

The Constitution

of the

Undergraduate Association

of the

Massachusetts Institute of Technology

Working Draft of the UA Committee on Restructuring (November 14, 2011)

Preamble

We, the undergraduate students of the Massachusetts Institute of Technology (MIT), in order to improve the quality of our education, to provide ourselves with services which would otherwise not be provided, to express our views and represent ourselves in collaboration with other groups whose decisions affect us, and to fairly and accountably allocate resources which have been granted to us as a whole, do create a central body unto which legislative, executive, judicial, and representative powers are conferred.

The name of this Organization shall be the Undergraduate Association (UA) of the Massachusetts Institute of Technology. In order to ensure that the Undergraduate Association continues to work on our behalf and in our interest, we have adopted this constitution to govern this Association.

Article I: Membership

All undergraduate students of MIT shall be members of this Association. Further, this Organization shall be empowered to act on behalf of the undergraduate student body of MIT. Under this Constitution, an undergraduate is a person considered by the Registrar of MIT to be making adequate progress towards at least one undergraduate degree at the Massachusetts Institute of Technology. Students shall be able to hold office in this association provided that they qualify as an undergraduate as defined herein and do not have definite plans or expectations to leave school or receive an undergraduate degree prior to the expiration of their term in office. Officers and other students responsible for transacting business on behalf of the Association shall be considered members of the Government of the Association.

Article II: Organization and Structure

The Government serving the Association shall be unified and work toward a common mission of the Association. The Undergraduate Association Council (Council), the Undergraduate Association Officers (officers), the Undergraduate Association Committees, and the Undergraduate Association Judicial Board (JudBoard) shall be responsible for the operation this Association. These bodies, all their subsidiaries, and any other organizations chartered by this Constitution shall comprise the Government of the Undergraduate Association.

Section A: The Council

1. The Council shall hold the Government accountable to the Undergraduate Student Body. They shall be responsible for ensuring the proper functioning of the Government by providing guidance on major organizational objectives and by holding the Association's officers accountable for the completion of their duties.
2. The Council shall, as the primary representative body of the Association, be empowered to develop policy statements that serve as the definitive undergraduate opinion on a given issue. These statements shall strive to represent the full spectrum of undergraduate viewpoints on an issue, and shall be approved by full consensus of the Council's voting membership.
3. Meetings of the Council shall serve as forums of discussion on behalf of and representing the Association, and the Council may discuss any topic directly impacting the MIT Community. It may examine other issues by a majority vote or a request of ten percent of the Association in the form of a written petition.
4. The Council shall strive to protect the rights of students and serve to foster cooperation and communication among the various segments of the MIT Community.
5. The Council shall have jurisdiction over all activities that are sponsored by an undergraduate group, including living groups, and that are held on campus outside of a living group area. Within its jurisdiction, the Council may decide any issue except as qualified in this document or in the Council's Bylaws.
6. Policy recommendations of Association's Committees shall be subject to review by the Council. These recommendations shall be considered UA policy by consensus approval of the Council.
7. Population votes of the Council, as defined by the Bylaws of the Council, and shall be reserved for the amending the Constitution, all allocations of funds, and amendments to the Election Code.
8. Final authority over the allocation, and any reallocation, of this Association's financial resources shall be solely vested in the Council, though the Council may delegate the reallocation of funds at its discretion. Authorization of funds from the Association's Invested Reserve shall require a 2/3 population vote of the Council, and this fund may not be depleted below \$5,000 or one quarter of the semester starting balance, whichever is greater.
9. The Council shall be chaired by the UA President.
10. The Bylaws of the Council shall govern its specific operating policies and procedures.

Section B: The Principal Officers

1. The five Principal Officers of the UA shall be the President, the Vice President, the Chief of Staff, the Treasurer, and the Secretary.
2. The Principal Officers shall be empowered to act in lieu of the Council when it is out of session or unable to meet in a timely manner. Under these circumstances, the Principal Officers shall make decisions by majority vote. These decisions may not include amending the Constitution or any other governing documents of the UA, approving new permanent officers, approving policy

statements or approving the Operating Budget of the UA. The President may break ties as well as vote. All actions undertaken by the Principal Officers in lieu of the Council will be subject to subsequent review by the Council at its next meeting.

3. The Officers shall serve to create and direct a strategic plan for the UA.
4. The President shall have the following duties and powers:
 - a. The President shall be the chief executive officer and general spokesperson for the Association and its Government.
 - b. The President shall attend faculty meetings and any other affairs that require his or her presence as a representative of the undergraduate student body.
 - c. The President shall serve as a voting member of the Corporation Joint Advisory Committee.
 - d. The President shall serve as the Chair of the Council may veto any action of the Council not decided by a consensus or population vote.
 - e. The President is the executor of all decisions of the Council. He or she may jointly execute a decision with other parts of the UA at his or her discretion.
 - f. The President shall call weekly meetings of the Council during the fall and spring terms and set the agenda for these meetings in accordance with the Council Bylaws. The President should make a good faith effort to keep the Council informed of all pertinent matters.
 - g. The President may call emergency meetings of the Council at his discretion.
 - h. The President may determine MIT-external groups with which the UA shall maintain relations. Such recognition shall be required for funds to be expended in conjunction with such groups.
 - i. The President shall be a financial signatory and shall have access to all accounts of the UA.
 - j. The President shall interview and approve all non-ex-officio members of the UA Finance Board.
 - k. Each semester, the President shall call and attend a meeting with the UA Treasurer and the Chair of the Finance Board to determine the overallocation percentage cap for that semester's funding periods. This overallocation percentage cap shall be determined using data of past spending from the Student Activities Office.
 - l. The President shall inform the Council of the state of the UA and the Undergraduate Student Body at the first meeting of both the fall and spring terms.
 - m. The President shall convene weekly meetings of all committee chairs.
5. The Vice President shall have the following duties and powers:
 - a. The Vice President shall act as the chief operating officer of the UA.
 - b. In the event that the President shall be temporarily unable to perform the duties of that office, the Vice President shall assume the Presidency until such a time as the President is able to resume his or her duties. Written notification shall be sent by the President to the Council at the occurrence of such an event.
 - c. The Vice President shall attend events as specified in II.B.4.b of this Constitution.
 - d. The Vice President shall be responsible for assisting the President with the completion of his or her duties.
 - e. The Vice President shall sit on the Nominations Committee.

6. The Chief of Staff shall have the following duties and powers:
 - a. The Chief of Staff shall chair the Nominations Committee.
 - b. The Chief of Staff shall, with the approval of the council via majority person vote of the full voting membership of the Council, determine when to derecognize student representatives to Institute Committees for neglecting their responsibilities.
 - c. The Chief of Staff shall maintain relationships with student representatives to Institute Committees and provide them with data relevant to their duties.
 - d. The Chief of Staff shall ensure that up-to-date information about Institute Committees including membership, attendance, and meeting minutes are available on the UA website.
 - e. The Chief of Staff shall be responsible for assisting the President with the completion of his or her duties.
 - f. The Chief of Staff shall be responsible for conducting the Institute Committee nominations process in accordance with the Nominations Committee bylaws, which are published in the Bylaws of the Standing Committees.
7. The Treasurer shall have the following duties and powers:
 - a. The Treasurer shall be the chief financial officer of the UA. Additionally, the Treasurer shall serve as the financial advisor and the UA Finance Board liaison to all entities of the UA.
 - b. The Treasurer shall be a financial signatory and shall have access to all accounts of the UA.
 - c. The Treasurer shall serve as an ex officio voting member of the UA Finance Board.
 - d. The Treasurer shall be responsible for the maintenance of UA accounts.
 - e. The Treasurer shall chair any UA-sponsored committees involved with the auditing of UA accounts. The Treasurer shall chair any UA-sponsored committees involved with the investigation of the UA Finance Board, unless he or she is also the chair of the UA Finance Board.
 - f. The Treasurer shall be responsible for assisting the President with the completion of his or her duties.
 - g. The Treasurer shall be responsible for submitting reimbursements on behalf of the Council and the Committees. Additionally, the Treasurer shall review and submit or reject all reimbursements within 10 academic days of submission. In the event of an extenuating circumstance preventing the Treasurer from carrying out his or her duties, the Treasurer will give timely notice of this fact to the relevant parties.
 - h. The authority to administer the financial assets and liabilities of the UA shall be vested in the UA Treasurer. For allocating funds to student groups, the UA Finance Board shall operate in accordance with its own bylaws and operating procedures in addition to this Constitution. Final allocation power is reserved for the Council.
 - i. The Treasurer may serve as the UA Finance Board Chair if selected.
8. The Secretary shall have the following duties and powers:
 - a. The Secretary shall maintain the UA schedule of meetings and events.
 - b. It shall be the responsibility of the Secretary to ensure that an accurate account of the significant events of the UA shall be kept for future reference. Further, the Secretary shall endeavor to keep an accurate account of all membership roles of the UA and any other

- records that the Council deems necessary. Records and documents of the UA shall be open to inspection by any member of the Association.
- c. The Secretary shall act as secretary for the Council. In this role, the Secretary shall be responsible for facilitating communication between internal bodies of the UA as well as external organizations as determined by the President. Likewise, the Secretary shall be entrusted with ensuring the timely recording and disbursing of UA Council minutes and notices.
 - d. The Secretary shall ensure maintenance of the archival records of the UA.
 - e. The Secretary shall assist the President with the completion of his or her duties.
 - f. The Secretary shall ensure that the content of the UA website and UA bulletin board remains current.
 - g. The Secretary shall be responsible for maintaining an up-to-date, complete list of students by constituency. This list will be used during a population vote.
9. Elections, Appointments, Removals, and Censure
- a. The term of office for all Principal Officers shall be one year, beginning on the last day of classes in the spring semester.
 - b. The President and the Vice President shall be elected during the week prior to Spring Vacation by the Association. This process shall be governed by the Election Code.
 - c. The Chief of Staff, the Treasurer, and the Secretary shall be nominated by the President and shall be considered approved by a 2/3 population vote of the council.
 - d. The President may resign by submission of a written resignation to the Association.
 - e. The Vice President, the Chief of Staff, the Treasurer, and the Secretary may resign by submission of a written resignation to the President. The President shall serve official notification of the resignation to the Council.
 - f. A special recall election for the President and/or Vice President may be held by a person vote of 3/4 of the total number of voting Council Representatives or by a written petition signed by ten percent of the Association and Judicial Board approval. The reason for this removal must be based on misuse of power, malfeasance, gross neglect of duty, or other severe violations of this Constitution. At the submission of the petition, the individual(s) in question shall temporarily surrender his or her (their) office(s) pursuant to the results of the special recall election.
 - g. Impeachment may be brought against the President and/or Vice-President following a ruling of the Judicial board and a 3/4 person vote of the full voting membership of the Council. The reason for this removal must be based on misuse of power, malfeasance, gross neglect of duty, or other severe violations of this Constitution.
 - h. The Chief of Staff, Treasurer, or Secretary may be removed by the President, a 2/3 person vote of the full voting membership of the Council, or a written petition signed by ten percent of the Association and approved by the Judicial Board. The reason for this removal must be based on misuse of power, malfeasance, gross neglect of duty, or other severe violations of this Constitution.
 - i. Any of the Officers may be censured by the Council in accordance with the Council Bylaws.

Section C: The Judicial Review Board

1. The UA Judicial Review Board (Judicial Board) shall be the judicial organization of this Association.
2. Membership:
 - a. At the end of each Presidential term, the three person membership of the Judicial Board will be chosen as such:
 - i. Each member that will be a member of the Association the following semester will have the option of remaining in their position.
 - ii. For each member that chooses not to remain on the Judicial Board or that will no longer be a member of the Association the following semester, the outgoing President will choose a replacement. Each replacement needing subsequent approval of two-thirds of the voting persons in the Council. Further, none of the Judicial Board members shall be affiliated with any other Undergraduate Association Governing Body.
 - iii. If the Chairman is no longer a Judicial Board member, then one of the three new Judicial Board members shall be appointed as Chairman of that body by the President.
 - iv. All new members of the Judicial Board shall be appointed by the outgoing President before May 20. Those new members shall be formally sworn in at the last Council meeting of the Spring term along with the Principal officers.
 - b. No person intending to run for office in the UA elections may sit on the Judicial Board. Any Judicial Board member who obtains a petition for office shall immediately be replaced by the appointment of the President. The appointment shall be pending until the approval of the UA Council. In addition, any pending Judicial Board requests shall remain pending until after the board is made whole again.
3. The purpose of this board shall be to interpret this Constitution and other governing documents of the undergraduate student body in cases of dispute between the bodies of this organization or its members. Additionally, this board shall hear complaints from members of the undergraduate student body concerning the governmental bodies and act to resolve the situation. Also, this board shall oversee the creation and operation of the UA Election as delineated in the UA Election Code.
4. Powers and Responsibilities:
 - a. Once called upon for review, this board shall have the power to reverse votes or policies that it deems to be in violation of the letter and intent of this Constitution and other governing documents.
 - b. In order to carry out its responsibilities as listed in this section, this board may request a report, either written or verbal, from any officer of this Association or member of the Council.
 - c. This board shall endeavor to render quick and faithful judgments and shall have the full cooperation of the other governmental bodies of this Association in executing its decisions.
 - d. This board shall be responsible for the overseeing of the Election Commission, but its members shall not sit on the Commission and it shall not discuss the business of the election commission during elections to offer a fair process to appeal Election Commission decisions.

Any appeal of Election Commission decisions can be made directly to the Judicial Board in the familiar manner described in this Article.

5. Procedures of Operation:
 - a. The rulings of this board shall remain uncontested and shall not be overturned by the veto of the President. Further, the bodies affected by the decisions of this board shall act on those rulings immediately.
 - b. Each decision of this board, accompanied by a constitutionally-based rationale, shall be duly recorded in the archives and on the Undergraduate Association website. A copy of all rulings shall be transmitted to the Secretary for the archives.
 - c. At no time shall an officer of this Association or the Council collaborate with a member of this board on business of the Undergraduate Association. However, officers may seek advice on constitutional issues from Judicial Board members.

Article III Order of Succession

Section A: Principal Officer Order of Succession

1. In the event of a vacancy in the office of the President, the Vice President shall succeed to that office until the next regularly scheduled election. In the event of a vacancy in the office of the Vice President, the President shall immediately appoint a successor who shall become active upon the approval of thirteen members of the Council.
2. In the event of simultaneous vacancies in the office of the President and the Vice President, the order of succession from first to last shall be as follows: Chief of Staff, Treasurer, Secretary.
 - a. The first occupied office in this list shall be the succeeding officer and shall temporarily assume the office of President. The succeeding officer may appoint an acting Vice President at their discretion.
 - b. The Acting President shall then call for elections for the offices of the President and Vice President to be held within thirty days, unless regular elections are to be held within sixty days.

Section B: Council Order of Succession

1. Succession of Council Representatives shall occur in accordance with the Constitution and Bylaws of the relevant dormitory or organization. In the event of a vacancy in the office of the Off-Campus Representative, the President shall appoint a successor who shall become active upon the approval of thirteen members of the Council and who shall serve until the next regularly scheduled election.

Section C: Committee Order of Succession

1. Unless otherwise specified in this Constitution or in the bylaws of the Standing Committees, in the event of a vacancy of a Committee Chairman, the President shall appoint a successor.

Article IV: Committees & Assistant Vice Presidents

Section A: General Regulations for Committees

1. Committees shall be created by the Council, and all powers delegated to these Committees shall be granted and chartered by the Council.
2. Committees may be established as Standing Committees for the ongoing service of the Association or as Ad Hoc Committees to address a specific or timely issue over a limited duration. The list of Standing Committees shall be enumerated in the Bylaws of the Council.
3. All committees shall report regularly to the President.
4. The decision of a committee may be overturned or amended by the Council by a majority vote unless otherwise stated in this Constitution.
5. Committees may establish Bylaws concerning their operation, and these Bylaws shall become effective by approval of the President, and a 2/3 vote of the full voting membership of the Council. These Bylaws may be amended by the Committee at any time by a 2/3 vote of its membership and a majority person vote of the full voting membership of the Council, or by an independent 2/3 person vote of the full voting membership of the Council.

Section B: Chairmen and Officers of Committees

1. The Chairmen of all UA Committees shall be responsible to the UA President for the proper functioning of their committee. Any Chair, Vice-Chair, or other Committee Officer may be impeached by Council with a 2/3 person vote of the full voting membership of the Council, or dismissed by the UA President, for a breach of the general obligations of office.
2. The Chairmen of all UA Committees shall be appointed by the UA President. This appointment shall become effective seven days after notice of the appointment has been served to the Council provided that five voting members of the Council do not register an objection at the intervening meeting. When the Council is not in session, the President may appoint an Acting Chairman whose selection shall be announced before the next Council meeting.
3. Unless otherwise specified, no Principal Officer may chair a Committee, and no single person shall chair more than one Committee. Either of these rules may be suspended on an individual basis by a 2/3 person vote of the full voting membership of the Council.
4. Each Chair shall undergo a mid-term review involving a meeting with the UA President or Vice President to evaluate the Chair's progress. The findings of these meetings will be presented to the Council, and in conjunction, the President may recommend the initiation of impeachment proceedings for the Chair.
5. The Chair shall be responsible for selecting all of its members via a fair application process, and may select a Vice-Chair at his discretion. The Bylaws of each Committee may specify alternative selection criteria for the Committee's membership and Vice Chair as well as establishing the roles and qualifications for any other officers of the Committee.

Section C: Assistant Vice Presidents

1. The Assistant Vice Presidents shall be enumerated in the Bylaws of the Council.
2. The Assistant Vice Presidents shall be responsible to the UA President for his or her duties. Any

Assistant Vice President may be impeached by Council with a 2/3 person vote of the full voting membership of the Council, or dismissed by the UA President, for a breach of the general obligations of office.

3. The Assistant Vice Presidents shall be appointed by the UA President. This appointment shall become effective seven days after notice of the appointment has been served to the Council provided that five voting members of the Council do not register an objection at the intervening meeting. When the Council is not in session, the President may appoint an Acting Assistant Vice President whose selection shall be announced before the next Council meeting..
4. Each Assistant Vice President shall undergo a mid-term review involving a meeting with the UA President or Vice President to evaluate the Assistant Vice President's progress. The findings of these meetings will be presented to the Council, and in conjunction, the President may recommend the initiation of impeachment proceedings for the Assistant Vice President.
5. Assistant Vice Presidents may establish Bylaws concerning their operation, and these Bylaws shall become effective by approval of the President, and a 2/3 vote of the full voting membership of the Council. These Bylaws may be amended by a 2/3 person vote of the full voting membership of the Council. These Bylaws may reside with the Bylaws of the Standing Committees.

Article V: Dormitory Committees

Section A: Purpose & Status within the Government of the Association

The Dormitory Affairs Committee and Dormitory Funding Committee shall be chartered as subsidiaries of the Government of the Association uniquely responsible for addressing issues principally concerning dormitory residents alone.

1. The Dormitory Affairs Committee shall be responsible for reviewing all non-funding dormitory-specific issues. It shall endeavor to include representatives from all of the undergraduate dormitories.
2. The Dormitory Funding Committee shall be responsible for the fair distribution of funds contributed by the undergraduate dormitories for collective utilization. The decision to contribute of funds shall be reserved to the discretion of each undergraduate dormitory government in accordance with its governing documents.
3. The respective Bylaws of the Dormitory Affairs and Dormitory Funding Committees shall govern their operation.

Section B: Limitations

The Dormitory Committees are encouraged to cooperate with the other organizations of the Government of this Association, but shall not be bound by the regulations of other Committees of the Association except as specified below.

1. Judicial questions regarding the governing documents of these committees shall fall under the

jurisdiction of the UA Judicial Board.

2. The right to nominate representatives to Institute Committees shall be reserved for the Nominations Committee.
3. The Council may create an auditing committee to review the finances of either Committee in accordance with the auditing procedures for other UA accounts. The auditing committee shall be guaranteed visibility to all accounts administered by the Dormitory Committees.

Article VI: Amendments

Section A: Amendments by the Council

1. This Constitution may be amended by a three-fourths majority in a population vote. The motion to amend shall lie on the table for at least one meeting and no more than three meetings prior to enactment. The motion must appear on the agenda for the meeting.

Section B: Amendments by the Association

1. Upon submission of a written petition signed by ten percent of the Association, the Council must consider any amendment to this Constitution at its next regularly scheduled meeting. If the amendment is not passed by the Council, it must be presented to the Association as a referendum. The amendment shall become part of this Constitution if it receives a two-thirds vote and the ballots cast exceed thirty percent of the membership of the Association.

Article VII: Referendum and Advisory Questions

1. Advisory Questions
 - A. The submission of a matter to a vote by the Undergraduate Student Body can be made by six Council Representatives or by a written petition signed by five percent of the Undergraduate Student Body.
 - B. Referenda
 - a. The submission of a matter to a binding vote by the Undergraduate Student Body can be made by a majority vote of the full voting Membership of the Council or by a written petition signed by ten percent of the Undergraduate Student Body. The result of the vote shall be binding on the UA, if applicable, if at least twenty percent of the Undergraduate Student Body voted.

Article VIII: Ratification and Precedence

Section A: Ratification

1. This Constitution shall be treated as an amendment to the previous Constitution of 1969 and shall be ratified according to the procedures established therein for amendments.

Section B: Order of Precedence

1. In case of discrepancies between the constitutions and/or bylaws of the undergraduate student

organizations at MIT, the following order of precedence, from highest to lowest, shall apply:

- a. The Constitution of the Undergraduate Association
- b. The Bylaws of the Undergraduate Council
- c. The Bylaws of the Standing Committees of the Undergraduate Association
- d. Constitutions and of equal status:
 - i. The Constitution of the Interfraternity Council
 - ii. The Constitution of the Panhellenic Association
 - iii. The Constitution of the Living Group Council
 - iv. The Bylaws of the Dormitory Affairs and Dormitory Funding Committees
- e. The constitutions or bylaws of activities and other living groups