

# **Kauffman Academic Residential Center (Kauffman Center) Constitution**

## **Article I: Name and Definitions**

The name of this organization shall be the Kauffman Residents' Association (the Association), the governing body of which shall be the Kauffman Council (the Council).

For the purposes of this Constitution, a "wing" is defined to be one half of one floor of the Kauffman Center. There are four of these at the present time: Second Floor East, Second Floor West, Third Floor East, and Third Floor West. A wing, as stated in this Constitution, is the equivalent of a "floor" as stated in the Residence Hall Association (RHA) Constitution and Bylaws.

For the purposes of this Constitution, the entirety of the membership of the Association will be referred to as "the Membership".

For the purposes of this Constitution, "Resident Assistant" shall be defined as a Resident Assistant or equivalent, as defined by the Council on a case-by-case basis.

## **Article II: Purpose**

The purpose of this organization shall be:

- A. To represent the Membership in any area that concerns their living environment.
- B. To act as a liaison between RHA and the Membership.
- C. To serve as a means of communication among wings.
- D. To communicate any pertinent information to the wings and the Membership.
- E. To promote unity within the Membership.
- F. To promote social, recreational, educational, and cultural activities for the benefit of the Membership.
- G. To serve as an open forum for the exchange of ideas.

## **Article III: Membership**

### **Section 1: Non-Discrimination**

This organization does not discriminate in the selection of members or appointments when discrimination is defined as denying individuals membership or appointment upon the basis of gender, age, disability, race, color, religion, marital status, veteran's status, national or ethnic origin, gender identity or expression, or sexual orientation.

### **Section 2: Eligibility**

All residents of the Kauffman Center are considered members of the Association. Only persons residing in the Kauffman Center may serve as voting members of the Council.

### **Section 3: Open Meetings**

Anyone shall have the right to attend all meetings and functions of the Association.

### **Section 4: Minimal Organizational Requirements**

- A. A student organization shall consist of at least five currently enrolled student members.
- B. Non-students will be allowed to participate in any student organization activity, but will not be a voting member, or an elected or appointed officer of said organization. A non-student is someone who is not currently enrolled at the University of Nebraska-Lincoln for the fall or spring semester.

## **Article IV: Organizational Structure**

The Council shall consist of the Executive Board, as well as three elected representatives from each wing (Wing Representatives). The Executive Board of the Council shall consist of the elected Executive Officers. No person shall hold any two positions simultaneously.

## **Article V: Executive Officers**

Section 1: The Executive Officers of the Council shall include the President, Vice-President, Secretary, Treasurer, Residence Hall Association Senator, and Freshman Representative.

### **A. Qualifications**

The Executive Officers shall:

1. Live in the Kauffman Center.
2. Meet University eligibility requirements, including a minimum cumulative GPA of 2.0 and good standing with the university.
3. Not serve as voting Wing Representatives.
4. Not be a Resident Assistant.

### **B. Terms of Office**

1. Terms of Executive Officers shall begin following their election after a transition period of no more than three weeks, and shall end following the transition period of their elected successors. A term shall last one year.
2. Executives are not limited in the number of consecutive terms elected.

### **C. Duties and Powers**

1. The President shall:
  - a) Be responsible for the execution and observance of all provisions of the Constitution and Kauffman Center Bylaws.
  - b) Carry out all duly enacted legislation of the Council.
  - c) Report all executive action to the Council.
  - d) Represent the views of the Membership to the RHA and other University committees and administrators.
  - e) Set regular meeting times with the approval of the Council.
  - f) Set regular meeting times of the Executive Board and preside over all such meetings.
  - g) Call special sessions of the Council, giving at least twenty-four hours prior notice.
  - h) Cast the deciding vote in the event of a tie.
  - i) Fulfill such duties as required of local government presidents by the RHA Constitution and Bylaws.
  - j) Prepare and display agendas for each meeting.
  - k) Have veto power over legislation.
2. The Vice-President shall:
  - a) Preside over all meetings of the Council.
  - b) Assume the powers of the President if the President is temporarily absent, with the exception of veto power.
  - c) Ensure that items being voted upon are clearly and concisely stated and that Council members are casting informed votes.

3. The Treasurer shall:
  - a) Keep all financial records of the Council.
  - b) Conform to the current University regulations for handling funds.
  - c) Assist the President in preparing a budget and present it to the Council for approval.
  - d) Present financial reports as directed by the Council, the Executive Officers and/or the advisors, at least twice per semester.
  - e) Assist wing treasurers (when applicable) regarding matters involving wing funds.
  - f) Attend at least one informal, informational training session sponsored by Student Organization Financial Services (SOFS).
  - g) Be responsible for maintaining a record of all material assets of the Association.
  
4. The Secretary shall:
  - a) Take roll and keep track of attendance.
  - b) Keep minutes of all Council and Executive Board meetings, distributing and posting copies before the next meeting of said body.
  - c) Conduct necessary correspondence pertaining to the Council and to the Kauffman Center.
  - d) Keep a permanent record of the Constitution, standing rules and information pertinent to the Council.
  - e) Maintain records of all Kauffman Center events.
  - f) Act as the Kauffman Center Historian.
  
5. The Residence Hall Association Senator shall:
  - a) Attend all Council and RHA meetings.
  - b) Solicit the opinions of the Membership when necessary for upcoming RHA legislation.
  - c) Represent the interests of the Membership at RHA meetings.
  - d) Report RHA actions to the Council at meetings.
  - e) Fulfill all requirements set forth for Senators in the RHA Constitution and Bylaws.
  
6. The Freshman Representative shall:
  - a) Serve as the voice of the freshman class on the Executive Board.
  - b) Not have any further responsibilities, except as delegated by the Council or Executive Board.

## Section 2: Vacancies

- A. Should a permanent vacancy occur in any Executive Office, that vacancy shall be publicized immediately by the Presiding Officer.
- B. To determine the Presiding Officer, the chain of command in the event of a vacancy shall be: President, Vice-President, Treasurer, Secretary, RHA Senator, and Freshman Representative.
- C. Vacancies shall be filled by a Special Election, as set forth in the Kauffman Center Bylaws.
- D. Persons elected to fill a vacancy shall serve the remainder of the original term.
- E. In the case of temporary vacancies the Presiding Officer shall be the next Executive Officer in succession, until such time that the original officer is able to return to the position.
- F. In the case that the offices of President, Vice-President, Treasurer, Secretary, RHA Senator, and the Freshman Representative are simultaneously vacated, the Council shall be responsible for electing a Presiding Officer. This election shall be carried out as described in the Kauffman Center Bylaws.
- G. The Presiding Officer shall have all the powers of the President, with the exception of veto power.

## Section 3: Removal of Officers

- A. Impeachment of Executive Officers

1. Valid grounds for impeachment shall be:
  - a) Failure to discharge the duties of office.
  - b) Conduct unbecoming an Executive Officer.
  - c) Failure to work in accordance with Council and Executive Board directives.
2. Impeachment proceedings shall be initiated by the passage of a resolution of impeachment. Said resolution shall detail the charges against the Officer, require a two-thirds majority of the Council for passage, and not be subject to prior notice or review.
3. Upon passage of a resolution of impeachment, the accused officer shall have his/her case heard before the Council.
4. If said officer is convicted by the Council by a two-thirds majority, he/she shall immediately be removed from office.
5. Any vacancies created by an impeachment conviction shall be filled according to Section 2.

#### B. Recall

1. Any Executive Officer shall be subject to a recall election when the President receives a petition to that effect, bearing the signatures of at least 30% of the Membership. If the President is the Executive Officer named in the petition, then the Vice-President shall be the person to receive the petition.
2. The recall elections shall be held within one week of receipt of the petition, according to the rules for a Special Election. The only question on the ballot shall be whether or not the Executive Officer in question shall continue in office. A two-thirds majority vote of the Membership shall be necessary to remove that Officer.
3. Any vacancies created by recall elections shall be filled according to Section 2.

### **Article VI: Wing Representatives**

#### Section 1: Qualifications

All Wing Representatives shall:

- A. Live in the Kauffman Center, in their respective wings.
- B. Meet University eligibility requirements, including a minimum cumulative GPA of 2.0 and good standing with the University.
- C. Not be a Resident Assistant.

#### Section 2: Terms of Office

Wing Representatives shall be elected by their respective wings no more than three weeks after the beginning of the academic year, and shall serve until the end of that year.

#### Section 3: Duties and Powers

All Wing Representatives shall:

- A. Actively participate in Council meetings.
- B. Serve as a liaison between their respective wing governments and the Council.
- C. Represent the concerns of the Membership to the Council.
- D. Seek direct input from the Membership of their respective wings.
- E. Support Council activities and programs.
- F. Attend wing meetings and be readily accessible to wing members.
- G. Inform the Membership of the channels that exist for solving problems.
- H. Make the Membership aware of the functions of the Council.
- I. Work to involve the Membership in Council activities, programs, and projects.
- J. Perform additional duties as determined by individual wings if such duties do not conflict with this Constitution or the Kauffman Center Bylaws.

## **Article VII: Advisors**

Section 1: This organization shall have one Primary Advisor, which must be a permanent Academic/Administrative or Managerial/Professional faculty/staff member of the University of Nebraska-Lincoln, and may have any number of Secondary Advisors, which may be permanent Academic/Administrative, Managerial/Professional, or Office/Service staff members or Graduate Assistants of the University of Nebraska. Only the Primary Advisor may approve expenditures of funds.

Section 2: The Primary Advisor of the Council shall be the Kauffman Center Residence Director (RD), or Residence Manager when an RD is not readily available.

Section 3: The Primary Advisor shall be responsible for attending all Council and Executive Board meetings.

Section 4: The Council may petition the Director of University Housing to appoint a new Primary Advisor, with the passage of such a motion requiring a two-thirds majority vote by the Council.

## **Article VIII: Meetings and Procedures**

### Section 1: Council Meetings

The Council shall meet no later than the third week of the semester and at intervals thereafter of not more than two weeks, through the fourteenth week of the semester. The Council shall not hold official meetings during dead week or finals week.

### Section 2: Voting Privileges

- A. All recognized Wing Representatives shall be given one vote each.
- B. Other residents in the Membership, as well as any Advisors/Resident Assistants, shall not have the right to vote.

### Section 3: Quorum

A quorum shall consist of a simple majority of the entire voting membership of the Council, and a simple majority of the Executive Board.

### Section 4: Attendance

#### A. Wing Representatives

1. All recognized wing representatives shall be required to attend all meetings of the Council.
2. Proxy Representation
  - a) In the case that a Wing Representative is unable to attend a meeting, said Representative shall be responsible for providing a proxy to assume his/her duties during the meeting.
  - b) If a proxy cannot be found, the absence must be approved by the Vice-President.
  - c) The proxy must be a resident of the Wing Representative's respective wing.
  - d) The proxy need not be the same person each time.
  - e) The proxy may not be a member of the Executive Board or a Resident Assistant.
3. Excessive Absences
  - a) If a Wing Representative accumulates two unexcused absences, that Wing Representative shall be considered to have resigned his/her position.
  - b) It shall be the duty of the Vice-President to inform the offending Wing Representative after one unexcused absence that he/she is in danger of losing his/her position.

## B. Executive Board

1. All Executive Officers shall be required to attend all meetings of the Council except when excused by the President.
2. No proxy can be provided to assume the duties of an Executive Officer.
3. Two or more unexcused absences shall be grounds for impeachment.

## Section 5: Legislation

### A. Legislative powers shall rest in the Council and shall be concerned with, but not limited to:

1. Matters of mutual concern to all wings.
2. Passage of motions stating policy recommendations, reflecting Membership opinion(s), or offering approval on matters of interest to the Membership.
3. Approval of the Council budget.
4. Enactment of the Kauffman Center Bylaws by a two-thirds vote of the current voting membership.
5. Impeachment of members of the Executive Board by the procedures specified in this Constitution.

### B. The Council may not legislate on any issue that is of internal concern to a wing without the express permission of the wing in question.

### C. If the President is permanently absent, all legislation must pass by a two-thirds vote of the current voting membership until a new President is elected.

### D. Veto

1. If the President does not veto legislation by the regular Council meeting following the meeting at which the legislation was passed, then the legislation shall be considered enacted.
2. If a piece of legislation is vetoed by the President, then the legislation must appear as old business on the agenda of the next regular meeting. At that time, the Council may vote to override the veto. A two-thirds vote of the members of the Council present shall override the veto, at which time the legislation shall be considered enacted.

## Section 6: Meeting Procedures

### A. Parliamentary procedure shall be the governing procedure of Council meetings.

### B. The latest edition of *Robert's Rules of Order* shall be the authority on any questions of parliamentary procedure.

### C. The Council shall follow the most recent edition of the *NU Book: A Policy Guide for Student Organizations and Student Organized Activities*.

## **Article IX: Regulatory Powers**

### Section 1: The Council shall have the following regulatory powers:

- A. To determine the use of its allocated funds.
- B. To create standing and ad-hoc committees as the Council deems necessary.
- C. To decide questions arising from elections contested on the grounds of violating this Constitution.
- D. To perform any and all other duties set forth in this Constitution and the Kauffman Center Bylaws.

### Section 2: Individual wings shall have the following regulatory powers:

- A. To use allocated funds as chosen within University regulations.
- B. To elect and recall wing officers as regulated by this Constitution.
- C. To determine rules for meeting procedures.

## **Article X: Finance**

Section 1: There shall be no dues or membership fees required by the Council.

Section 2: All money-making projects shall be subject to approval by the office of Student Involvement.

Section 3: Organizational monies will be handled by Student Organization Financial Services in association with the Treasurer, regardless of source. No part of the earnings of this organization shall inure to the benefit of or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered. This organization shall not engage in any activities not permitted to an organization exempt from federal income tax under Section 501 of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue laws).

## **Article XI: Elections**

Section 1: Regular Elections

Regular elections of Council Officers and Wing Representatives shall be held in accordance with the Kauffman Center Bylaws.

Section 2: Special Elections

Special Elections shall follow the guidelines set by the Kauffman Center Bylaws.

## **Article XII: Amendments**

Section 1: Proposals for amendments to this Constitution shall be originated by legislation to that effect, or by a petition bearing the signatures of not less than ten percent of the Membership.

Section 2: Proposals shall be published and distributed in their entirety to the Council not less than four days prior to the scheduled vote, and shall be adequately publicized by whatever means the Council deems appropriate, not less than two days prior to the scheduled vote. Proposals may be provided to the Council by reasonable electronic means, including, but not limited to, electronic mail.

Section 3: Proposals shall then be voted upon by the Council, with a two-thirds majority of the voting membership necessary for adoption.

Section 4: An amendment shall be valid upon being approved by RHA and the Association of Students of the University of Nebraska.

## **Article XIII: Non-Discrimination Policy**

It shall be the policy of the Council to administer its meetings, programs and events in a manner which does not discriminate against participants on the basis of gender, age, disability, race, color, religion, marital status, veteran's status, national or ethnic origin, gender identity or expression, place of residence, sexual orientation, or political affiliation. Any form of discrimination and/or harassment on the bases described in this article will not be condoned or tolerated.

## **Article XIV: Effective Date**

This Constitution is effective March 12, 2005.