

Below is a copy of the Constitution for the Undergraduate Senate that will be voted on by the undergraduate student body on March 28 and 29. The Constitution aims to consolidate the lobbying, nominations, and finance responsibilities of the student government into one comprehensible body called the Undergraduate Senate. In addition, the Undergraduate Senate will carry out these governmental functions in a more open and democratic manner.

A strong student government that students understand should attract more and better participants than the current weak, fragmented system. In addition, a Constitutional Administration Council has been added to enforce this Constitution and to solve the repeated problem of the elected government and the Student Activities Council not following their Constitutions.

In order to be ratified, this Constitution must be voted for by a majority of those voting on March 28 and 29, with a minimum of 20% of the undergraduate student body participating.

If you have any questions or comments regarding the Constitution and related issues, or if you would like an on-line copy, please contact Dan Schorr (dschorr@mail.sas—387-6718) or Mike Nadel (mnadel@mail.sas—662-9801), or write to senate@dolphin. Thank you for your interest in this movement to reform undergraduate student government at Penn.

— Dan Schorr, C '95
University Council / Undergraduate Assembly Steering Member

Constitution of the Undergraduate Senate of the University of Pennsylvania

Preamble

We, the undergraduate students of the University of Pennsylvania, in order to form a more perfect student government, thereby providing the means for responsible and effective participation in the organization and control of the affairs of the University, do hereby establish this Constitution for the Undergraduate Senate of the University of Pennsylvania.

Article I - Purpose

Section 1. The Senate shall speak as the one representative voice of the undergraduates.

Section 2. The functions of the Senate shall include, but are not limited to, providing an opportunity for its members to discuss, debate, and express views on any matter which they deem to be of general University interest; making recommendations and passing resolutions; serving as an advocate for individual students; appointing and supervising the undergraduate representatives on all University committees; and funding student activities.

Article II - Membership

Section 1. The Senate shall consist of thirty-nine (39) undergraduates from mutually exclusive constituencies: the freshman class, the College of Arts and Sciences, the Wharton School, the School of Engineering and Applied Science, and the School of Nursing.

Section 2. All full-time undergraduate students at the University of Pennsylvania shall be eligible for election to the Senate.

Section 3. All Senators, other than the freshman Senators, shall serve terms of one year, commencing with the Transition Meeting immediately following the spring semester elections and ending with the Transition Meeting of the following year. The freshman Senators shall serve from the day of their election to the Senate Transition Meeting.

Section 4. A vacancy on the Senate shall be filled by the appointment of the next highest vote-getter from the previous election in the constituency where the vacancy exists. If the entire list of candidates is exhausted, a new Senator shall be appointed through the Senate Nominations process. This process must be completed within ten (10) academic days of the notification of the last available candidate.

Section 5. Elections

(1) Thirty-one (31) Senators shall be elected in the spring semester elections. Eight (8) Senators shall be elected in the fall semester freshman elections.

(2) The number of seats for each of the four non-freshman constituencies shall be calculated by the Constitutional Administration Council at least twenty (20) academic days prior to the spring semester elections. Representation shall be based upon enrollments in the fall semester.

(3) Each constituency shall be guaranteed at least one seat.

(4) The ratio of the total student body to number of Senators shall be calculated. Using this ratio, the number of representatives to each constituency shall be calculated exactly. Fractions shall be resolved as follows: the constituency with a fraction closest to a full representative shall be awarded a seat, followed by the second closest and so on until all seats have been awarded. A tie for the final remaining seat shall be awarded by random means.

(5) The Constitutional Administration Council shall administer and validate all Senate elections. The freshman elections shall be held no later than six and one-half (6 1/2) weeks after the beginning of the fall semester. The spring semester elections shall be held at least two (2) weeks before the beginning of the spring semester final examinations period.

(6) Dates for elections shall be determined by the Constitutional Administration Council and the Senate and must be approved by a majority vote of the Senate.

(7) By-laws for Election Regulations shall be determined by the Constitutional Administration Council and ratified by a two-thirds (2/3) vote of the Senate.

Section 6. A motion to remove any Senator may be considered at any time, provided that the motion to recall has been publicized at least seventy-two (72) hours prior to the consideration of the motion by the Senate. Recalls shall require a three-fourths (3/4) vote of the Senate.

Article III - Meetings

Section 1. The Senate shall meet at least once each month during the fall and spring semesters. Except in extraordinary circumstances, the time and place of the meeting shall be publicized at least forty-eight (48) hours prior to the meeting.

Section 2. A meeting of the Senate shall be called by the President, by a majority vote of the Executive Committee, or by a petition signed by one-fourth (1/4) of the Senators explicitly stating the purpose for the meeting. A meeting shall be held within the next five (5) academic days after it has been called. Quorum for a meeting of the Senate shall be one-half (1/2) of the current membership of the Senate.

Section 3. The rules of the Senate shall be by Robert's Rules of Order unless otherwise stated in this Constitution and the By-laws.

Section 4. All meetings of the Senate shall be open to all members of the undergraduate community. During Senate meetings, non-Senators shall have speaking privileges, upon recognition by the President.

Section 5. The Senate shall make such By-laws as are necessary for its own proceedings subject only to such restrictions as are detailed in the Constitution, as amended. By-laws may replace sections of this Constitution that refer to institutions that cease to exist or change in structure. By-laws shall be adopted by a two-thirds (2/3) vote of the Senate.

Article IV - Executive Committee

Section 1. There shall be an Executive Committee of the Senate consisting of a President, Executive Vice President, Vice President, Treasurer, and Secretary.

Section 2. The powers and responsibilities of the members of the Executive Committee shall include, but are not limited to, those enumerated below.

(1) The President shall be the sole elected leader of all undergraduates and the chief officer of the Senate. The President shall be a member of the University Council Steering Committee. The President shall be an ex-officio, non-voting member of the Student Activities Council Steering Committee and the Constitutional Administration Council Steering Committee.

(2) The Executive Vice President shall coordinate the activities of the Senators and the Committees and Workgroups of the Senate. In the absence of the President, the Executive Vice President shall preside over the Senate.

(3) The Vice President shall chair the Nominations Committee, shall serve as the undergraduate representative on the University Council Committee on Committees, shall preside over the Senate in the absence of both the President and the Executive Vice President, and shall be the Senate's endorsed nominee for a position on the University Council Steering Committee. The Vice President shall appoint a Senator, who is also a University Council representative, to serve as the second nominee for a position on the University Council Steering Committee.

(4) The Treasurer shall chair the Finance Committee and shall administer the internal funding of the Senate.

(5) The Secretary shall keep accurate minutes and records of Senate meetings and other Senate proceedings.

Section 3. The Chair of the Student Activities Council and the Chair of the Constitutional Administration Council shall serve as ex-officio, non-voting members of the Executive Committee. The Executive Committee may select additional undergraduates to serve as ex-officio, non-voting members of the Executive Committee.

Section 4. All Executive Committee meetings shall be open to all Senators. Non-Executive Committee representatives attending these meetings shall enjoy all rights of discussion, but not of voting. Other members of the University community may attend Executive Committee meetings at the invitation of the Executive Committee.

Section 5. The Executive Committee shall be empowered to set the agenda for meetings of the Senate, subject to restrictions detailed elsewhere in this Constitution.

Section 6. The Executive Committee shall be empowered to call for detailed, written reports from undergraduate representatives on University committees, and may require their presence for consultation or review at Executive Committee and Senate meetings.

Section 7. In emergency situations, the Executive Committee shall have the power to act for the Senate.

Section 8. The Senate may overrule any Executive Committee resolution or ruling by a majority vote.

Section 9. Election of Executive Committee

(1) The first order of business for the Senate following the spring semester elections shall be the election of the Executive Committee at the Transition Meeting. The officers shall be elected in the following order: President, Executive Vice President, Vice President, Treasurer, and Secretary.

(2) The Transition Meeting shall be chaired by the Chair of the Constitutional Administration Council.

(3) Nominations from the floor by any Senator shall be entertained. After a period for candidates' speeches and debate, a secret ballot shall be conducted. A simple majority of the current membership of the Senate, voting by secret ballot, shall be sufficient for election. If a run-off is necessary, the candidate with the fewest votes shall be eliminated and the election process shall continue.

(4) The Executive Committee in office before the spring semester elections shall determine the date of the Transition Meeting. The Transition Meeting shall be held sometime between the spring semester elections and one week before the beginning of the spring semester final examinations period.

Section 10. Replacement and Removal of Officers

(1) If the position of President, Executive Vice President, Vice President, Treasurer, or Secretary becomes vacant, the office shall be filled by the same procedure used at the Transition Meeting, at a time established by the Senate, within ten (10) academic days of the vacancy.

(2) Any member of the Executive Committee shall be removed from office, but not from the Senate, when the officer has failed to adequately perform the duties of office and when his or her continued presence in the office would hinder the efficient and effective workings of the Senate.

(3) The removal procedure shall be initiated by a petition signed by one-third (1/3) of the membership of the Senate. The petition must specify which officer is being challenged and the grounds of the challenge.

(4) A meeting which considers the question of removal must be held no sooner than four (4) academic days and no later than ten (10) academic days after receipt by the Constitutional Administration Council of the petition described above. The question of removal shall be the first item considered at the meeting. The officer who is being challenged shall not chair this meeting until the question of his or her removal has been considered by the Senate.

(5) An officer can be removed only by a two-thirds (2/3) vote of the Senate. The challenged officer must be guaranteed a fair hearing to present his or her case. After a suitable period of discussion, the member's standing may be brought to a vote. No votes by proxy shall be allowed. The officer who is charged shall determine whether the voting shall be by either secret ballot or open ballot.

Article V - Nominations Committee

Section 1. The Nominations Committee shall recommend undergraduate appointments to all University Council committees, school committees, Trustee committees, President's committees, Provost committees, ad hoc committees, and all other committees on which undergraduates sit.

Section 2. The Nominations Committee shall be chaired by the Vice President and shall consist of the second nominee for the University Council Steering Committee position and five (5) additional Senators.

Section 3. Shortly after the Transition Meeting, the Senate shall fill the five (5) remaining spots on the Nominations Committee.

Section 4. Appointments must be approved by the Senate by a majority vote. Senators shall have the opportunity to question all nominees in public before a vote is taken. If a Nominations Committee nominee is rejected by the Senate, the Committee shall submit a second nominee at the next Senate meeting. If the second nominee of the Committee is rejected, or if the Committee fails to provide in time a second nominee, nominations for the open position shall be taken from the floor. One-fifth (1/5) of the Senate shall be necessary to place a name into nomination.

Section 5. University committees that lack an undergraduate representative, appointed by the Senate, shall be deemed illegitimate by the Senate, and the Senate shall not recognize the actions of such a committee.

Section 6. Appointed students are responsible for submitting reports of their committee's deliberations to the Nominations Committee on a regular basis. They are also responsible for submitting the position of the Senate as that of the student government.

Section 7. Members of the Nominations Committee shall not seek appointments by the Committee or by the Senate. Senators who are not members of the Nominations Committee shall receive no more than one appointment by the Committee during each academic year, not including appointments as Trustee Liaisons and appointments to committees that specifically require Senators to be members.

Section 8. The Nominations Committee shall be responsible for establishing and maintaining an active communication and report system with all appointments of the Senate.

Section 9. All Nominations Committee members shall be subject to recall from the committee by a two-thirds (2/3) vote of the Senate. If a Nominations Committee member resigns or is recalled, the Senate shall fill the position within ten (10) academic days.

Article VI - Finance Committee

Section 1. The Finance Committee shall continually explore and investigate the current use of funds, ways to use funds more efficiently, ways to better use existing facilities, and ways to encourage financial cooperation

between activities. The Committee shall oversee all funds of the Senate. It shall assist in the preparation of the annual budget and shall periodically audit the financial records of the Senate and all of the constituent parts. The Committee shall conduct investigations and hearings on the budgets of all activities. The Committee shall compose the budget form and is responsible for submitting a recommendation figure for the Contingency Fund.

Section 2. The Finance Committee shall be chaired by the Treasurer and shall consist of six (6) additional Senators.

Section 3. Shortly after the Transition Meeting, the Senate shall fill the six (6) remaining spots on the Finance Committee.

Section 4. Funding of Activities and Committees

(1) The Contingency Fund shall be used to allocate money for new Student Activities Council activities and Student Activities Council activities not funded under normal allocation procedures; Senate Committees and Senate Workgroups; additional allocation requests from existing Student Activities Council activities; and additional allocation requests from the Senate, the Student Activities Council, and the Constitutional Administration Council.

(2) Those desiring financial support shall first submit complete budgets and allocation requests, on a timetable established by the Finance Committee, to the Committee. All budgets shall be made available for review by any undergraduate.

(3) The Finance Committee shall conduct interviews and investigations into the proposed budgets as are necessary for the preparation of a recommendation to the Senate. After reviewing the budgets, the Committee shall file marked copies of each activity's budget and issue a "Brief," which shall provide an explanation of any changes and reasons for them.

(4) The Finance Committee shall provide for appeals to the Committee upon the written request of the concerned budget applicants. The proposed budget shall then be presented to the Senate together with the recommendation of the Committee.

(5) The Senate shall first consider the recommendation of the Finance Committee and then an appeal by the budget applicant. The Senate shall approve the budget proposal with a majority vote.

(6) All activities receiving funds from the Senate shall maintain all funds and income within the University accounting system, except for deviations from this system which shall be approved by the Senate.

(7) All activities shall maintain their own financial records subject to audit by the Finance Committee.

(8) The Finance Committee shall publish and make available a summary report of the budget allocations to all activities.

Section 5. Finance Meeting

(1) A special meeting of the Senate shall be held during the spring semester, before the spring semester elections, to review and act upon the annual allocation requests submitted by the Senate, the Constitutional Administration Council, the Student Activities Council, and Student Activities Council activities.

(2) The Senate shall first consider the Finance Committee recommendation concerning the Contingency Fund figure and shall determine the final amount of the Contingency Fund.

(3) The order of activities shall be determined by the alphabetical order of recognized activities on the Student Activities Council roll beginning with one randomly selected letter of the alphabet. For each budget, the Senate shall consider the recommendation of the Finance Committee, followed by appeals by dissatisfied budget applicants. The Senate shall approve the budget proposal with a majority vote.

(4) All appeals on annual budgets shall be submitted in writing to the Finance Committee by a date established by the Finance Committee.

(5) After an activity's budget appeal is rejected by the Senate, the activity may bring the identical appeal to the Student Activities Council within twenty-five (25) academic days of the Finance Meeting. The Student Activities Council may approve this appeal with a two-thirds (2/3) vote, provided that the total allocation does not exceed the activity's allocation from the previous year.

(6) Upon completion of all appeals and challenges, the activities allocations shall be considered approved by the Senate. If the total of all allocations approved by the Senate and the Student Activities Council exceeds the estimate of funds available, a percentage reduction shall be made in all activities' allocations in order to coordinate the two figures.

Section 6. All Finance Committee members shall be subject to recall from the committee by a two-thirds (2/3) vote of the Senate. If a Committee member resigns or is recalled, the Senate shall fill the position within ten (10) academic days.

Article VII - Undergraduate Senate Committees

Section 1. The Senate shall be empowered to create and fund such Senate Committees as it feels are necessary. Senate Committees shall contain no less than two (2) Senators and may include other undergraduates as ex-officio members.

Section 2. Senate Committees may summarize their conclusions in draft statements of policy which, if submitted to the Executive Committee, shall be considered and acted upon by the Senate within twenty (20) academic days.

Article VIII - University Council Representatives

Section 1. The President, Executive Vice President, Vice President, Treasurer, Secretary, Senate representative to the Ivy Council Steering Committee, and the candidate with the most votes in the fall semester freshman elections shall be University Council representatives.

Section 2. The remaining University Council seats shall be divided among the candidates, excluding the officers named above, with the most votes in their respective constituencies during the spring semester elections. The seats shall be divided proportionally among the four schools in the same manner used for dividing the Senate seats.

Section 3. A motion to recall any undergraduate University Council representative may be considered at any time, provided that the motion to recall has been publicized at least seventy-two (72) hours prior to the consideration of the motion by the Senate. Recalls shall require a two-thirds (2/3) vote of the Senate.

Section 4. A vacancy among University Council representatives shall be filled by the appointment of the next highest vote-getter from the previous election. If the entire list of candidates is exhausted, the Senate shall fill the vacancy within ten (10) academic days.

Article IX - Student Activities Council of the Undergraduate Senate

Section 1. The Student Activities Council shall be delegated the authority to recognize and supervise student activities and to restore member groups' funding that has been cut by the Senate.

Section 2. The Student Activities Council shall be composed of one representative of every recognized activity.

Section 3. Senators and members of the Constitutional Administration Council shall not be representatives of activities.

Section 4. The Student Activities Council shall choose a Steering Committee, including a Chair, in a manner designated in its By-laws.

Section 5. By-laws are the rules adopted by the Student Activities Council for the governance of its members and/or the regulation of its affairs. By-laws to Article IX of this Constitution shall be proposed by a petition of at least ten percent (10%) of the representatives of the Student Activities Council or by the Student Activities Council Steering Committee. Such proposals shall be ratified by a two-thirds (2/3) vote of the Student Activities Council.

Section 6. Quorum for a meeting of the Student Activities Council shall be one half (1/2) of the recognized activities.

Section 7. The rules of the Student Activities Council shall be by Robert's Rules of Order unless otherwise stated in this Constitution and the By-laws.

Article X - Constitutional Administration Council of the Undergraduate Senate

Section 1. The Constitutional Administration Council shall be a committee separate from the Senate, though each of its members shall be appointed by the Senate. The Constitutional Administration Council shall exist to ensure the smooth operation of the student government. It shall act as a check upon the Senate by administering and validating elections and referenda and by interpreting and enforcing this Constitution and related By-laws.

Section 2. The Constitutional Administration Council shall consist of fifteen (15) members, appointed through the Senate Nominations process. Constitutional Administration Council members shall hold their seats until they resign, graduate, or are recalled.

Section 3. All Constitutional Administration Council members shall be full-time undergraduate students at the University of Pennsylvania. The only exception shall be part-time undergraduate students in their last academic semester.

Section 4. The Constitutional Administration Council shall issue a resolution when it deems that the Senate, or the Student Activities Council, is in violation, or might soon be in violation, of this Constitution and/or related By-laws. The resolution shall describe the violation and instruct the Senate, or the Student Activities Council, how to comply with the Constitution and related By-laws. A Constitutional Administration Council resolution shall be presented to the Senate Executive Committee when it is supported by at least a majority of the current membership of the Constitutional Administration Council. The Senate, or the Student Activities Council, shall be bound immediately by the Constitutional Administration Council resolution.

Section 5. A Constitutional Administration Council resolution may be overturned by the Senate with a two-thirds (2/3) vote, or by the Constitutional Administration Council with a majority vote of its current membership.

Section 6. Members of the Constitutional Administration Council shall remain non-partisan throughout any election or referendum administered by the Constitutional Administration Council.

Section 7. A motion to recall any Constitutional Administration Council member may be considered by the Senate at any time, provided that the motion to recall has been publicized at least seventy-two (72) hours prior to the consideration of the motion by the Senate. Recalls shall require a three-fourths (3/4) vote of the Senate.

Section 8. The Senate shall fill all Constitutional Administration Council vacancies within twenty academic (20) days of the vacancy, except for vacancies that occur after April 1, which shall be filled during the following September.

Section 9. The Constitutional Administration Council shall choose a Steering Committee, including a Chair, in a manner designated in its By-laws.

Section 10. The Chair of the Constitutional Administration Council shall be the Parliamentarian of the Senate and the Parliamentarian of the Student Activities Council.

Section 11. Senators shall not hold seats on the Constitutional Administration Council.

Section 12. By-laws are the rules adopted by the Constitutional Administration Council for the governance of its members and/or the regulation of its affairs. By-laws to Article X of this Constitution shall be ratified by a two-thirds (2/3) vote of the current membership of the Constitutional Administration Council.

Article XI - Workgroups of the Undergraduate Senate

Section 1. Workgroups shall be issue oriented committees of five or more undergraduates formed to research an issue or advocate a position, and may receive official status in the Senate by petitioning the Executive Committee for recognition. Such Workgroups shall only pursue ends directly related to the reasons for their formation as detailed in their petition for recognition. No recognized student activity shall be considered a Workgroup of the Senate.

Section 2. Recognized Workgroups may petition the Executive Committee for funding. Following the submission of a petition for funding, the Executive Committee shall present a funding recommendation to the Senate. The recommendation shall be considered in the same manner as contingency requests from student activities.

Section 3. Workgroups may summarize their conclusions in draft statements of policy which, if submitted to the Executive Committee, shall be considered and acted upon by the Senate within twenty (20) academic days.

Article XII - Referenda

Section 1. Referenda may be called by a majority vote of the Senate, or by a petition signed by two hundred (200) full-time undergraduates currently enrolled.

Section 2. Referenda shall be administered and validated by the Constitutional Administration Council during the next spring semester Senate elections following the call for the referendum, provided that the referendum are called more than ten (10) academic days prior to the elections.

Section 3. No referendum shall be considered valid unless fifteen percent (15%) of the current full-time undergraduates participate.

Article XIII - Amendments

Section 1. This Constitution shall be amended or superseded only by an absolute majority of those undergraduates voting in a referendum in which at least twenty percent (20%) of the current full-time undergraduates participate.

Section 2. Such a referendum shall be administered and validated by the Constitutional Administration Council.

Section 3. Referenda may be called by a two-thirds (2/3) vote of the Senate or by the presentation of a petition signed by three hundred (300) full-time undergraduates currently enrolled.

Section 4. Referenda shall be administered and validated by the Constitutional Administration Council during the next spring semester Senate elections following the call for the referendum, provided that the referendum are called more than ten (10) academic days prior to the elections.

Section 5. The Senate shall form a committee to review this Constitution and related By-laws at least once every four (4) years.

Article XIV - Transition to Undergraduate Senate

Section 1. The Undergraduate Assembly elected at the time of the adoption of this Constitution shall constitute twenty-five (25) of the members of the Senate. Six additional upperclassman Senators shall be elected at a future date.

Section 2. The Student Activities Council Steering Committee in office at the time of the adoption of this Constitution shall constitute the Student Activities Council Steering Committee. The Student Activities Council shall maintain control over the funding of student activities, as stated in the Constitution and related By-laws in effect at the time of the adoption of this Constitution, until June 1, 1995.

Section 3. The Senate shall appoint no less than five (5) and no more than ten (10) Constitutional Administration Council members by the end of classes for the spring semester during which this Constitution is adopted. The Constitutional Administration Council shall elect its Steering Committee before the end of spring semester reading days. The Senate shall appoint the remaining Constitutional Administration Council members before the end of the first September following the adoption of this Constitution. The Senate Executive Committee shall have the power to nominate appointments to the Constitutional Administration Council until June 1, 1995.

Section 4. All funds allocated by the last Undergraduate Assembly to branches and functions of student government that no longer exist and/or are incorporated in the Senate shall be transferred to the Senate treasury.

Section 5. The Senate Transition Meeting immediately following the adoption of this Constitution shall be chaired by the Chair of the Student Activities Council.

Section 6. Shortly after the adoption of this Constitution, the Senate shall adopt all necessary By-laws for Finances and the Finance Committee, for Nominations and the Nominations Committee, and for Election Regulations.

Section 7. The University Council seats of the first Senate shall be awarded in the manner delineated in Article VIII of this Constitution, based upon the results of the spring 1995 elections.

Section 8. Shortly after the adoption of this Constitution, the Student Activities Council shall adopt By-laws for its organization.

Section 9. Activities recognized by the Student Activities Council at the time of the adoption of this Constitution shall maintain recognition by the Student Activities Council, subject to Article IX and the Student Activities Council By-laws.

Section 10. The Student Committee on Undergraduate Education, the Social Planning and Events Committee, and the Freshman, Sophomore, Junior, and Senior Class Boards shall receive recognition by the Student Activities Council upon adoption of this Constitution, subject to Article IX and the Student Activities Council By-laws.

Section 11. After the Senate complies with all sections of Article XIV of this Constitution, this Article shall cease to be a part of this Constitution.

Ed. Note: The March 28 and 29 Undergraduate Assembly election includes selection of representatives as well as balloting on two proposed new constitutions (the one given here and another received by the Nominations and Elections Committee), and two amendments to the current UA Constitution. All of the documents can be found at the Nominations and Elections Committee office, 112 Houston Hall, and all can be accessed via the NEC Home Page, <http://dolphin.upenn.edu/~nec>.