

**THE CONSTITUTION
OF THE STUDENT GOVERNMENT
OF THE UNIVERSITY OF TEXAS AT AUSTIN**

PREAMBLE

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

**Article I
MEMBERSHIP AND STRUCTURE**

- 1.1 This organization of students shall be known as the Student Government of The University of Texas at Austin.
- 1.2 All students enrolled at the University, as defined by the Office of the Registrar or the Office of the Dean of Students, shall be eligible to participate in Student Government, unless otherwise specified in this Constitution.
- 1.3 All students not on scholastic or disciplinary probation, as so recorded by the Office of the Registrar, shall be eligible to campaign for and hold elective office within Student Government. Both the Student Body President and Student Body Vice President must also have an overall grade point average above 2.5.
- 1.4 A student must be registered as a full-time student, as so defined by the Office of the Registrar, in order to file for and campaign for elective office within Student Government, unless the student is a current officeholder who is granted exception by this Constitution.
- 1.5 In order to hold an elective office within Student Government, each student must maintain his or her full-time status, unless the officeholder is a graduating student who need only take the courses necessary for graduation, or unless exception is granted in this Constitution.
- 1.6 The governing structure of the Student Government of The University of Texas at Austin shall consist of the following three distinct branches: Executive, Legislative, and Judicial.

**Article II
FUNDING**

- 2.1 Student Government shall receive funding from the Student Services Budget Committee. Funding may also be generated through optional student fees in accordance with approved procedures for optional Student Services Fees. Additional revenue may be generated as Student Government deems appropriate or necessary in accordance with established University policy.

**Article III
THE EXECUTIVE BRANCH**

- 3.1 Duties and Structure
 - 3.11 All executive powers shall be vested in the Executive Branch of Student Government. A primary charge of the Executive Branch shall be the timely implementation of all legislation enacted by the Assembly of Student Government.

- 3.12 The governing structure of the Executive Branch of Student Government shall consist of the Executive Board, the Executive Staff, the Cabinet of Policy Directors, and the Agencies.

3.2 The Executive Board

3.21 The executive power of Student Government shall be vested in the officers of the Executive Board, including the Student Body President, Student Body Vice President, Chief of Staff, Internal Financial Director, External Financial Director, Communications Director, and Administrative Director.

3.22 The Student Body President and Student Body Vice President shall serve one year terms, beginning at noon on the first Tuesday of April. Officers of the Executive Branch shall serve until their respective replacements are appointed.

3.3 The Student Body President

3.31 The President shall be elected by the student body.

3.32 During term of office, the President must be registered for at least six (6) semester hours if an undergraduate student, or three (3) semester hours if a graduate student.

3.33 Duties of the President

- a. The President shall have the power to sign or veto all resolutions of the Assembly of Student Government.
- b. The President shall faithfully execute all acts of the Assembly.
- c. The President shall represent students before the administration of The University of Texas at Austin, the Board of Regents of The University of Texas System, the City of Austin, and the Texas Legislature.
- d. The President shall serve on, or send a representative to, the committees, boards, and legislative bodies of which the President is a member.
- e. The President shall, with advice and consent of the Assembly, appoint students to serve on the Executive Board, the Executive Staff, the Cabinet, and the Agencies of Student Government.
- f. The President shall, with advice and consent of the Assembly, nominate or appoint, students to serve on University committees and boards.
- g. The President shall forward to the President of the University the names of students nominated to serve as members of the standing committees of the General Faculty and other standing committees as provided in established University policy.
- h. The President shall have the power to form ad hoc committees and shall assign the members of such committees.
- i. The President shall, at each meeting of the Assembly, give information on the state of the University and Student Government, and recommend to their consideration such measures judged necessary and expedient.
- j. The President shall have the power to, on extraordinary occasions, convene the Assembly, giving written notice to all representatives at least forty-eight (48) hours prior to the special meeting.

3.4 The Student Body Vice President

3.41 The Vice President shall be elected by the student body.

3.42 During term of office, the Vice President must be registered for at least six (6) semester hours, or three (3) semester hours if a graduate student.

3.43 Duties of the Vice President

- a. The Vice President shall serve on the committees, boards and legislative bodies of which the Vice President is a member.
- b. The Vice President shall assist the Student Body President with assigned responsibilities.
- c. The Vice President shall assume the office of Student Body President in the event that the President is unavailable to fulfill the duties of the office.

3.5 The Chief of Staff of Student Government

3.51 The Chief of Staff shall be appointed by the Student Body President, subject to a two-thirds

(2/3) approval of the Assembly.

3.52 Duties of the Chief of Staff

- a. The Chief of Staff shall monitor all operations of the Executive Branch of Student Government as defined by the Student Body President.
- b. The Chief of Staff shall recruit and train new officers of the Executive Branch.
- c. The Chief of Staff shall provide continuity during the transition of Student Government administrations.

3.6 The Communications Director of Student Government

3.61 The Communications Director shall be appointed by the Student Body President, subject to a two-thirds (2/3) approval of the Assembly.

3.62 Duties of the Communications Director

- a. The Communications Director shall facilitate the internal and external communications of Student Government.
- b. The Communications Director shall represent Student Government in communications with the media.

3.7 The Internal Financial Director of Student Government

3.71 The Internal Financial Director shall be appointed by the Student Body President, subject to a two-thirds (2/3) approval of the Assembly.

3.72 Duties of the Internal Financial Director

- a. The Internal Financial Director shall manage the finances of Student Government according to University rules and regulations.
- b. The Internal Financial Director shall assist the President in developing the annual budget and fiscal reports, and shall present the annual budget to the Student Services Budget Committee.
- c. The Internal Financial Director shall present to the Assembly a report and recommendation based on the fiscal impact of all bills with the appropriations of funds.

3.8 The External Financial Director of Student Government

3.81 The External Financial Director shall be appointed by the Student Body President, subject to a two-thirds (2/3) approval of the Assembly.

3.82 Duties of the External Financial Director

- a. The External Financial Director shall investigate and suggest methods of acquiring additional sources of funding for Student Government.
- b. The External Financial Director shall manage sources of funding including events, endowments, and initiatives.

3.9 The Administrative Director of Student Government

3.91 The Administrative Director shall be appointed by the Student Body President, subject to a two-thirds (2/3) approval of the Assembly.

3.92 Duties of the Administrative Director

- a. The Administrative Director shall be responsible for all administrative and clerical duties necessary to maintain the operations of Student Government
- b. The Administrative Director shall create and maintain a record of the activities of Student Government.
- c. The Administrative Director shall distribute all legislation approved by the Student Body President to the appropriate individuals and entities.

Article IV
THE LEGISLATIVE BRANCH

4.1 Membership and Structure

4.11 The Assembly shall be comprised of a number of representatives from each college and school of the University, apportioned according to the size of each. Eight (8) representatives from the University at-large, and two (2) representatives from the incoming class of first-year students.

4.12 The Assembly shall be chaired by the Chair of the Assembly, elected from the membership of the Assembly.

4.13 Each college and school shall be allotted at least one (1) representative in the Assembly, including the School of Law, the Lyndon B. Johnson School of Public Affairs, and the Graduate School.

4.14 Each college and school shall have a total number of representatives to be elected by the students of that college or school for one-year terms based upon the chart below:

College / School Enrollment	Number of Representatives for that college
1-2,500	1
2,501-5,000	2
5,001-7,500	3
7,501-10,000	4
10,001-12,500	5
12,501 or above	6

4.15 Enrollment figures from the fall of each school year shall be used to determine the number of representatives each college or school shall have for the spring election period. The Chair of the Assembly shall determine the number of representatives for each college and school, and shall submit this information to the Editor of *The Daily Texan* at least four (4) weeks prior to the spring election.

4.16 Eight (8) University-wide representatives shall serve one-year terms in the Assembly.

4.17 Two (2) representatives shall be elected from the incoming class of first-year students and serve one-year terms in the Assembly. The two (2) representatives shall be first-year undergraduate, graduate, or transfer students, as so defined by the Office of the Registrar or the Office of the Dean of Students, and shall be elected during the first full month of classes in the fall semester (September). The procedures for filing, campaigning, and voting shall be determined in Article VI of the Constitution and the Election Code of Student Government.

4.18 Representatives from the colleges and schools and University-wide Representatives must have completed a minimum of twelve (12) semester hours if an undergraduate student or nine (9) hours if a graduate student in residence at the University. Except for University-wide Representatives and first-year representatives, representatives must be enrolled in the college or school that they represent while filing and while holding office.

4.19 Representatives from the colleges and schools and University-wide Representatives shall begin their terms at noon on the first Tuesday of April. First-year Representatives shall begin their terms at noon on the first Tuesday of October.

4.110 Ex-officio members of the Assembly include all members of the Executive Branch and Judicial Branch, and external appointments. Ex-officio members also include the presidents of the Senate of College Councils, the Graduate Student Assembly, and the Student Events Center,

4.111 The Assembly may also name additional members in this Constitution, who shall be ex-officio members without a vote in the Assembly. Ex-officio members shall serve one-year terms and shall be subject to the same rules, provisions, and responsibilities as those which govern Representatives, with the exception of voting privileges.

4.2 Duties and Powers of the Assembly

4.21 The Assembly as a whole shall represent and advocate on behalf of all students at the University before any and all audiences including, but not limited to, the administration of The University of Texas at Austin, the Board of Regents of The University of Texas System, the City of Austin, and the Texas Legislature.

4.22 The Assembly shall be responsible for the proper and prudent distribution of Student Government funds. The Assembly shall maintain funds for distribution to student organizations, to Student Government Agencies, and for special Student Government projects. The budget of the Student Government must be approved by the Assembly.

4.23 All appointments by the Student Body President must be approved by the Assembly, unless specified otherwise. Any appointment may be reversed by a two-thirds majority of the Assembly.

4.24 The Assembly shall have the power to create special Agencies to fulfill the purposes of

Student Government. The Assembly shall have the power to create any appointive office or committee deemed necessary.

4.25 No formal action can be taken by the Assembly without a quorum present, which shall consist of two-thirds (2/3) of the total Representatives. The Assembly shall have the power to convene itself by written request of one-third (1/3) of the total Representatives and to not convene itself by written request of two-thirds (2/3) of the total Representatives.

4.26 The Assembly shall meet at least biweekly during the fall and spring semesters, on a specific day and time to be set by the Chair of the Assembly.

4.27 Vacancies of a representative seat of a college or school shall be filled by the respective college council, within a period of one month after the seat becomes vacant. If the vacancy cannot be filled by the college council, or if the vacancy is in a University-wide or First-year Representative position, the Student Body President shall fill the vacancy by appointment, subject to the approval of the Assembly. All appointed Representatives must meet the same requirements as the elected Representatives.

4.28 The Assembly may determine the rules of its proceedings and may elect officers not specified in this Constitution.

4.29 Bylaws of this Constitution regarding the entire Student Government must be enacted by a two-thirds (2/3) majority of the Representatives.

4.210 Each Representative shall have one vote.

4.211 No secret ballots shall be taken by this body.

Article V THE JUDICIAL BRANCH

5.1 The Membership and Structure of the Judicial Court

5.11 The Judicial Court shall consist of five (5) Justices. Justices shall not, concurrent to service, hold any position within the Executive or Legislative Branches of Student Government. No person who has served as a Justice of the Judicial Court may be elected to any position within Student Government, nor be appointed to any position external to the Judicial Branch by any member of Student Government.

5.12 Justices must have completed at least twelve (12) semester hours in residence at the University if an undergraduate or nine (9) hours in residence if a graduate student, must be registered as a student at the University, and must not be on scholastic or disciplinary probation at the time of appointment and while serving.

5.13 No more than three (3) Justices shall be students enrolled in the School of Law.

5.14 Justices shall serve until they resign, become ineligible to serve under the requirements of section 5.12, or are removed pursuant to Article VII of this Constitution.

5.15 If the Judicial Court consists of fewer than three (3) sitting Justices, new Justices shall be nominated by the Student Body President and confirmed by a two-thirds (2/3) vote of the Assembly. The President shall act within four (4) weeks to bring before the Assembly one or more nominees to fill the vacant positions. If an insufficient number of nominees are confirmed by the Assembly to bring the membership of the court to three (3) or more Justices, the President shall bring forward one or more subsequent nominees within four weeks of the Assembly's vote.

5.16 If the Judicial Court consists of three (3) or more sitting Justices, the sitting Justices shall select a nominee to fill each vacancy. Each nominee shall be subject to confirmation by a two-thirds (2/3) vote of the Assembly. If confirmed, the Student Body President may reject the nominee. The President's decision to reject a nominee may be overridden by a three-quarters (3/4) vote of the Assembly.

5.17 If a vacancy in the court is anticipated, the Judicial Court may initiate nomination and confirmation under 5.16 up to six (6) months in advance of the anticipated vacancy. A nominee confirmed in this way shall not begin serving as a Justice until a vacancy in the Court arises.

5.18 The Judicial Court shall have the power to select and appoint a non-voting Clerk to aid the Court. The Clerk of the Court shall not be a Justice or a member of the Executive or Legislative branches of Student Government.

5.19 The Judicial Court shall elect a Chief Justice from among its members by the end of the spring semester of each year. If the office of Chief Justice becomes vacant, the Court shall

immediately elect a new Chief Justice from among its members.

5.2 The Duties of the Judicial Court

5.21 The Judicial Court shall have sole original jurisdiction in all cases arising under this Constitution and its associated rules, regulations, or bylaws.

5.22 The court shall hear all cases in which any student, faculty member, staff member, administrator, or student organization at The University of Texas at Austin brings an actionable complaint. Any rule of standing enforced by the Court shall be no more than a minimal threshold designed to prevent frivolous complaints.

5.23 The Judicial Court shall have the power, at its discretion, to issue non-binding advisory opinions on any issue within its jurisdiction at the request of a officer of Student Government.

5.24 The Judicial Court shall certify the validity of signatures of all petitions filed with Student Government for referendum, initiative, or constitutional initiative in a timely manner in order to fulfill the requirements of publishing and preparing the ballot item. The wording of a referendum, initiative, or constitutional initiative submitted by petition may be amended only if approved by the Judicial Court. The Judicial Court shall not approve the amending of a ballot item if requested less than three (3) weeks in advance, if the proposed amendment changes the effect or substance of the original petition submitted, or if the amendment significantly alters the original petition in any other way.

5.25 The Judicial Court shall establish its own rules of procedure.

a. The Judicial Court rules of procedure, along with any other internal rules and procedures necessary for the proper functioning of the duties of the Court, shall be contained in the Judicial Court Bylaws.

b. Changes or additions to the Judicial Court Bylaws shall be proposed by a majority vote of the Judicial Court and confirmed by a majority vote of the Assembly.

5.26 The Judicial Court shall maintain a journal of its proceedings, and shall issue written opinions in all cases brought before it. The Court shall make all opinions it has rendered publicly available. An opinion shall be made publicly available within one (1) week of the Court's decision in each case.

5.3 The Powers of the Judicial Court

5.31 No formal action may be taken by the Judicial Court without a quorum present.

a. A quorum shall consist of all currently serving Justices.

b. The Court shall have the power to hear and decide cases only if there are at least three (3) justices serving on the Court.

5.32 The Judicial Court shall have the power to issue writs of injunction and writs of mandamus.

5.33 The Judicial Court shall have the power to declare null and void any act of Student Government that violates this Constitution or its associated rules, regulations, or bylaws.

5.34 Opinions of the Judicial Court shall have persuasive precedential value in subsequent proceedings of the Judicial Court and shall have binding precedential value over subsequent proceedings of the Election Supervisory Board. The passage of time shall not cause the precedential value of an opinion to expire.

5.4 The Election Supervisory Board

5.41 The Election Supervisory Board shall conduct and oversee elections. This shall include all elections required by this Constitution or referred by other University policy-making boards or administrative bodies.

5.42 The Election Supervisory Board shall be selected by a committee consisting of the leaders or Representatives from each of the entities utilizing the Student Government Election Code to govern their elections.

5.43 The committee shall appoint an Election Supervisory Board of no fewer than nine students, including designating one person as Chair. Each member of the Election Supervisory Board must be a student at the University and must not be on scholastic or disciplinary probation while holding office but no previous experience in any organization or with student elections is necessary. Quorum shall stand at six (6) members. The board shall be assembled no later than the third week of October.

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5.44 The Election Supervisory Board shall be responsible for creating and amending an Election Code to be submitted to the Assembly for approval by a majority of the Representatives. No election rules may be enacted within four (4) weeks prior to an election.

5.45 Election disputes and grievances shall first be heard by the Election Supervisory Board. Decisions of the Election Supervisory Board may be appealed and heard by the Judicial Court on the basis that the decision of the Board contravenes this Constitution, the Election Code, or another rule, regulation, or bylaw pursuant to this Constitution.

Article VI **ELECTIONS**

6.1 General elections shall be held on the Wednesday and Thursday of the week two weeks prior to the start of the University's spring break.

6.2 Elections for the two (2) Representatives from the incoming class of first-year students shall be held on one (1) weekday during the third full week of September.

6.21 Filing shall begin the day before the first full day of classes of the fall semester and last for three (3) full weeks.

6.22 Campaigning shall begin the day after the filing deadline and last for one (1) full week. All campaign regulations shall be determined by the Election Code of the Student Government.

6.24 The Judicial Court shall oversee the elections of the First-year Representatives.

6.3 The Student Body President or the Assembly by a three fourths (3/4) vote shall have the power to call special elections.

6.4 Each student may cast one (1) vote for Student Body President, one (1) vote for Student Body Vice President, one (1) vote for each available seat for the respective college or school in the Assembly, and one (1) vote for each available University-wide Representative seat. First-year students may cast one (1) vote for each First-year Representative elected from the incoming class of undergraduate and graduate first-year students.

6.5 The candidate or candidates receiving the highest number of votes for the Assembly seat or seats available shall be certified in the respective position.

6.6 Runoff Elections

6.61 If the top candidates receive a tie vote, a runoff election will occur.

6.62 A candidate for Student Body President or Student Body Vice President must receive a majority of the votes cast in his or her respective race to be certified.

6.63 If no candidate for President or Vice President receives a majority of the votes, the two candidates receiving the highest number of votes for the respective position shall have a runoff election.

6.64 The candidate receiving the highest number of votes in the runoff shall be certified in the position.

6.65 In the case of a tie in the runoff for President, Vice President, or Representative, the current and newly elected Representatives shall vote on the two candidates. The candidate who receives a majority of the votes of the Representatives present and voting shall be certified for the position. A Representative who serves in both assemblies is entitled to two votes. In the case of a tie, the current President shall cast the deciding vote.

6.7 There shall be no constitutional provision requiring a minimum number of voters participating in any general or special election in order to validate that election.

Article VII **REMOVAL**

7.1 Officers of the Executive, Legislative, and Judicial Branches may be impeached and removed from

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office for failure to fulfill the duties and responsibilities mandated in this Constitution or in the Bylaws of Student Government.

7.2 Impeachment legislation must be sponsored by a voting member of the Assembly.

7.3 In the event of impeachment, removal hearings shall take place in the next meeting of the Assembly as the first order of business. The Chief Justice of the Judicial Court shall preside at such hearings unless the Chief Justice is the subject of the hearing in which case the rules of procedure of the Judicial Court shall determine the presiding officer. A three-fourths (3/4) majority vote of Representatives shall be necessary for removal.

7.4 Removal hearings shall be open to the public.

Article VIII INITIATIVE AND REFERENDUM

8.1 Students, upon petition of thirty percent (30%) of the total number of valid ballots cast in the most recent general election of Student Government, shall have the right of statutory initiative.

8.2 Students, upon petition of ten percent (10%) of the total number of valid ballots cast in the most recent general election of Student Government, shall have the right of referendum.

8.3 The Assembly, by majority vote, may refer any part of pending action to students for a vote at the next election.

Article IX AMENDMENTS

9.1 Any amendment to this Constitution proposed within the Assembly must be passed by a two-thirds (2/3) majority of the Representatives. Such amendments shall be presented to the students at the next election.

9.2 Students, upon petition of thirty percent (30%) of the total number of valid ballots cast in the most recent general election of Student Government, shall have the right of constitutional initiative. Such amendments shall be presented to the students at the next election.

9.3 Any proposed amendment to this Constitution shall be made available for public inspection a minimum of two (2) weeks prior to the election. A proposed amendment, together with the parts of the Constitution affected, shall be submitted to the Editor of *The Daily Texan* at least one (1) week prior to the election.

9.4 If an amendment receives a majority of ballots cast, the Student Body President must forward the amendment to the proper University authorities within one (1) week.

Article X GENERAL PROVISIONS

10.1 No expenditures shall be allowed that would result in a deficit in any Student Government account.

10.2 Each officer of Student Government, before entering the execution of his or her office, shall take the Student Government Oath of Office. The Oath of Office shall read, "I do solemnly swear (or affirm) that I will faithfully execute the office of _____ of the Student Government of The University of Texas at Austin, and will to the best of my ability preserve, protect, and defend the Constitution of the Student Government."

10.3 Two elective offices shall not be held simultaneously by the same person, nor shall two persons

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simultaneously hold the same elective office.

10.4 Student Government, as an entity, may not make any endorsements in any student elections, regardless of whether or not that election falls under the jurisdiction of the Student Government Election Code.

10.5 This Constitution supersedes all previous constitutions of the Student Government and its ratification nullifies all pending amendments to the current constitution. This Constitution shall take immediate effect when it shall have been ratified by a majority of ballots cast in an election by the members of the student body and approved in accordance with Section 10.7 below.

10.6 All officials elected under the requirements of the previous constitution shall remain in their respective offices if they do exist and shall exercise their corresponding duties and responsibilities as set forth in this Constitution until their terms of office have expired. Any new offices shall be filled at the soonest possible time.

10.7 This Constitution and its associated rules, regulations, and amendments thereto are subject to provisions of the Rules and Regulations of the Board of Regents of The University of Texas System.

**Amended by the Assembly A.B. 16 Revising the Constitution 2/10/2004 and referendum 1&2 Spring 2004
Amended by the Assembly A.B 14 Changes to the Internal Rules, Bylaws and Constitution of the Student Government and Referendum 2 Spring 2005**

Amended by the Assembly A.B. 32 Ensuring More Accurate Representation passed 3/28/2006 and Referendum Spring 2007

**Amended by the Assembly A.B. 18 Changing Constitution-Secretary of the Assembly to Administrative Director passed 02/05/2008
Amended by the Assembly AB 14 Amending the Constitution-Modifying the Size of the Assembly and Establishing the University Wide Representatives passed 10/07/2008 and passed by Referendum Fall 2008.**

Amended by the Assembly AB Constitutional Changes passed 9/22/2009 and passed by Student Body Referendum Fall 2009 1454 (93.92%) yes, 94(6.07%)

**Amended by the Assembly AB 17 Student Government Reform passed 01/25/2011,
passed by Referendum 02/10/2011**