either a violent or sexual nature. These include, but are not limited to, sanctions regarding physical assault, sexual assault, and sexual harassment.
- (3) They have not, at any time, been successfully impeached and removed from any office within the Student Government Association.

Clause 2: Officials who have lost eligibility to hold office will be notified (in writing) that they have been removed from office immediately upon losing eligibility either by their head of branch, their student government advisor, or the Attorney General. Upon notification being sent out, the office of the now ineligible individual will be vacant, effective immediately.

# **Article III: Legislative Branch**

## **Section A: Purpose**

Clause 1: The Legislative Branch is responsible for crafting, deliberating on, and enacting the laws of the Student Government Association.

## **Section B: Composition**

Clause 1: The Legislative Branch will include the Student Senate, hereinafter “the Senate.”

Clause 2: The Senate will include various committees made up of members of the Senate, including not less than a committee dedicated to crafting and amending Student Government laws hereinafter entitled “the Committee on Internal Affairs.”

Clause 3: The Legislative Branch will consist of at least the following positions:

(1) Speaker of the Senate

- Hereinafter “the Speaker”

(2) Speaker Pro-Tempore of the Senate

- Hereinafter “the Speaker Pro-Tempore”

(3) Senator

Clause 4: The number of Senators will be determined by a method of apportionment.

Clause 5: The Legislative Branch will also consist of any positions created and formally empowered by the Bylaws in accordance with the guidelines of powers in this Constitution.

Clause 6: Every official within the Legislative Branch will have the ability to create and fill staff-level positions for their office to assist them in the fulfillment of their individual duties. Officials will be punishable for any and all violations of the laws of the Student Government Association done by their staff.



## **Section C: Powers of the Speaker**

Clause 1: The Speaker will be considered the head of the Legislative Branch.

Clause 2: The Speaker will:

- (1) Serve as the ordinary presiding officer for Senate meetings.
- (2) Appoint, with the advice and consent of a majority of the Senate present and voting the chairpersons of each Senate Committee.
- (3) Nominate eligible students to be appointed to positions as outlined in this Constitution.
- (4) Retain their position as either a College or At-Large Senator and all the duties and rights that come with it.
- (5) Call special sessions of the Senate, when necessary.

## **Section D: Selection of the Speaker**

Clause 1: The Speaker will be appointed utilizing the following procedure:

- (1) Senators will nominate themselves for consideration to become Speaker. No non-Senator will be eligible for appointment to the Speakership, and only Senators who have nominated themselves for Speaker will be considered.
- (2) In the case that only one eligible student has been nominated, the advice and consent of a majority of the Senate membership.
- (3) In the case that multiple eligible students have been nominated for the Speakership, the Senate will vote on all nominees for Speaker. The nominee that receives the most votes/approvals will become Speaker, effective immediately.

Clause 2: The Speaker will serve a term commencing when they are appointed at the first Senate meeting in April unless otherwise designated and terminating at the call to order of the first Senate meeting of the following April. The Vice President will serve as presiding officer at the first Senate meeting until the Speaker is appointed.

Clause 3: The Speaker may be recalled should two-thirds ( $2/3^{\text{rds}}$ ) of the total membership of the Senate vote for a recall resolution. This will remove the current Speaker from office, effective immediately, and instantly start a new appointment process for the

Speakership, in which all Senators, including the former Speaker, will have the opportunity to self-nominate. During this process, the Speaker Pro-Tempore or most-Senior Senator will serve as presiding officer. Should the eligible presiding officers be vacant, unclear, or themselves self-nominated for the Speakership, the President or Vice-President may serve as presiding officer during the appointment process. No new or unfinished business will be considered until a new Speaker is appointed, lest the Summer Senate is in session. When the Summer Senate is in session, the Speakership may remain vacant and other business attended to with the next in line official serving as presiding officer as presiding officer until a Speaker is appointed.

### **Section E: Powers of the Speaker Pro-Tempore**

Clause 1: The Speaker Pro-Tempore will:

- (1) Serve as the presiding officer for Senate meetings when the Speaker is unavailable.
- (2) Retain their position as either a College or At-Large Senator and all the duties and rights that come with it.

### **Section F: Selection of the Speaker Pro-Tempore**

Clause 1: The Speaker Pro-Tempore will be appointed utilizing the following procedure:

- (1) The Speaker will nominate a sitting Senator for consideration to become Speaker Pro-Tempore.
- (2) The advice and consent of a majority of the Senate membership.

Clause 2: The Speaker Pro-Tempore will serve a term commencing when they are appointed and terminating at the call to order of the first Senate meeting of the following April.

Clause 3: The Speaker Pro-Tempore may be recalled should two-thirds (2/3<sup>rd</sup>s) of the total membership of the Senate vote for a recall resolution. This will remove the current Speaker Pro-Tempore from their position, effective immediately, and leave their office vacant until such a time that the Speaker opts to nominate a Senator for Speaker Pro-Tempore. The Speaker retains the right to nominate any Senator for Speaker Pro-Tempore, including one that has just been recalled.

### **Section G: Powers of the Senators**

Clause 1: Senators will:

- (1) Attend and participate in Senate meetings.
- (2) Draft, comment on, and amend legislation.
- (3) Provide advice and consent regarding the appointment of officials.
- (4) Nominate eligible students to be appointed to positions as outlined in this Constitution.
- (5) Work to address problems presented to them by their constituents.

## **Section H: Selection of the Senators**

Clause 1: Senators will be elected utilizing an Open-List Mixed-Member Proportional Representation System. Under this system, Senators will be elected through two methods:

- (1) Each College will be entitled to one (1) and only one (1) Senator.
  - All degree-granting Colleges created or re-designated by an Act of the Board of Regents will be guaranteed representation in the Senate.
  - Eligible students will only be able to run for the College seat in the College in which they are currently enrolled. If a student is not currently enrolled in a College, they cannot run for that College's Senate seat.
  - Eligible students in pre-graduate or pre-professional programs, even if they have not yet begun graduate or professional coursework, will be eligible to run for graduate and professional College seats. Eligible students in this circumstance need only confirm with their academic advisor that their career track includes a stated professional or graduate program in the future prior to filing to run for office.
  - Students will only be able to vote in the College Senator election of the College they are currently enrolled in. A student enrolled in one (1) College will not be permitted to vote for a candidate running for the College Senate seat of a different College.

(2) In addition, there will be a number of At-Large Senate seats. These seats will be distributed so as to ensure that each party receives a share of Senate seats proportional to the share of the vote they receive, such that for every 2.5% of the vote each party receives, they receive one (1) Senate seat.

- All students who are eligible to run for office will be permitted to run for an At-Large Senate seat.
- There will always be exactly forty (40) Senator seats allocated between the parties at each election. The number of At-Large seats will be determined each year after the candidate deadline and will change based on the number of College seats that are set to be filled by an election. For every College seat that goes uncontested (has no eligible students run for it), the number of At-Large Senate seats will increase by one (1), such that the number of College Senators elected + the number of At-Large Senators elected at each election will add to forty (40). (For example, if there are seventeen (17) total College Senate seats, but only fifteen (15) of these College seats had eligible students run for them, then the total available At-Large seats will be forty (40) minus fifteen (15), which is equal to twenty-five (25) total At-Large Senate seats for the year).

Clause 2: Senators will serve a one (1) year term commencing with the call to order of the first Senate meeting in April and terminating at the call to order of the first Senate meeting of the following April or at such time as a duly elected Senator involved in a disputed election is eligible to serve.

## **Section I: Senatorial Vacancies**

Clause 1: A College Senate seat will be considered vacant if, at any point in time, there is no one filling it. There are many ways a Senate seat could become vacant; the following are some of the most common ways:

- (1) A College Senate seat could become vacant if no eligible student ran for the seat in the annual Student Government Elections.
- (2) An At-Large Senate seat could become vacant if a party qualified for more At-Large seats than it had At-Large candidates and did not take advantage of its ability to appoint people to the seat it had won, such that by the time of the first Senate meeting, no one occupied the seat.
- (3) Any College Senate seat, either College or At-Large, could become vacant if its occupant has resigned or has been legally removed from office.

Clause 2: To be eligible for appointment to a specific Senate seat, a student must fulfill the same eligibility requirements required to run for that seat.

Clause 3: In the event that a Senate seat becomes vacant, the President, Vice President, and Speaker within the Student Government Association will be able to nominate (in writing) an eligible student for consideration to be appointed to that seat.

Clause 4: If a Senate seat remains vacant for a period greater than fourteen (14) calendar days, each individual Senator will have the ability to nominate (in writing) an eligible student for consideration to be appointed to that seat.

Clause 5: A nominee will need to receive the following in order to be appointed to the vacant Senate seat:

(1) In the case that only one eligible student has been nominated, the advice and consent of a majority of the Senate present and voting.

(2) In the case that multiple eligible students have been nominated for the same Senate seat, the Senate will vote on all nominees for Senator. The nominee that receives the most votes/approvals will become a Senator, effective immediately.

## **Section J: Summer Senate**

Clause 1: The Summer Senate will consist of all Senators able to attend during the Summer Semester. A Summer Senator need not be enrolled in classes; however, they must be able to attend meetings and carry on their usual duties and responsibilities on a regular basis.

Clause 2: Senators able to serve will so indicate to the Speaker (in writing), and the Speaker may install them prior to that week's meeting.

Clause 3: The Summer Senate will have the power to pass legislation and/or take other actions as necessary.

## **Section K: Line of Succession**

Clause 1: Should, for any reason, the Speakership be vacated, the following will serve as the line of succession for Presiding Officer:

(1) Speaker Pro Tempore

(2) Vice President

(3) President

(4) Most senior sitting Senator

Clause 1: Should, for any reason, the Office of the President be vacated, the following will serve as the official line of succession for the Presidency, with the specified positions automatically moving up to the President position until the expiration of the specified term, in order:

## **Section L: General Senate Rules**

Clause 1: The Senate will always have a presiding officer when conducting official business. The presiding officer of the Senate will only vote on matters in which their vote makes a difference in the outcome of the vote, including in instances when the President or Vice-President presides over the Senate.

Clause 2: In instances in which there is only a single nominee for a position presented to the Senate, Senators will vote either 'Yes,' signifying their approval of the nominee, or 'No,' signifying their disapproval of the nominee. There are no other eligible ways to vote in such a circumstance.

## **Section M: Legislative Powers**

Clause 1: The Senate will have general legislative powers, including the following:

- (1) To draft, modify, and pass the Student Government Annual Budget and amendments to it.
- (2) To draft, modify, and pass modifications to the Student Service Fee, including changes that reduce the fee, raise the fee, or in some way affect its composition or administration.
- (3) To draft, modify, and pass Resolutions that express the will or promote the interests of the student body.
- (4) To draft, modify, and pass changes to the Constitution, Bylaws, and Election Code.
- (5) To approve nominees to positions, committees, commissions, or boards, as specified by this Constitution or in the Bylaws.
- (6) To prescribe the time, place, and manner of holding popular referenda.

## Section N: Types of Legislation

Clause 1: There will be three (3) different varieties of legislation. These will consist of the following:

- (1) Student Government Association Resolutions - Any piece of legislation that exists to express a message or document an intention. This includes any piece of legislation relating to the initiation of appointment procedures, recalling recallable officials, beginning impeachment, and all other legislation of a similar character.
- (2) Student Government Association Bills - Any piece of legislation that changes the law and involves exclusively action by the Student Government Association. This includes any piece of legislation relating to modification of the Student Government Association Budget, Election Code, Bylaws, Constitution, and all other legislation of a similar character.
- (3) University Bills - Any piece of legislation that changes the law and involves action by the Administration of the University of Houston. This includes any piece of legislation that impacts the Student Service Fee, or that instructs the University (or portions of it) to take any form of action in a fashion that, if successfully fully passed, would be binding rather than simply a suggestion or documentation of University actions already taken.

Clause 2: Student Government Association Resolutions, unless otherwise designated in this Constitution, will use the following process:

- (1) An introduction and first read of the Resolution will take place in front of the Senate.
- (2) The Bill will be read once more and will be voted on by the full Senate. If it receives a sufficient vote of the Senate, it will be considered fully passed.
  - What constitutes a sufficient vote will differ based on what the Resolution pertains to. Resolutions that do not have any other vote standard specified anywhere in this Constitution, will default to requiring a simple majority of the Senate present and voting to pass.

Clause 3: Student Government Association Bills, unless otherwise designated in this Constitution, will use the following process:

- (1) An introduction and first read of the Bill will take place in front of the Senate.

- (2) The bill must receive a majority vote of the Senate present and voting to be sent back to the relevant Senate Committee as determined by the Senate in the motion process.
- (3) The bill must receive a majority vote of the Senate Committee members present and voting of the relevant Senate Committee to be sent back to the Senate for a final vote.
- (4) The Bill will be read once more and will be voted on by the full Senate. If it receives a sufficient vote of the Senate, it will be sent by the Speaker to the President of the Student Government Association within five (5) calendar days.
  - What constitutes a sufficient vote will differ based on what the Bill pertains to. Bills will require a two-thirds (2/3<sup>rd</sup>s) of the Senate present and voting to modify the Bylaws or Election Code. Bills that do not affect the Bylaws or Election Code and do not have any other vote standard specified anywhere in this Constitution will default to requiring a simple majority of the Senate present and voting to pass.
- (5) If the President approves the legislation, they will sign it, and it will be considered fully passed and will become law.
- (6) If the President disapproves of the legislation, they will return it to the Senate, along with their written objections. The Senate will then proceed to reconsider the legislation. If, after such reconsideration, three-fourths (3/4<sup>ths</sup>) of the Senate present and voting agree to pass the legislation, it will be considered fully passed and will become law.
- (7) If no action is taken by the President of the Student Government Association within seven (7) calendar days, automatically the legislation will be considered fully passed and it will become law without their signature.

Clause 4: Student Government Association Bills will be effective immediately unless specified otherwise in the bill, with one (1) exception. If a Student Government bill is fully passed after the candidate filing deadline for the annual student government election, and this bill in any way changes the Election Code, the bill will only go into effect at the first Senate meeting of the newly elected Senate and will not be retroactively applied to anything that occurred before this first meeting.

Clause 5: University Bills, unless otherwise designated in this Constitution or in the Bylaws, will require the same steps as Student Government Bills do, with one (1) extra step. Once they have successfully completed all the steps required for a Student Government Bill to be considered fully passed, they will be presented by the President of the Student Government Association to the President of the Student



Government Association within five (5) calendar days to the President of the University.

- (1) An introduction and first read of the Bill will take place in front of the Senate.
- (2) The bill must receive a majority vote of the Senate present and voting to be sent back to the relevant Senate Committee as determined by the Senate in the motion process.
- (3) The bill must receive a majority vote of the Senate Committee members present and voting of the relevant Senate Committee to be sent back to the Senate for a final vote.
- (4) The Bill will be read once more and will be voted on by the full Senate. If it receives a sufficient vote of the Senate, it will be sent by the Speaker to the President of the Student Government Association within five (5) calendar days.
  - What constitutes a sufficient vote will differ based on what the Bill pertains to. Bills that do not have any other vote standard specified anywhere in this Constitution, will default to requiring a simple majority of the Senate present and voting to pass.
- (5) If the President of the Student Government Association approves the legislation, they will sign it, and it will be sent by the President of the Student Government Association to the President of the University within five (5) calendar days.
- (6) If the President of the Student Government Association disapproves of the legislation, they will return it to the Senate, along with their written objections. The Senate will then proceed to reconsider the legislation. If, after such reconsideration, two-thirds ( $2/3^{\text{rds}}$ ) of the Senate present and voting agree to pass the legislation, it will be sent by the President of the Student Government Association to the President of the University within five (5) calendar days.
- (7) If no action is taken by the President of the Student Government Association within seven (7) calendar days, it will be sent by the President of the Student Government Association to the President of the University within five (5) calendar days.
- (8) If the President of the University approves the legislation, they will sign it, and it will be considered fully passed and will become law.

## **Section O: Meetings**

- Clause 1: The Senate will convene at least biweekly while classes are in session. These meetings will take place on Wednesday unless otherwise provided by law.
- Clause 2: The Senate will keep the following and make them available to the public within seven (7) calendar days from the time of first collection:
- (1) Audio and visual meeting recordings
  - (2) Written meeting minutes or audio transcripts
  - (3) Meeting voting records
  - (4) Meeting agendas
- Clause 3: Any member of the student body of the University of Houston will be permitted to give at least one (1) minute of public comment at Senate meetings, so long as they have provided advanced notice (in writing) a minimum of twenty-four (24) hours before the meeting.

# **Article IV: Executive Branch**

## **Section A: Purpose**

Clause 1: The Executive Branch will be responsible for the administration of the Student Government Association and for enforcing the laws established by the legislative branch.

## **Section B: Composition**

Clause 1: The Executive Branch will consist of at least the following positions:

(1) President

(2) Vice President

Clause 2: The Executive Branch will also consist of any positions created and formally empowered by the Bylaws.

Clause 3: Every official within the Executive Branch will have the ability to create and fill staff-level positions for their office to assist them in the fulfillment of their duties. Officials will be punishable for any and all violations of the laws of the Student Government Association done by their staff.

## **Section C: Powers of the President**

Clause 1: The President will be considered the head of the Executive Branch.

Clause 2: The President will:

(1) Be the official representative of the student body of the University of Houston.

(2) Participate in discussions at Senate meetings with the same speaking privileges as Senate members.

(3) Provide the Senate with information concerning the state of the Campus and recommend for their consideration such measures as they deem necessary and expedient.

(4) Call emergency meetings of the Senate when they deem such meetings advisable.

(5) Appoint, with the advice and consent of a majority of the Senate present and voting, compensated/salary cabinet members of the offices within the Executive Branch.

(6) Nominate eligible students to be appointed to positions as outlined in this Constitution.

(7) Assign tasks or duties to other members of the Executive Branch as they see fit.

## **Section D: Selection of the President**

Clause 1: The President will be elected by the entire student body in a single-winner election.

Clause 2: The President will serve a one (1) year term commencing on the first day of April and terminating on the first day of the following April or at such time as a duly elected President involved in a disputed election is eligible to serve.

Clause 3: No student will be permitted to serve as President for greater than two (2) terms, regardless of whether they were elected to the Presidency or arrived there through the line of succession. There shall be no counting of partial terms or fractions of terms. If a student completes any portion of a term as President, that entire term will still be counted against their lifetime limit of two (2), even if the period of time they spent in the office of the Presidency was very short.

## **Section E: Powers of the Vice President**

Clause 1: The Vice President will:

(1) Nominate eligible students to be appointed to positions as outlined in this Constitution.

(2) Assign tasks or duties to other members of the Executive Branch as they see fit.

## **Section F: Selection of the Vice President**

Clause 1: The Vice President will be elected along with the President on a joint ticket at the same time and at the same location on the ballot.

Clause 2: The Vice President will serve a one (1) year term commencing on the first day of April and terminating on the first day of the following April or at such time as a duly elected Vice President involved in a disputed election is eligible to serve.

Clause 3: Should the office of the Vice President be vacant due to the Vice President resigning or otherwise being legally removed from office, the President will be able to appoint any eligible student to the office of Vice President with the advice and consent of a majority of the Senate present and voting.

## **Section G: Line of Succession**

Clause 1: Should, for any reason, the Office of the President be vacated, the following will serve as the official line of succession for the Presidency, with the specified positions automatically moving up to the President position until the expiration of the specified term, in order:

(1) Vice President

(2) Speaker

(3) Speaker Pro Tempore

(4) Most senior Senator

Clause 2: Should the next lowest office be vacant when the Office of the President becomes vacant, the following next lowest office will take its place (for example, if the Presidency becomes vacant, and there is no Vice President at the time, or should both the Presidency and Vice Presidency become vacant simultaneously, the Speaker will automatically become the new President).

Clause 3: Should the Presidency, Vice Presidency, Speakership, and Pro Tempore be vacant at the same time, and should it be the case that it is unclear which Senator is most senior, or should more than one Senator have the same experience as the 'most-senior' Senator, a majority of Senators will (in writing) appoint a new individual to serve as President for the remainder of their term.

# **Article V: Judicial Branch**

## **Section A: Purpose**

Clause 1: The Judicial Branch will be responsible for interpreting the law and hearing cases regarding the Student Government Association.

## **Section B: Composition**

Clause 1: The Judicial Branch of the Student Government Association will consist exclusively of a supreme judicial body known as the Student Government Association Supreme Court, hereinafter “the Supreme Court.”

Clause 2: The Supreme Court will consist of at least the following positions:

(1) Chief Justice

(2) Associate Justice

Clause 3: There will be one (1) Chief Justice and six (6) Associate Justices. Together, they will make up the voting members of the Student Government Association Supreme Court.

Clause 4: There will be no courts other than the Supreme Court or justices other than the Chief Justice and the Associate Justices.

Clause 5: Every official within the Judicial Branch will have the ability to create and fill staff-level positions for their office to assist them in the fulfillment of their duties. Officials will be punishable for any and all violations of the laws of the Student Government Association done by their staff.

## **Section C: Powers of the Chief Justice**

Clause 1: The Chief Justice will be considered the head of the Judicial Branch.

Clause 2: The Chief Justice will:

(1) Take on the planning and organizing of all meetings of the Supreme Court, including:

- Administrative meetings
- Pre-trial hearings

- Trial hearings
  - Deliberations
- (2) Ensure that all necessary records are properly kept, organized, stored, and uploaded within seven (7) calendar days.
  - (3) Release all rulings and decisions of the court to the public within seven (7) calendar days.
  - (4) Participate in discussion, questioning, and court procedures in both open and closed settings.
  - (5) Nominate eligible students to be appointed to positions as outlined in this Constitution.
  - (6) Vote during hearings, trials, and meetings to express their views on court procedure.

## **Section D: Selection of the Chief Justice**

- Clause 1: In the event that the Chief Justice position becomes vacant, a majority of the Associate Justices will have the ability to nominate (in writing) a current Associate Justice for appointment to the position of Chief Justice, with the most senior Justice presuming the authority of Chief Justice in the meantime.
- Clause 2: If the Chief Justice position remains vacant for a period greater than twenty-eight (28) calendar days, the Attorney General will have the ability to nominate (in writing) a current Associate Justice for appointment to the position of Chief Justice.
- Clause 3: A nominee will need to receive the following in order to be appointed to the position of Chief Justice:
- (1) The advice and consent of a majority of members of the Senate Committee on Internal Affairs.
  - (2) Finally, the advice and consent of three-fourths (3/4<sup>ths</sup>) of the Senate present and voting.
- Clause 4: The Chief Justice will be subject to the same term limit and automatic removal criteria that they were subject to as an Associate Justice (for example, if the newly appointed Chief Justice had spent two (2) years on the court from the time of their initial appointment, and the limit on an Associate Justices cumulative time on the

court is three (3) years, the Chief Justice will only be eligible to serve one (1) more year on the court).

## **Section E: Powers of the Associate Justices**

Clause 1: The Associate Justices will:

- (1) Attend all hearings, trials, and meetings organized by the Chief Justice.
- (2) Comply with duties as established by the Chief Justice.
- (3) Participate in discussion, questioning, and court procedures in both open and closed settings.
- (4) Nominate eligible students to be appointed to positions as outlined in this Constitution.
- (5) Vote during hearings, trials, and meetings to express their view/influence on court rulings and procedures.

## **Section F: Selection of the Associate Justices**

Clause 1: In the event that one of the Associate Justice positions becomes vacant, the Chief Justice will have the ability to nominate (in writing) an eligible student for appointment to the position of Associate Justice.

Clause 2: If one of the Associate Justice positions remains vacant for a period greater than fourteen (14) calendar days, a majority of Associate Justices will have the ability to nominate (in writing) an eligible student for appointment to the position of Associate Justice.

Clause 3: If one of the Associate Justice positions remains vacant for a period greater than twenty-eight (28) calendar days, the Attorney General will have the ability to nominate (in writing) an eligible student for appointment to the position of Associate Justice.

Clause 4: A nominee will need to receive the following in order to be appointed to the position of Associate Justice:

- (1) The advice and consent of a majority of members of the Senate Committee on Internal Affairs.
- (2) The advice and consent of three-fourths (3/4<sup>ths</sup>) of the Senate present and voting.



Clause 5: All new Associate Justices, upon time of appointment, will be permitted to hold office for a time no longer than three (3) years cumulatively.

## **Section G: Jurisdiction**

Clause 1: All cases will go directly to the Supreme Court unless stated otherwise for a specific kind of case in this Constitution.

## **Section H: Rulings**

Clause 1: All rulings of the Supreme Court will be final with no appeal.

Clause 2: The Supreme Court will be bound by past precedent and will not be able to change the legal interpretation of text within the Constitution established by previous cases unless the specific text in question has been in some way changed through the process of constitutional amendment.

Clause 3: A quorum of the Supreme Court is required before any official trial or hearing takes place. A majority of the membership of the court constitutes a quorum. Should there be only two (2) members of the Supreme Court at the time of the trial/hearing, both will be required to be present before any trial or hearing takes place. Should only one (1) justice be on the court, only one (1) justice will be required to be present before a trial or hearing takes place.

Clause 4: Official rulings will only occur when a majority of justices present have voted for the ruling following the conclusion of an open, sanctioned trial and/or hearing. Should there be only two (2) members of the Supreme Court at the time of the trial/hearing, both must agree on the ruling. Should only one (1) justice be on the court, the single justice alone will be responsible for issuing a ruling.

# **Article VI: Justice Branch**

## **Section A: Purpose**

Clause 1: The Justice Branch is responsible for overseeing the other branches and ensuring that all parties relating to the Student Government Association abide by its laws.

## **Section B: Composition**

Clause 1: The Justice Branch will consist of at least the following positions:

- (1) Attorney General
- (2) Deputy Attorney General
- (3) Auditor

Clause 2: The Justice Branch will also consist of any positions created and formally empowered by the Bylaws.

Clause 3: Every official within the Justice Branch will have the ability to create and fill staff-level positions for their office to assist them in the fulfillment of their duties. Officials will be punishable for any and all violations of the laws of the Student Government Association done by their staff.

## **Section C: Powers of the Attorney General**

Clause 1: The Attorney General will serve as the head of the Justice Branch.

Clause 2: The Attorney General will:

- (1) Challenge, in front of the Supreme Court, any legislation that they deem to be illegal.
- (2) Engage in the investigative procedures necessary for impeachment proceedings and in cases in which there have been violations of student government governing documents generally.
- (3) Upon identifying a violation of the Constitution or the Bylaws, the Attorney General may suspend any official in the Student Government Association from their position for up to thirty (30) days. The Attorney General may not suspend the same official back-to-back. Rather, they must wait for at least

three (3) days for each one (1) day of suspension ordered after the end of the last suspension before suspending the same person again.

- Suspensions must be continuous. (For example, should the Attorney general deem a suspension of three (3) days necessary, the suspended individual will serve these three days back-to-back)
  - No one, while surviving a suspension from the student government, may receive monetary or in-kind compensation from the student government.
  - All suspensions by the Attorney General will be appealable to the Supreme Court. If the Supreme strikes down three (3) suspensions of the Attorney General or two (2) suspensions of the Attorney General against the same official within one (1) term, that will be considered grounds for their impeachment.
  - Suspensions of Supreme Court Justices must receive the advice and consent of two-thirds (2/3<sup>rds</sup>) of the Senate present and voting.
- (4) Upon identifying a violation of the Election Code, the Attorney General may suspend any candidate for an office in the Student Government Association from campaigning for a certain period of time as designated in the Election Code for the offense.
- If the punishment for a violation of the Election Code is disqualification, the case must go directly to the Supreme Court. The Attorney General will only provide suspensions for lesser offenses and may not provide verdicts regarding cases in which disqualification is the penalty.
  - All suspensions by the Attorney General will be appealable to the Supreme Court.
- (5) Nominate eligible students to be appointed to positions as outlined in this Constitution.
- (6) Request and be granted within five (5) calendar days any student government materials, filings, documentation, business records, or otherwise from any officer (that has said requested parcel) within the Student Government Association for any reason at any time.
- (7) Remove officials from office that have lost their eligibility to serve in the Student Government Association.

## **Section D: Selection of the Attorney General**

Clause 1: The Attorney General will be appointed utilizing the following procedure:

- (1) The sitting Attorney General will nominate an eligible student or themselves for the position.
- (2) The nominee for Attorney General must be approved by a majority of the present members of the Senate Committee on Internal Affairs.
- (3) The nominee for Attorney General must receive the approval of three-fourths (3/4<sup>ths</sup>) of the Senate present and voting.

Clause 2: Should the sitting Attorney General fail to nominate an eligible student or themselves to the position of Attorney General for a period greater than twenty-eight (28) calendar days, the Chief Justice will have the ability to nominate (in writing) a student for appointment to the position of Attorney General. The Chief Justice will also be able to nominate an Attorney General automatically should, at the time of the Attorney General's term expiring, there be no confirmed appointment for Attorney General, and there also be no one else in the Justice Branch to serve as Acting-Attorney General.

Clause 3: Should both the Attorney General's office and the entire Supreme Court be vacant simultaneously, the President will have the ability to nominate an eligible student for Attorney General.

Clause 4: Should a new Attorney General nominee fail to complete the nomination process by October 1st, the current Attorney General will automatically leave office, with the next member of the Justice Branch in the Attorney General line of succession serving as acting Attorney General in the meantime, with the responsibility to nominate a new candidate for Attorney General, and the same powers at the Attorney General.

Clause 5: Should the appointment process for the next Attorney General term not be completed by February 1st following the acting Attorney General assuming office, the nominee for Attorney General needs only the written approval of a majority of sitting members of the Supreme Court before assuming office as Attorney General. The acting Attorney General may self-nominate for the position of Attorney General.

Clause 6: The Attorney General will serve from October 1st to September 31st of the following year, each calendar year.

## **Section E: Powers of the Deputy Attorney General**

Clause 1: The Deputy Attorney General will:

- (1) Assist the Attorney General in all matters the Attorney General deems appropriate.

## **Section F: Selection of the Deputy Attorney General**

Clause 1: The Deputy Attorney General will be appointed through the following procedure:

- (1) The sitting Attorney General will nominate an eligible student for the position.
- (2) The nominee for Deputy Attorney General must receive the approval of two-thirds (2/3<sup>rds</sup>) of the members of the Senate present and voting.

Clause 2: The Deputy Attorney General will serve from the time of their first appointment to the following September 31st.

Clause 3: The Attorney General may remove the current Deputy Attorney General from office at any time based on their discretion.

## **Section G: Powers of the Auditor**

Clause 1: The Auditor will:

- (1) Regularly review transactions and receipts pertaining to the Student Government Association of the University of Houston, reporting all activity directly to the Attorney General.
- (2) Have the right to request and receive, within ten (10) calendar days, the itemized budget and/or all receipts from the Student Government Association.
- (3) Publish on the website every fourteen (14) calendar days an itemized budget report that includes the following:
  - Expended funds by all branches and departments
  - Amount of funds left in each branch

(4) Publish online a monthly itemized budget report every twenty-eight (28) calendar days.

Clause 2: In the event that the position of Auditor is vacant, all the powers and responsibilities of the Auditor will be granted to both the Attorney General and Deputy Attorney General until such a time that the position is no longer vacant.

## **Section H: Selection of the Auditor**

Clause 1: The Auditor will be appointed through the following procedure:

(1) The sitting Attorney General will nominate a person for the position.

(2) The nominee for the Auditor will receive the approval of two-thirds (2/3<sup>rd</sup>s) of the Senate present and voting.

Clause 2: The Attorney General may remove the current Auditor from office at any time based on their discretion.

## **Section I: Line of Succession**

Clause 1: Should, for any reason, the Attorney General's position be vacated within the specified term, the following will serve as the official line of succession for the Attorney General:

(1) Deputy Attorney General

(2) Auditor

Clause 2: Should the Deputy Attorney General be vacant, the Auditor will automatically move up to the Attorney General position in the event of a vacancy until the expiration of the specified term.

# **Article VII: Election Commission**

## **Section A: Purpose**

Clause 1: The Election Commission will organize, administer, and oversee elections.

Clause 2: The Election Commission will be entirely separate from all four (4) branches of government. It shall not be construed as its own branch, as it need only be assembled for a portion of the year and need not exist at all times.

## **Section B: Composition**

Clause 1: The Election Commission will consist of at least the following positions:

(1) Election Commissioner

(2) Deputy Election Commissioner

Clause 2: The Election Commission will also consist of any positions created and formally empowered by the Bylaws.

Clause 3: Every official within the Election Commission will have the ability to create and fill staff-level positions for their office to assist them in the fulfillment of their duties. Officials will be punishable for any and all violations of the laws of the Student Government Association done by their staff.

## **Section C: Powers of the Election Commissioner**

Clause 1: The Election Commissioner will:

(1) Ensure the fair and accurate tabulation of election results.

(2) Advertise elections to the student body.

(3) Ensure only eligible candidates are able to become candidates.

(4) Inform candidates of their rights and responsibilities.

(5) Ensure candidates file their campaign finance reports.

(6) Confirm the accuracy of campaign finance reports.

## **Section D: Selection of the Election Commissioner**

Clause 1: The Election Commissioner will be appointed through the following procedure:

- (1) The sitting Attorney General will nominate an eligible student for the position.
- (2) The nominee for Election Commissioner must receive the approval of three-fourths (3/4<sup>ths</sup>) of the members of the Senate present and voting.

Clause 2: The Election Commissioner will serve from the time of their first appointment to the following March 31st.

## **Section E: Powers of the Deputy Election Commissioner**

Clause 1: The Deputy Election Commissioner will:

- (1) Assist the Election Commissioner in all matters the Election Commissioner deems appropriate.

## **Section F: Selection of the Deputy Election Commissioner**

Clause 1: The Deputy Election Commissioner will be appointed through the following procedure:

- (1) The sitting Election Commissioner will nominate an eligible student for the position.
- (2) The nominee for Deputy Election Commissioner must receive the approval of two-thirds (2/3<sup>rds</sup>) of the members of the Senate present and voting.

Clause 2: The Deputy Election Commissioner will serve from the time of their first appointment to the following March 31st.

## **Section G: Elections**

Clause 1: Elections for student-elected positions will be held in the Spring semester of each academic year while classes are in session, between the days of Monday and Thursday.

Clause 2: Voting will be open for a minimum of forty-eight (48) continuous hours, with exact dates and times established in the Election Code.



- Clause 3: All student-elected positions in the Student Government Association will utilize Approval Voting. Approval Voting ensures that a voter is able to vote for any/all candidates they ‘approve’ of, meaning they may vote for all or none of the available candidates. It is strictly prohibited to use First-Past-the-Post Voting in any Student Government Association election, without exception.
- Clause 4: All multi-winner student-elected positions in the Student Government Association will utilize Proportional Representation and an Open List. Proportional Representation guarantees that parties receive a number of seats roughly in line with the percentage share of the votes they receive. An Open List guarantees that the seats that parties win go to the candidates from their party who are the most popular and receive the most support from the student body.
- Clause 5: Every candidate that runs for a student-elected office will be required to list a party. If a candidate seeks to run alone, they will make up a new party at the time of filing or put their own name as their party name. Parties can have any name so long as it is not vulgar or offensive as appraised by the Attorney General.

## **Section H: Ballots**

- Clause 1: Students at the University of Houston, during the regular annual student government elections, will be presented a ballot that contains not less than:
- (1) The list of candidates running for President and Vice President.
  - (2) The list of candidates running to be their College Senator.
  - (3) The list of parties they may vote for to be allocated At-Large Senate seats.
  - (4) The list of At-Large Senate candidates from their preferred party.
- Clause 2: The only things listed on each of the ballots for positions in the Student Government will be the candidates’ names and the candidate’s party affiliation, if applicable. The only thing listed on the party ballot will be the names of each party. “Prefer not to Vote,” “Abstain,” “Uncommitted,” or any equivalent will never be listed on any ballot during Student Government Association elections. Should students not wish to participate in a specific election on the ballot, they can simply skip that portion of the ballot.
- Clause 3: Students, when voting for President and Vice President, will place a checkmark, or equivalent, next to none, all, or some number of each candidate’s name to signify their approval of said candidates. Should the student not prefer an individual candidate, they will signify so by failing to give a checkmark, or

equivalent, next to the candidate's name. Students who do not list their preference next to a candidate will be counted as not approving of said candidate(s).

Clause 4: Students, when voting for College Senator, will place a checkmark, or equivalent, next to none, all, or some number of each candidate's name to signify their approval of said candidates. Should the student not prefer an individual candidate, they will signify so by failing to give a checkmark, or equivalent, next to the candidate's name. Students who do not list their preference next to a candidate's name will be counted as not approving of said candidate(s).

Clause 5: Students, when voting for the party they prefer, will select their preferred party, and only their preferred party, as an option if there are candidates running for At-Large Senator who are not running within a party.

Clause 6: Students, when voting for At-Large Senators, will be presented with the list of At-Large candidates from their preferred party.

Clause 7: Accordingly, students will then place a checkmark, or equivalent, next to none, all, or some number of each At-Large candidate's name from the student's preferred party to signify their approval of said candidates. Should the student not prefer an individual candidate, they will signify so by failing to give a checkmark, or equivalent, next to each candidate's name. Students who do not list their preference next to a candidate will be counted as not approving of said candidate.

## **Section I: Tabulation**

Clause 1: The winner of the presidential election will be the presidential ticket that garners the greatest number of votes/approvals, even if the amount of votes/approvals they garner does not exceed 50% of all ballots cast.

Clause 2: The College Senator election results will be tabulated in the same way as the election for the President and Vice President, such that the candidate who receives the greatest number of votes/approvals wins.

Clause 3: To determine the number of At-Large Senate seats a party is entitled to, the following procedure will be used:

(1) First, the percentage share each party received of the party vote will be determined. This will decide roughly what percentage of the Senate seats that party is entitled to. (For example, if Party A received 50% of the vote, they can expect to be entitled to 50% of the seats.)

(2) Second, the exact number of Senate seats that each party is entitled to, based on the share of the party vote they received, will be determined. Since there

are always a total of forty (40) Senate seats allocated at each election, this will amount to one (1) seat for every 2.5% of the vote a party receives. To determine the exact number of seats a party is entitled to, the percentage of the vote each party receives will be multiplied by the number of Senate seats to be allocated at the election, forty (40). (For example, if Party A receives 50% of the party vote, Party A will be entitled to roughly 50% of the forty (40) total Senate seats, which is twenty (20) Senate seats.)

(3) Third, given that the number of Senate seats that each party is entitled to has already been determined, the number of College Senate seats that each party has won will be subtracted from the total number of seats each party is entitled to. This will reveal how many At-Large Senate seats a party is entitled to. (For example, if Party A is entitled to twenty (20) total Senate seats and Party A has already won ten (10) College Senate seats, they will then be allocated ten (10) At-Large Senate seats.)

(4) Fourth, a number of At-Large Senate seats will be allocated to each party equal to the number of At-Large seats they are entitled to. (Returning to the previous example, Party A would receive ten (10) At-Large Senate seats.)

- In cases in which there is one (1) or more unallocated At-Large Senate seat remaining because parties qualify for only a fraction of the seat, the seat will be allocated to the party that is closest to the next apportionment of a seat (For example, if Party A is entitled to 22.2 seats and Party B is entitled to 17.8 seats, and all the seats but one (1) have been allocated, so that there is only .2 seats left for Party A and .8 seats left for Party B, Party B will receive the seat.)
- In cases in which there is one (1) or more unallocated At-Large Senate seat, and it is unclear which party it should be allocated to since two (2) parties qualify for an exactly equal fraction of the remaining seat, the seat shall go to the party (of the two) that received a greater share of the party vote.
- In cases in which the College Senate seat distribution is so out of line with the party vote that a completely proportional outcome has been made impossible, At-Large Senate seats will be distributed in a way so as to make the results as close to proportional as possible. At-Large seats will be allocated to the party with the most outstanding seats they are entitled to until there are no more At-Large seats left to allocate. (For example, if Party A receives 20% of the party vote, and Party B receives 80% of the party vote, but Party A wins ten (10) College Senate seats, all of the At-Large seats would go to Party B. This would produce an outcome in which Party A received 25% of the seats, and Party B received 75% of the seats,

which is not perfectly proportional, but as close to proportional as possible given such results.)

- Clause 4: The At-Large seats that a party has won will be distributed to the At-Large candidates from their party in order from the candidates that received the most votes/approvals to the candidates that received the fewest votes/approvals. (For example, if Party A won three (3) At-Large seats, and it had five (5) candidates, Roberto with five hundred (500) votes, Sydney with four hundred (400) votes, DeMarcus with three hundred (300) votes, Luke with two hundred (200) votes, and Alicia with one hundred (100) votes, the first seat would go to Roberto, the second seat would go to Sydney, and the third seat would go to DeMarcus.)
- Clause 5: Should a party receive a proportion of the party ballot vote such that the party does not have enough candidates to fill one (1) or more At-Large seats they have been allocated, a majority of party members will (in writing) appoint a member to fill each vacant seat. This must occur before the newly elected Senate is sworn into office. The seat(s) will be considered fully vacant if left unfilled by the party by the time the newly elected Senate is sworn in, with the vacancy able to be filled through the ordinary procedure outlined in the Legislative Branch section in this document.

# **Article VIII: Student Representatives**

## **Section A: Overview**

Clause 1: There are an array of student representative positions within the institutions of the University of Houston. The purpose of these positions is to allow students to participate directly in the decision-making processes that affect their student life.

## **Section B: University Committees**

Clause 1: University Committees are the primary recommending/advisory agency for the specified university administrator(s) to which policy recommendations and feedback are delivered.

Clause 2: There will be an array of University Committees. Each University Committee has a specific charge, meets on a regular, ongoing basis over a period of a year or more, and has as its appointing officer an administrator of the Student Government. University Committees are advisory to their appointing officer.

Clause 3: Should a University Committee position be vacant, the President, the Vice President, and the Speaker will each have the individual power to nominate members to fill such vacancies with the advice and consent of a majority of Senate present and voting. Should there be multiple nominees to the same position, the candidate with the greatest number of votes/approvals in the appointing Senate meeting will receive the appointment.

Clause 4: Should a University Committee position be vacant for greater than twenty-eight (28) days, individual Senators will each have the individual power to nominate members to fill such vacancies with the advice and consent of a majority of Senate present and voting. Should there be multiple nominees to the same position, the candidate with the greatest number of votes/approvals in the appointing Senate meeting will receive the appointment.

Clause 5: No student will be eligible to hold a position on greater than four (4) University Committees simultaneously.

## **Section C: Governor Appointments**

Clause 1: Each year, one (1) eligible student is selected to sit with the Texas Higher Education Coordinating Board as a non-voting student representative, and one (1) eligible student is selected to sit with the University of Houston Board of Regents as "Student Regent."

Clause 2: Not later than September 1st of each year, the Student Government will solicit applicants for the position of Texas Higher Education Coordinating Board (THECB) Student Representative and Student Regent.

Clause 3: Not later than December 1st, the President of the Student Government will select no more than five (5) applicants as the Student Government's recommendations each for Texas Higher Education Coordinating Board (THECB) representative and no more than five (5) applications for Student Regent and forward these applicants to the Chancellor.

# **Article IX: Impeachment Process**

## **Section A: Overview**

- Clause 1: There will be a process of impeachment to be used as a mechanism to hold accountable officials within the Student Government Association who have violated the law.
- Clause 2: The impeachment process will have three (3) phases:
- (1) Nomination
  - (2) Conviction
  - (3) Removal
- Clause 3: The impeachment process will only be considered complete if all three phases of impeachment have been gone through successfully. Only officials who have been nominated for impeachment, convicted, and removed from office will be referred to as “impeached.”
- Clause 4: Persons impeached will never again hold any office in the Student Government Association
- Clause 5: Persons in violation of Student Government attendance requirements or that have otherwise lost eligibility necessary to remain in office are not required to go through the impeachment process but may be subject to immediate dismissal by the head of the branch. Dismissals may be appealed to the Supreme Court.

## **Section B: Procedure**

- Clause 1: Anyone holding office in the Student Government Association may be nominated for impeachment if one of the following occurs:
- (1) The President nominates them with the advice and consent of two-thirds (2/3<sup>rd</sup>s) of the membership of the Senate.
  - (2) Three-fourths (3/4<sup>th</sup>s) of the total membership of the Senate vote to nominate them for impeachment.
  - (3) The Attorney General nominates them.

- Clause 2: All persons nominated for impeachment will stand trial in front of the Supreme Court, with one (1) exception. Should a justice of the Supreme Court be nominated for impeachment, they will temporarily resign their position, pending the conclusion of the impeachment process. Should multiple justices be nominated for impeachment simultaneously, they will collectively and simultaneously resign from their positions until the conclusion of the impeachment process for each justice. No justice nominated for impeachment will serve on the court until the conclusion of the impeachment process, including the impeachment trial.
- Clause 3: The one (1) and only exception to the trial requirement for impeachment will be in the case that all members of the Supreme Court are nominated for impeachment simultaneously. In this case, the Attorney General will have the authority to find the members of the court guilty or not guilty on an individual or collective basis upon reviewing and scrutinizing the facts of the impeachment case.
- Clause 4: If a person is found guilty of an impeachment charge or charges, these charges will be forwarded to the Senate, which may remove the individual from office with a three-fourths (3/4<sup>ths</sup>) vote of the total membership of the Senate. Should justices be nominated for impeachment and found guilty of the impeachment charges simultaneously, the Senate may vote to remove each person individually or collectively.
- Clause 5: In the case, and only in the case in which the Attorney General personally nominates the entirety of the court for impeachment simultaneously, the charges will be immediately forwarded to the Senate for a final deliberation and vote. In this case, the impeachment will require a three-fourths (3/4<sup>ths</sup>) vote of the membership of the Senate to remove the justices from office. The Senate may vote to remove each person individually or all of them collectively.



# **Article X: Amendment Process**

## **Section A: Overview**

Clause 1: There will be a process for amending this Constitution so as to make it adaptable to the future needs and preferences of the student body.

## **Section B: Procedure**

Clause 1: In order to initiate the Constitutional amendment process, a proposed Constitutional amendment will need to be approved by at least three-fourths (3/4<sup>ths</sup>) of the total membership of the Senate.

Clause 2: After being approved by the Senate, the amendment will become a part of the Constitution if they are successfully ratified by a majority of the students voting in duly authorized elections.

## **Section C: Timing**

Clause 1: Legislation attempting to amend the Constitution must specify the date(s) the referendum will take place.

Clause 2: Constitutional referenda will take place during either the Fall or Spring semesters, while classes are in session, between the days of Monday and Thursday. Voting on a constitutional referendum will be open for a minimum of forty-eight (48) continuous hours.

## **Section D: Validity**

Clause 1: Constitutional amendments are only “invalid” or “unconstitutional” if they make future amendments to the Constitution impossible either by eliminating the process entirely or by eliminating a necessary entity for amending the Constitution (such as the Senate). Any constitutional amendment that does not make future amendments impossible is not eligible to be struck down or overturned by the Supreme Court under any circumstances for any reason.

Clause 2: If there ever is what appears to be a contradiction in this Constitution and there is some interpretation of the law that makes it such that the contradiction is no longer present, that interpretation which nullifies the contradiction will be selected. If there ever is a contradiction in this Constitution, which is clear and undeniable, the text that clause that appeared first to the Constitution shall be law, and the clause that appears later shall be ignored in cases in which it produces contradictions.

# **Article XI: University Policy**

## **Section A: Anti-Hazing**

Clause 1: Students and Student Organizations are prohibited from initiating, participating in, or being witness to hazing activity. Hazing is antithetical to the University's commitment to a positive educational environment. Participation in hazing activities is against the law. Violation of the University's hazing policy, whether on or off-campus, may subject participants, including students and organizations, to arrest, prosecution, and/or disciplinary action, including, but not limited to, suspension or expulsion of students and the revocation of an organization's registration and/or recognition at the University. Consent to or acquiescence in hazing activity is not a defense. The University strictly prohibits any party from participating in hazing activities, regardless of the existence of consent. Hazing activities do not contribute to the positive development or welfare of students. The University of Houston recognizes the act of hazing as illegal, irresponsible, intolerable, and inconsistent with the principles of higher education and basic human development. For more information on the University's Hazing Policy, please visit the Student Life Policies section of the University of Houston Student Handbook.

## **Section B: Non-Discrimination**

Clause 1: The University of Houston provides equal treatment and opportunity to all persons without regard to race, color, sex (including gender and pregnancy), genetic information, religion, age (over 40), national origin, ethnicity, disability, military status, sexual orientation, gender identity or status, gender expression, or any other legally protected status except in which such distinction is required by law. This statement reflects compliance with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and all other federal and state regulations.