

SOUTH DAKOTA STUDENT FEDERATION CONSTITUTION AND BY-LAWS

PREAMBLE

We, the students of the South Dakota Student Federation, in order to provide an effective student government, establish this Constitution and Bylaws with special attention given to the following goals:

- A. The Student Federation shall provide a communication network in which students, faculty, administration, and staff of public institutions of higher education in the State of South Dakota; the South Dakota Board of Regents, and South Dakota Legislators will work in concert to solve problems.
- B. The Student Federation shall ensure students' representation in decisions affecting the quality of student life and education for students of public institutions of higher education in South Dakota.
- C. The Student Federation shall take a leadership role in educating the students of South Dakota on the importance of participating in the governing of their campus and their country.
- D. The Student Federation shall remember that it is an elected body chosen to represent the students of South Dakota and is required to defend the interest of the students.

MISSION STATEMENT

We, the students of the South Dakota Student Federation, institute a focus on higher education in compliance with the preamble of the By-Laws and Constitution. The South Dakota Student Federation:

- A. The Student Federation shall primarily be a student organization with the central focus of lobbying for higher education. This lobbying will take place at both the Board of Regents and Legislative levels.
- B. The Student Federation will establish relationships with the Board of Regents and Legislative leaders of the state, ensuring cohesion among all three bodies and creating a stronger understanding among students, Regents and Legislators.
- C. The Student Federation resolves to share ideas and resources with other Regental schools within the Student Federation in the spirit of impactful collaboration and mutual helpfulness.

ARTICLE I. STUDENT FEDERATION

Section 1. Name

The name of this organization shall be South Dakota Student Federation.

Section 2. Membership

The student bodies of the following universities shall comprise the official membership of the Student Federation:

- Black Hills State University
- Dakota State University
- Northern State University
- South Dakota School of Mines & Technology
- South Dakota State University
- University of South Dakota

Section 3. Board of Directors

Member universities listed shall be represented by a Board of Directors comprised of the student government president and vice president or their appointees from each school, as well as the Federation's Executive Director and Chair.

Section 4. Executive Branch

The Executive Branch shall consist of the Executive Director and Chair (appointed by the Board).

ARTICLE II. OFFICERS OF THE EXECUTIVE BRANCH

Section 1. Positions

The officers of the Student Federation shall be the Executive Director and Chair (appointed by the Board).

Section 2. Length of Terms

Elected and appointed officers shall serve a term of one year. If for some reason an officer is unable to complete his/her term, said officer should, when appropriate, submit his/her resignation in writing two (2) weeks prior to his/her last day in office.

Section 3. Membership Requirements

- A. All Student Federation Officers shall be a fees-paying student at one of South Dakota's public universities.
- B. All Student Federation Officers shall have a cumulative 2.5 Grade Point Average on a 4.0 scale.

Section 4. Vacancies

- A. In the case of the removal or resignation of the Executive Director, the Student Federation shall, by a two-thirds vote, appoint an acting Executive Director. The acting Executive Director shall set a date, with a two-thirds Student Federation approval, on which a special election will be held to elect a new Executive Director. This special election will require a two-thirds Student Federation approval. Until the special election is held, the acting Executive Director shall assume all powers and duties of that office.
- B. In the case of removal or resignation of the Chair the Executive Director shall appoint a new individual to fill the position(s).

Section 5. Duties and Powers of the Executive Director

The Executive Director shall:

- A. in cooperation with the Chair, call special meetings with at least 24 hours' notice.
- B. report at each meeting on the achievements and failures of the Student Federation and Federation Officers.
- C. be a vote in the case of a tie among the Student Federation board of directors.
- D. actively lead the Student Federation at all Student Federation functions.
- E. actively lead and supervise the Student Federation Executive Branch.
- F. attend all regular Student Federation meetings unless absences are excused by a majority vote of the Student Federation Board of Directors two (2) weeks prior to the meeting.
- G. be in contact with the Board of Regents.
- H. carry out lobbying duties in accordance to the Board. These expectations will be articulated weekly by the Board during legislative session conference calls.
- I. participate in the weekly legislative calls conducted by the Board of Regents Office. If the Executive Director cannot participate, they shall name a proxy to participate in their place.
- J. be in contact with the Student Federation Chair on a weekly basis.
- K. be in charge of taking minutes.
- L. be in charge of planning Students for Higher Education Days (SHED).
- M. Compile a transition report to present at the final meeting of each term

Section 6. Duties and Powers of the Chair

That Chair Shall:

- A. preside over Student Federation meetings.
- B. not vote.
- C. create an agenda and distribute it to the Board of Directors one week prior to their respective Senates' meetings.
- D. be responsible for ensuring that Student Federation members receive, in a timely manner, information requested.
- E. in cooperation with the Executive Director, call special meetings with at least 24 hours' notice.
- F. appoint a Student Federation member to take minutes for each meeting in an absence of Executive Director.
- G. attend all regular Student Federation meetings unless absences are excused by a majority vote of the Student Federation Board of Directors two (2) weeks prior to the meeting.
- H. Compile a transition report to present at the final meeting of each term

Section 7. Compensation

The Executive Director and Chair will receive compensation for their services by the dues received from the members.

ARTICLE III. BOARD OF DIRECTORS

Section I. Positions

The Student Federation Board of Directors Shall:

- A. be comprised of twelve (12) directors. Each director shall represent a specific member university.
- B. be comprised of the student government presidents and vice-presidents or their appointee, as approved by the Executive Director.

Section 2. Individual Powers and Duties

The Student Federation Board of Directors shall:

- A. Attend Student Federation meetings and may not accumulate more than two (2) unexcused absences per year.
- B. Be responsible for frequent contact with their respective university president.

Section 3. Quorum

- A. The Student Federation Board of Directors shall establish a quorum before conducting formal business, by having a majority (7 members) present.

Section 4. Voting

- A. A proxy vote may be permitted under the following guidelines:
 - 1. The Executive Director, before the vote, must excuse the Student Federation member.
 - 2. Acceptable Absences include: sickness, conflict with testing, family emergency, adverse weather conditions, University excused absence
 - 3. Unacceptable Absences: studying for a class/test, employment obligations, other campus organization meetings, failure to remember scheduled meeting time, place, etc.
 - 4. Failure to proxy a vote for an excused absence from any meeting shall automatically result in an unexcused absence.
 - 5. All of the above guidelines are subject to the discretion of the Executive Director.
- B. Federation Lobbying Agenda
 - 1. Consensus must be obtained in order to take a stance as a unity body.
 - 2. If consensus is not obtained, each individual institution is in charge of lobbying on their own behalf.

ARTICLE IV. MEETINGS

Section 1.

Regular meetings of the Federation shall be held monthly. The Federation will meet weekly during the South Dakota Legislative Session or as determined by the Executive Director and Board of Directors.

Section 2.

Robert's Rules of Order, Newly Revised, shall be the parliamentary authority.

ARTICLE V. FINANCES

Section 1. Funding

- A. All funds of the Federation shall be deposited to the credit of the South Dakota Student Federation at the institution of South Dakota State University Financial Program Assistant. All applicable accounting procedures of the said institution shall be followed.
- B. The Federation Executive Director shall submit a budget proposal to the Board of Directors at the December Student Federation meeting to be voted on at the March Student Federation meeting.
- C. The yearly dues of the Federation shall be a flat-rate fee for each member school; not exceeding eight hundred (800) dollars. These dues shall not be expended to reimburse expenses of the officers or delegates with the exception of the Executive Director.

Section 2. Records

- A. All books and records of the Federation may be inspected by any member or their agent or attorney for any proper purpose at any reasonable time.
- B. The Executive Director or Chair shall sign all checks, drafts, or orders for the payment of money issued in the name of the Student Federation.
- C. The Board of Directors, by a two-thirds vote, may authorize the Executive Director to enter into, or execute, any note or other evidences of indebtedness.
- D. The member universities shall make payment of dues in full within six (6) weeks after notification. Failure to comply will result in a suspension of all votes on any Federation matters until dues are paid. All suspensions of voting privileges are subject to Executive Director approval.
- E. The fiscal year shall coincide with the term of the office for the Federation Executive Director.

ARTICLE VI. Internal Affairs Committee

Section 1. Purpose

The Internal Affairs Committee shall conduct hearings to determine the validity of complaints brought against any Student Federation member. The Internal Affairs Committee may formalize complaints and present them for hearings before the Student Federation or dismiss the complaints. If the Internal Affairs Committee finds the charges to have merit, the Internal Affairs Committee will then present formal complaints at the next regular Student Federation meeting.

Section 2. Positions

The Internal Affairs Committee shall be comprised of a chairperson and four (4) regular members. The four (4) regular members shall be comprised of two (2) Student Federation members selected by the Student Federation Board of Directors, and two (2) Student Federation members appointed by the Executive Director. The Student Federation Board of Directors appointments may include, but are not limited to, members of the Board of Directors. The Board of Directors will appoint the chairperson of the Internal Affairs Committee by a majority vote. Initiating the process, all formal complaints will be submitted to the Chair or Executive Director prior to the formation of the Internal Affairs Committee.

Section 3. Disqualifications

After the formation of an Internal Affairs Committee, if charges are brought against any Internal Affairs Committee member, that member shall be suspended until the Internal Affairs Committee has made a decision. By a two thirds vote, the Student Federation shall select a replacement member to serve for the duration of the Internal Affairs Committee hearing. Replacement members need only be Student Federation members.

Section 4. Jurisdiction

Executive Branch and representative members who do not perform or meet their duties and qualifications specified in this Constitution or subsequent Student Federation By-laws are subject to jurisdiction of the Internal Affairs Committee.

Section 5. Initiating Internal Affairs Committee Proceedings

- A. Any Student Federation member may present complaints. Said complaints must be presented in writing with supportive documentation, the signature of the member making the complaints, and the date said complaints are being brought. Upon receipt of complaints, the Internal Affairs Committee will convene. At least one (1) week before the hearing to review the complaints, the chairperson of the Internal Affairs Committee will present the charged member with written notification. Said notification shall include the complaints and the time and place of the hearing.
- B. The Internal Affairs Committee reserves the right to seek outside information and request expert's interpretations as may be deemed necessary.
- C. The Internal Affairs Committee, while responsible for delivering a timely recommendation to the Student Federation, reserves the right to make a careful and slow deliberation.
- D. All decisions of the Internal Affairs Committee and Student Federation are binding. There is no recourse or appeal.

Section 6. Confidentiality

- A. All proceedings and events discussed while the Internal Affairs Committee is in session are confidential. Under no circumstances shall an Internal Affairs Committee member reveal to any non-Internal Affairs Committee member the complaints made against the Student Federation member. The name of the charged member shall remain confidential.
- B. When a final disposition of the complaints is made, the Executive Director will prepare and dispense a press release. Press releases shall include a formal letter to the Board of Directors. Board of Directors can distribute them to their respective institutions student governments.

Section 7. Rights of the Charged Student Federation Member(s)

- A. The charged member(s) shall receive written notice one (1) business week before commencement of any hearing(s) relevant to the charges.
- B. The charged member(s) has the right to have counsel present at the Internal Affairs Committee hearing and charged member may present to the Internal Affairs Committee any information in his/her defense. Counsel will be allowed to offer advice but will not be entitled to participate in the Internal Affairs Committee hearings in any other capacity.

Section 8. Dismissal

A majority of the Internal Affairs Committee members must vote in favor of the charges to initiate a Student Federation hearing. If a majority is not reached, the charges will be dismissed.

Section 9. Initiating Federation Hearings

- A. If a majority of the Internal Affairs Committee members decide the charges are sufficient to merit a full Student Federation hearing, the chairperson shall place this item first on the agenda at the next regular Student Federation meeting.
- B. The Student Federation shall by a two-thirds vote take action on the recommendation of the Internal Affairs Committee. The charged member(s) is/are suspended at this time and therefore have no vote in these proceedings.
- C. All decisions reached by the Internal Affairs Committee and the Student Federation are binding.
- D. There is no recourse of action or appeal.

Section 10. Removal

Following presentation of the charges by the Internal Affairs Committee chairperson, the Student Federation shall hold a hearing. The sole penalty the Student Federation may impose is a removal from office. To remove a Student Federation member, the Student Federation must attain a three-fourths vote of all members. The accused Student Federation member may attend, but he or she will be considered temporarily suspended from office until a vote is taken.

ARTICLE VII. AMENDMENT AND RATIFICATION

Section 1. Amendment

A. Amendments may be brought forth by a member of the Board of Directors.

Section 2. Ratification

This Constitution and Bylaws shall require a two-thirds vote of approval by the Student Federation Board of Directors to be ratified. This document must have the most recent ratification data on each draft.

ARTICLE VIII. OATH OF OFFICE

The Oath of Office* will be recited by the outgoing Executive Director and incoming Executive at the April Board of Regents Meeting. The new Executive Director will then administer the Oath of Office to the new Executive Board and Board of Directors at the following meeting.

"I do solemnly swear that I shall faithfully execute the office of (name of position) of the South Dakota Student Federation. I shall to the best of my ability preserve, protect, and defend the Constitution of said organization."

ARTICLE IX. BOARD OF REGENTS' COMPLIANCE

Section 1. Discrimination Clause

We, the South Dakota Student Federation, agree to refrain from discrimination practices based on race, color, creed, age, veteran status, marital status, gender, sexual identity, disability, and sexual orientation.

Section 2. Drug and Alcohol Policy

We, the South Dakota Student Federation, agree to adhere to the alcohol, marijuana and controlled substances policy of the Board of Regents of South Dakota as laid out in the Student Code of Conduct.

Date of Revision Approval by the Student Federation: March 27, 2018