**THE**

**CONSTITUTION**

**of**

**THE UNIVERSITY PARK**

**UNDERGRADUATE**

**ASSOCIATION**



**Date of Origin: October 2006**

**Amended: March 15th, 2023**

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**of**

**The University Park Undergraduate Association (UPUA)**

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Preamble:

In the belief that active participation in the governance of our university is a fundamental and inalienable right of students, essential to the health and well-being of our community, and best realized through a democratic and independent student government, we, the undergraduate students of The Pennsylvania State University - University Park, being duly elected and appointed by our peers, do hereby establish this Constitution of the University Park Undergraduate Association to serve the Undergraduate Student Body of The Pennsylvania State University - University Park.

 **Article I**

**Principles of Establishment**

§1.1Basis for Authority:

It is recognized that the University is governed by a Board of Trustees that may delegate governing powers to the students. Additionally, the right of students to manage themselves in all areas not related to or claimed by the University is affirmed and legitimized through free and fair elections by the Undergraduate Student Body. These tenants are the legitimate basis for the UPUA’s authority.

§1.2 Acceptance of Authority:

The UPUA hereby accepts all power granted to it by the University and the Undergraduate Student Body. The UPUA claims all rights to authorities over matters related to students not claimed by the University or attributable to other Entities by statute or common law.

§1.3 Distribution of Authority:

All authority attributable to the UPUA is ultimately controlled by the collective power of the UPUA as integrated by this Constitution. This authority shall be delegated to the Branches prescribed herein which shall collectively constitute the UPUA. Power granted to a Branch or Subsidiary is the sole entitlement of that Branch or Subsidiary and cannot be abdicated or transferred except through this Constitution.

§1.4 Statement on Shared Governance and Independence**:**

The UPUA recognizes the interdependence of all Members of the Penn State community, including the students, faculty, and administration of Penn State. In that spirit, all authority delegated to the UPUA is accepted under the principles of equal and equitable shared governance. A true partnership, built on communication, cooperation and compromise, requires all parties to be effective advocates. Therefore, the UPUA asserts and maintains its independence over all matters within its jurisdiction in the belief that only an independent student government can best represent the diverse interests of students at University Park.

**Article II**

**Mission Statement and Guiding Principles**

§2.1 The mission of the University Park Undergraduate Association shall be to provide:

§2.1.1 A governing body for the undergraduate student population as legitimized by free and fair elections.

§2.1.2 A unified and informed voice representing undergraduate students to the University faculty and administration and, with that voice, advocate on behalf of undergraduate students.

§2.1.3 A forum for ideas and concerns of students.

§2.1.4 The necessary communications link between undergraduate students and other Members of the University Park community so that student concerns may be addressed effectively.

§2.1.5 Event programming that benefits the education and the quality of student life of undergraduate students at the University Park campus.

§2.1.6 The listing of objectives by no means indicates priority.

§2.2 All actions of the University Park Undergraduate Association and its Membership pursuant to §2.1:

§2.2.1 Shall strive to have a tangible, positive impact on the student experience and/or facilitate efforts towards that goal.

§2.2.2 Shall strive to effectively and efficiently utilize the UPUA’s various resources.

§2.2.3 Shall strive to be inclusive, accessible, and mindful of the UPUA’s constituencies.

§2.2.4 Shall strive to be cognizant of the nuances and impacts of the UPUA's activities.

§2.2.5 Shall strive to propose sustainable, long-term solutions to the issues addressed by the UPUA.

**Article III**

**Membership**

§3.1 Membership Types**:**

§3.1.1 Membership shall include all currently registered undergraduate students at the University Park campus, including registered Integrated Undergraduate-Graduate (IUG) students who are currently taking one or more undergraduate credits.

cl. i General Business Membership shall include all students duly elected and appointed to the various Branches of the UPUA.

§3.1.2 Only currently registered undergraduate students, including registered Integrated Undergraduate-Graduate (IUG) students who are currently taking one or more undergraduate credits, of the University Park campus shall be eligible for General Business Membership.

cl. i. All rights granted to undergraduate students in this document, including the right to run for and serve in any position within any Branch or Subsidiary of the UPUA, shall also be granted to IUG students so long as they are taking one or more undergraduate credits.

§3.1.3 All Members have the right to refrain from participating in any UPUA activities based upon personal or religious beliefs, personal values, or moral reserves, as determined by the Member.

§3.1.4 All interaction and activity between Members and/or new Members will be limited by guidelines stated by University policy, as well as local, state, and federal laws.

§3.1.5 The UPUA will not restrict General Business Membership based on characteristics of a student, which are intrinsic to the Entity of that student, and are not essential to the potential value of that student as a Member of the UPUA and the Penn State University Community at large. The Pennsylvania State University prohibits discrimination and harassment against any person because of age, ancestry, color, disability or handicap, national origin, race, religious creed, sex, sexual orientation, gender identity, or veteran status. Discrimination or harassment against faculty, staff or students will not be tolerated at The Pennsylvania State University.

**Article IV**

**Organizational Structure and Rules**

§4.1 Establishment of Branches**:**

§4.1.1 There shall be three Branches within the UPUA that will serve separable functions cooperatively to fulfill UPUA’s mission and execute the UPUA’s authority:

cl. i A Legislative Branch, consisting of a General Assembly of Student Representatives, to decide business.

cl. ii An Executive Branch, consisting of an Executive Administration, to oversee day-to-day operations of the UPUA, execute Acts of the UPUA, and provide counsel.

cl. iii A Judicial Branch, consisting of a Judicial Board, to adjudicate disputes on matters of rule, equity, and governing documents within the UPUA.

§4.2 Rules Pertaining to Branches and their Members**:**

§4.2.1 All persons taking claims to General Business Membership must be registered as a Member of one Branch.

§4.2.2 No Member of a Branch may be a Member concurrently of another Branch. This provision however does not invalidate an individual having rights and responsibilities in multiple Branches pursuant to this Constitution.

cl. i The President, under extenuating circumstances, may appeal to the Judicial Board in order to allow General Business Members to serve fully in multiple Branches.

§4.2.3 Each Branch shall serve to ensure accountability to the collective organization and the students by means of this Constitution and the responsibilities delegated to the Branches.

§4.2.4 No Branch may transact business that is expressly or reasonably implied to be under the jurisdiction of another Branch.

§4.2.5 No Branch may establish, amend, or rescind the rules of another Branch except through explicit mechanisms defined in this Constitution.

§4.2.6 All Branches and Subsidiaries shall establish written rules for the conduct of their affairs.

§4.3 Cross-Branch Collaborations

§4.3.1 There shall be a Strategic Planning Board with the mission of discussing the organization's long-term goals from various perspectives within the organization.

cl.i The Strategic Planning Board shall provide two special presentations to the organization annually, with one presentation occurring each semester.

cl.ii The Strategic Planning Board may invite an ex-officio member of the UPUA Alumni Interest Group (AIG) for their meetings.

cl.iii The Strategic Planning Board will not have any legislative authority, but they can make recommendations to the Steering Committee or any of the CORE Committees to bring to the floor.

§4.3.2 The Strategic Planning Board shall be overseen by the President with the assistance of the Vice President and Speaker and consist of members from all three Branches within the UPUA to provide equal representation for all perspectives within the UPUA. The representatives shall not be a member of the Steering Committee besides the President, Vice President, and Speaker.

cl.i There shall be one (1) Representative from each Community Group that falls under inherent identity, as determined by the Judicial Board and confirmed by the Assembly with 2/3rd approval.

cl.ii There shall be one (1) Representative from each Community Group that will fall under student identity, as determined by the Judicial Board and confirmed by the Assembly with 2/3rd approval.

cl.iii There shall be one (1) Representative from a Degree-Conferring Academic College.

cl.iv There shall be one (1) Representative from the First Year Council.

cl.v With remaining positions, there shall be one (2) Representatives from the Executive Branch.

cl.vi With remaining positions, there shall be one (1) Representative from the Judicial Branch.

cl.vii With remaining positions, there shall be one (1) Representative from the Legislative Branch.

**Article V**

**Legislative Assembly of Student Representatives**

§5.1 Powers and Responsibilities**:**

§5.1.1 All fundamental decision making authority is hereby vested in the Legislative Assembly of Student Representatives, referred to henceforth as the Assembly.

§5.1.2 The Assembly shall have the power to:

cl. i Determine the opinion of the UPUA and, as such, of the undergraduate students of Penn State.

cl. ii Regulate the expenditures of the UPUA.

cl. iii Establish general policies and rules for the UPUA, including appointing those who have decision making authority on other governmental Entities at this University that do not contradict provisions in this Constitution.

cl. iv Establish rules governing appointments, performance, and qualifications of Members of all Branches and Subsidiaries where not defined in this Constitution or assigned to another Branch.

cl. v Establish Officers and additional Committees of any nature of the Assembly to facilitate proper function of the deliberative body.

cl. vi Consent to appointments of non-elected offices in all Branches and express consent in all other areas as this Constitution requires.

cl. vii Have the authority to censure and impeach all General Business Members and Officers of the UPUA.

cl. viii Fill all student positions on the Faculty Senate and its Subsidiaries granted to the UPUA via the Faculty Senate Constitution and Standing Rules. The student voting Seats for the Degree-Conferring Academic Colleges, Division of Undergraduate Studies (DUS), and the Schreyer Honors College shall be apportioned to the Assembly representatives from the appropriate constituency and only with the consent of the appropriate Academic Unit’s governing body. All other Seats in any Entity of the Faculty Senate may be held by any individual of the UPUA.

cl. ix Accept and execute any authority not attributable to any other Branch.

§5.2 Membership**:**

§5.2.1 Representatives**:**

cl. i The Assembly shall consist of Representatives elected by the constituencies defined and established herein in accordance with election provisions set forth in this Constitution and in Acts as defined by the Assembly which may not supersede the following.

pt. a There shall be one (1) Representative for each Degree-Conferring Academic College and for the Division of Undergraduate Studies (DUS), and at all times shall these Academic Units and DUS be represented equally.

pt. b There shall be one (1) Representative from the Schreyer Honors College.

pt. c There shall be twenty (20) Representatives elected at large by all full-time undergraduate students at University Park.

pt. d There shall be two (2) First-Year Students Representatives appointed to the Assembly to ensure appropriate representation of first-year interests. Such appointments shall occur at a time to accommodate the constituency. These students shall be defined as having first or second semester standing at the time of appointment.

pt. e There shall be one (1) Representative from each Community Group that will fall under student identity as determined by the Judicial Board and confirmed by the Assembly with 2/3rd approval. Community Groups that fall under student identity, as defined by §1.2 cl.ii of the UPUA Bylaws and Operational Codes are permitted to request one (1) seat.

pt. f There shall be at least one (1) Representatives from each Community Group that fall under inherent identity as determined by the Judicial Board and confirmed by the Assembly with 2/3rd approval. Community Groups that fall under inherent identity, as defined by §1.2 cl.i of the UPUA Bylaws and Operational Codes are permitted to request up to two (2) seats.

§5.2.2 Responsibilities: Representatives shall be required to:

cl. i Attend General Meetings of the Assembly and actively participate as an informed actor in the discussion and deliberation of business of the UPUA and other Entities that make decisions on students’ behalf.

cl. ii Attend regular meetings of the appropriate constituency organizations including but not limited to College Council meetings, College-specific Registered Student Organizations (RSOs), Academic organizations within their College Constituency, and Community Group organizations.

cl. iii Attend various programming events and external functions across the University, in order to support their constituents and have a better understanding of the campus climate.

cl. iv Serve as a Member of at least one Standing CORE Committee.

§5.2.3 Rights of Representatives: Representatives shall be afforded the right to:

cl. i Speak on behalf of their constituencies.

cl. ii Vote on all questions before the Assembly subject to cases of conflicts of interest or personal matters.

pt. a This right is expected to be forfeited in the case of conflicts of interest including RSO involvement, business ventures, non-University employment, and affiliations with political action committees.

cl. iii Debate and otherwise have floor privileges.

§5.3 Transaction of Business:

§5.3.1 All business decisions shall require a majority of those present and voting to be rendered unless otherwise specified or dictated by parliamentary authority.

§5.3.2 Acts**:** Acts shall be generally defined as written forms of business. They shall be the primary product of the Assembly.

§5.3.3 All Acts shall require perfection to take effect. Perfection shall be the consenting signature of the President, a 2/3 vote overriding the veto of the President, or implicit consent through no action of the President within four (4) academic days of initial decision by the Assembly.

§5.3.4 All perfected Acts shall take effect immediately and be effective in perpetuity.

§5.4 Committees**:**

§5.4.1 All committees of any nature shall be Subsidiaries of the Assembly and shall have all necessary power and authority within their jurisdiction to execute their duties and responsibilities.

§5.4.2 Standing CORE Committees**:**

cl. i There shall be a set number of Standing CORE Committees as defined by the UPUA ~~Assembly~~ Bylaws and Operational Code.

cl. ii All Standing CORE Committees shall consist of a minimum of (7) Representatives.

cl. iii One Member of each Standing CORE Committee shall be the Chair of the committee and one Member shall be the Vice Chair. Committee Chairs shall be elected by a majority of non-vacant Representative Seats of the Assembly. The Vice Chairs will be elected internally within each Committee as prescribed by the rules of that committee.

§5.4.3 Ad Hoc Committees**:**

cl. i The Assembly may create and dissolve Ad Hoc Committees as it sees fit.

cl. ii As appropriate, Ad Hoc Committees shall be subject to all general Standing CORE Committee policies.

cl. iii The Chair of the Ad Hoc Committee shall be a non-voting Ex-Officio member of steering throughout the duration of the Ad Hoc Committee. They shall not be present for closed Steering Committee discussions.

 **Article VI**

**Executive Branch**

§6.1 Powers and Responsibilities**:**

§6.1.1 All fundamental executory authority is hereby vested in the Executive Branch.

§6.1.2 The Executive Branch shall have the power to:

cl. i Carry out the will of the Assembly and the UPUA as prescribed by duly passed Acts and within the President’s discretion.

cl. ii Enter into Contracts provided that they are an Act of the Assembly.

cl. iii Provide services to students in the name of the UPUA and the Undergraduate Student Body in conjunction with Student Affairs and Acts of the Assembly.

cl. iv Conduct the day-to-day affairs of the UPUA.

cl. v Represent the UPUA to the University and solicit University support.

cl. vi Facilitate the selection of non-elected officials whose appointments are not governed and/or determined by Acts and/or the rules of the Branches.

cl. vii Establish rules of procedure for the efficient operation of the Executive Branch including Department procedures and yearly program instructions.

§6.2 Chief Executive Officers**:**

§6.2.1 There shall be two Chief Executive Officers of the Executive Branch, a President and a Vice President. Both officers shall be considered to be officers of the UPUA as a whole.

cl. i The Chief Executive Officers must be undergraduate students throughout the Assembly for which they serve.

cl. ii The Chief Executive Officers must fulfill their duties during the summer session.

§6.2.2 Powers and Responsibilities of the Presidency**:**

cl. i The President shall be considered the head of the Executive Branch, and as such, organize and shape the execution of responsibilities of the Executive Branch.

cl. ii The President shall, with the advice and consent of the General Assembly , appoint all Executive Directors of the Executive Branch, all Justices of the Judicial Board, and Advisors.

cl. iii The President shall be the primary speaker of the Undergraduate Student Body at The Pennsylvania State University - University Park campus.

cl. iv The President may create or dissolve any Subsidiary of the Executive Branch necessary to further the mission of the UPUA unless such an action would be in contradiction to an Act of the Assembly or attempt to dissolve a Subsidiary prescribed within this Constitution.

cl. v The President or their delegate shall act as the official student Representative and non-voting delegate, unless otherwise delegated by the Assembly, of the UPUA to any and all organizations external and internal to the University.

cl. vi The President shall commit to executing all Acts through the authority to sign or veto all Acts prior to perfection.

cl. vii The President shall have the authority to submit the mandatory Budget to the Assembly for consideration.

cl. viii The President shall attend all meetings of the Assembly and present reports at each regularly scheduled Assembly meeting.

§6.2.3 Powers and Responsibilities of the Vice Presidency**:**

cl. i The Vice President shall accept and carry out the duties of the President if and when the President is unable or unwilling to fulfill the requirements of the Office by voluntary decision, distance or absence from the University, or state of incapacity.

cl. ii The Vice President shall preside over the meetings of the Assembly, retain floor privileges, and vote solely in the cases that will influence the outcome of a tied vote, except on votes to override a veto of the President.

cl. iii The Vice President shall act as an official student Representative and Delegate of the UPUA to any and all organizations internal to the University in conjunction and with approval by the President.

cl. iv In addition, they may issue non-binding directives to the Committees of the Assembly.

cl. v Accept any duties assigned by the President and the Assembly.

§6.3 Departments and Directors**:**

§6.3.1 All Subsidiaries of the University Park Undergraduate Association shall be

considered Departments of the Executive Branch. The Executive Directors of these

Subsidiaries shall, along with the UPUA President, the UPUA Vice President, and the

UPUA Chief of Staff, shall compose the Executive Cabinet. This Cabinet shall vet all

Director appointments made by the UPUA President and the appropriate Executive

Director.

§6.3.2 All Departments shall be headed by an Executive Director appointed by the President through public application located on the UPUA website and be subject to the confirmation procedures. This application must be open for at least seven (7) calendar days. If fewer than five (5) applicants have applied, all must be interviewed. If more than five (5) applicants apply, the President, the Vice President, and the Steering Committee shall be required to interview at least five (5) of the applicants. The President will then nominate the candidate of their choosing to undergo approval by the Steering Committee.

§6.3.3 Any Department not enumerated within this Constitution may be created and dissolved at the reasonable will of the President, unless established by an Act of the Assembly.

cl. i Departments enumerated within this Constitution may only be dissolved at the will of the President with the consent of the Assembly.

§6.3.4 All Departments of the Executive Branch shall be bound to aid the Assembly in the execution of its business to the extent allowed by the duties and responsibilities of the Departments enumerated herein.

§6.3.5 The Department of Finance shall be a permanent Subsidiary of the Executive Branch. Its Executive Director shall be considered the Treasurer of the UPUA. The Department shall fulfill the following duties:

cl. i Develop, with consultation of the President, an annual comprehensive budget for the Association submitted by the President to the Assembly for approval.

cl. ii Review all financial Budgets and any requests of any Subsidiary of any Branch and report on those items to the Executive Branch and the Assembly.

cl. iii Assist, upon request, any Subsidiary of any Branch in preparing an application for funds.

cl. iv Manage all income and expenditures with Associated Student Activities (ASA) office in line with decisions of the UPUA.

cl. v Regulate, maintain, and keep account of all tangible assets purchased through funds of, or donated to, the UPUA.

cl. vi Read all pieces of legislation that relate to the spending of UPUA Type-40 funds between the time period of Steering meetings ending and the Assembly-wide email being sent out with all legislation and provide approval to the Speaker of the Assembly if the Department of Finance agrees that the legislation is made in acknowledgement of the budget and has been discussed thoroughly.

pt. a If there is dispute with the amount of spending allocated in a piece of legislation, the Department of Finance will present recommendations to the cosponsors, the Chair of the committee that the legislation came through, and the Speaker of the Assembly before the next General Assembly meeting.

cl. vii Collaborate with members of the Steering Committee by sending the Executive Director of Finance to Steering Committee meetings as a non-voting member.

 §6.3.6 The Department of Public Relations shall be a permanent Subsidiary of the Executive Branch. The Department, with its various Directors, shall be headed by the Executive Director of Public Relations, and divided into two distinct sub-departments.

cl. i The Executive Director of Public Relations shall lead the department, and ascribe goals, objectives, and values, and serve as the primary contact for interested parties

pt. a This Executive Director shall be responsible for curating press releases, managing social media platforms and content distribution, hosting press conferences, releasing weekly newsletters, and photographing General Assembly and other UPUA events.

cl. ii. The Director of Data Analytics shall report to the Executive Director of Public Relations.

pt. a Create and disseminate surveys following any implementation of relevant initiatives established by Chairs and Executive Directors to capture student experiences efficiently and accurately and to release feedback on critical concerns.

pt. b Collaborate with the Office of Outreach to create the Penn State Events and Internal UPUA calendar.

pt. c Monitor and craft social media audits and reports from an analysis of all available and relevant UPUA digital platforms.

pt. d Aid UPUA Leadership in managing and designing all UPUA website and calendar needs, including new initiatives and updates, whilst consistently monitoring open positions and turnover.

pt. e Work with the Department of Internal Inclusion and Support on data analysis.

cl. iii The Office of Design shall be a sub-group of the Public Relations Department, reporting to the Executive Director of Public Relations.

 pt. a This Office shall be led by a Director of Design.

1. This Director shall be granted the same responsibilities and rights of Executive Directors.

pt. b Maintain the UPUA’s website and all other online and/or digital presences in collaboration with other Directors in the Department of Public Relations.

pt. c Assist, upon request, any Subsidiary of any Branch in the creation of marketing and advertising materials for the UPUA and its programs, or general public relations guidance and advice.

pt. d Including but not limited to the creation of custom graphics and securing advertisements and signage.

cl. ii The Office of Outreach shall be a sub-group of the Public Relations Department, reporting to the Executive Director of Public Relations.

pt. a This Office shall be led by the Director of External Outreach and the Director of Identity Group Outreach, acting as the two (2) Co-Directors of Outreach.

1. The Director of Identity Group Outreach will be in charge of working with community group and student identity group organizations.

a. This Director shall assist with the Community Group and Student Identity Group Roundtable in collaboration with the Committee on Justice and Equity

2. The Director of External Outreach will be in charge of working with academic student council organizations and University Affiliate organizations.

a. This Director shall assist with the Student Council Roundtable in collaboration with the Committee on Academic Affairs

pt. b Oversee the process of the creation of new affiliates from organizations with which to engage with the UPUA.

pt. c Support various programming events to publicly engage with the University Park Undergraduate Student Body.

pt. d Oversee all outreach efforts and maintain a list of organizations and contacts which may be useful for UPUA collaborative projects in the future.

1. ​​Will work with the President, Vice President, Speaker of Assembly and Committee Chairs to maintain collaborative projects and contact with these organizations.

pt. e Assist the Director of Data Analytics with creating the Penn State Events and internal UPUA calendars.

pt. f Oversee the UPUA Shadowing and Informational Program (ShIP) in collaboration with the Department of Internal Inclusion and Support to provide more accessible methods of entry into the organization and educate the community about our partnerships in the spring semester.

1. The Office of Outreach will specifically oversee recruitment and outreach for the program.

§6.3.7 The Department of Environmental Sustainability shall be a permanent Subsidiary of the Executive Branch. The Department shall be headed by the Executive Director of Environmental Sustainability and consist of various Directors to fulfill the following duties:

cl. i Ensure that the UPUA is mindful of the impacts and nuances of its programming and advocacy.

cl. ii Collaborate with University Offices and other Recognized Student Organizations (RSOs) in carrying out environmental sustainability initiatives.

§6.3.8 The Department of Internal Inclusion and Support shall be a permanent Subsidiary of the Executive Branch. The Department shall be headed by the Executive Director of Internal Inclusion and Support and consist of various Directors. The Department shall be divided into two distinct sub-departments:

cl. i The Office of Member Wellness shall be a sub-group of the Internal Inclusion and Support Department, reporting to the Executive Director of Internal Inclusion and Support.

 pt. a This Office shall be led by a Director of Member Wellness.

pt. b Work with the President, Speaker of the Assembly, Chief of Staff, and Chief Justice to onboard new members to the organization.

1. This includes consistent follow up with new members and distribution of internal and external support resources.

pt. c Offer regular updates to the President, Speaker of the Assembly, Chief of Staff, and Chief Justice about the overall wellness of members and where more support could be provided.

pt. d Host health and wellness-focused events, leadership development opportunities, and educational sessions about UPUA’s history and structure for members to benefit from.

pt. e Assist the President, Speaker of the Assembly, Chief of Staff, and Chief Justice in member conflict resolution.

pt. f Stay up to date about University resources and support systems.

cl. ii The Office of Diversity and Belonging shall be a sub-group of the Internal Inclusion and Support Department, reporting to the Executive Director of Internal Inclusion and Support.

pt. a This Office shall be led by a Director of Diversity and Belonging.

pt. b Oversee various internal affinity group events and connections within the parameters of the UPUA Budget.

1. This includes providing support to affinity group leadership.

pt. c Host educational sessions focused on diversity, equity, inclusion, and belonging for members to attend.

pt. d Work with the President, Vice President, and Steering Committee to implement more equitable and accessible programming, operating, and outreach policies and procedures.

pt. e Collect voluntary census data from UPUA members to customize support towards marginalized demographics and recognize gaps to target in outreach in consultation with the Director of Data Analytics in the Department of Public Relations.

1. This data will include, but is not limited to: socioeconomic status, race, ethnicity, gender, political affiliation, disability status, sexual orientation, hometown, career aspirations, major, year, committee involvements, and more.

2. This includes producing two annual reports about the organizational makeup to present to the Assembly.

3. This includes entrance and exit surveying and interviews of UPUA members.

4. This includes working with the Department of Public Relations to target underrepresented communities in outreach based on gaps identified with data collection.

cl. iii The Department of Internal Inclusion and Support will oversee the UPUA Shadowing and Informational Program (ShIP) in collaboration with the Department of Public Relations to provide more accessible methods of entry into the organization and educate the community about our partnerships in the spring semester.

1. The Department of Internal Inclusion and Support will specifically oversee curriculum development, scheduling, emailing, and informational townhalls in consultation with the Speaker of the Assembly.

§6.3.9 The First-Year Council shall be a permanent Subsidiary of the Executive Branch. It shall be headed by two Co-Executive Directors of the First Year Council. The Department shall fulfill function to:

cl. i Educate and engage a select group of first year students, as defined by the University, at University Park with a vested interest in Student Government, the UPUA, and Penn State as a whole.

cl. ii Assist the UPUA’s standing CORE Committees and Executive Department with various projects and initiatives.

§6.3.10 The Department of Committee Programming shall be a permanent Subsidiary of the Executive Branch. It shall be headed by the Chief of Staff or an appointment by the Chief of Staff. The Department, with its members who shall be called Programming Directors, shall fulfill the function to:

cl. i Facilitate communication between the various Departments of the Executive Branch and the standing CORE committees.

cl. ii Assist the logistical and operational aspects of the standing CORE committees’ various projects, programming events, and initiatives.

cl. iii Attend the meetings of their assigned standing CORE committee and provide support in organization programming events.

cl. vi. Implement executive projects connected to the mission of the standing CORE committees.

§6.3.12 Department Membership and Executive Staff:

cl. i Directors and Department Staff:

pt a. All Directors must be appointed to their Offices based on the procedure outlined in §6.8.3 of the Assembly Bylaws.

pt. b The President and the Executive Directors of the various Departments within the Executive Branch may maintain Directors and Department staff as necessary unless otherwise prescribed by an Act of the Assembly.

pt. c Directors and Department Staff may be removed by a majority vote.

pt. d Director and Department Staff openings may not be filled by any Assembly Representative or Judicial Board Justice.

pt. e Directors and Department Staff may not act on behalf of the UPUA.

cl. ii Executive Staff

pt. a The President and Vice President may maintain Executive Staff Members to assist in carrying out their specific duties as necessary unless otherwise prescribed by an Act of the Assembly.

cl. iii Chief of Staff:

pt. a Is considered the President’s chief Executive Staff Member.

pt. b Is in charge of coordinating the business of the Executive Branch as prescribed by the Chief Executive Officers.

pt. c Will fulfill the role of Acting Executive Director of Finance and therefore serve as UPUA Treasurer, should there be a vacancy for the position of Executive Director of Finance.

pt d. Will simultaneously fulfill the role of Executive Director of the Department of Committee Relations and will be responsible for managing the Department. The Chief of Staff may delegate this role to an appointee of their choosing.

 cl. iv Deputy Chief of Staff

pt. a The President, in consultation with the Chief of Staff, may appoint a Deputy Chief of Staff based on the procedure outlined in §6.8.3 of the Assembly Bylaws.

pt. b The Deputy Chief of Staff is primarily charged with assisting the Chief of Staff in any capacity.

§6.4 Commissions:

§6.4.1 A Commission is an affiliated non-Subsidiary of the UPUA Executive Branch that is established for a specific need or function that cannot be met within the structure or restrictions of a Department or Committee of the UPUA.

§6.4.2 Establishment:

cl. i A Commission may only be established by the Assembly via the legislative process.

cl. ii A Commission will be indirectly related to UPUA as a semi-autonomous body, overseen by the Executive Branch, and regulated by the Assembly.

cl. iii A Commission may be established between the Student Governments Associations in order to better coordinate policy affecting the entire Penn State Community.

§6.4.3 Membership:

cl. i General Business Members of the UPUA may serve on a Commission free from the restrictions of the exclusion clause §4.2.2.

cl. ii Membership of a Commission is not restricted to undergraduate students and may include administrators, graduate students, and community Members.

cl. iii Membership of a Commission shall be chosen as specified in the authorizing legislation. The leadership of the Commission must be a member of the CORE Committee that the legislation enacting the Commission originated from.

§6.4.4 Criteria for Establishment:

cl. i Commissions can be established for the purposes of investigating, researching, and reporting on specified issues on behalf of the UPUA.

cl. ii Commissions can be established to carry out a task or event that necessitates it being indirectly related to the UPUA.

cl. iii Commissions can be established for collaboration between necessary parties to achieve their assigned goals.

cl. iv Commissions can be charged according to, but not limited to, the above criteria.

**Article VII**

**Judicial Board**

§7.1 Powers and Responsibilities**:**

§7.1.1 All authority over matters of dispute between Branches and matters of rule and equity within the UPUA are solely vested in a Judicial Board.

§7.1.2 The Judicial Board shall have the power to:

cl. i Conduct select Hearings related to disputed matters within the UPUA, specifically pertaining to Representative removal, election disputes, disciplinary actions, disputes concerning the interpretation of the Governing Documents.

cl. ii Review all UPUA amendments to the Governing Documents, unless otherwise specified, for fairness and equity.

cl. iii Assume all duties prescribed by the Assembly.

cl. iv Vet all Recognized Student Organizations that apply for a Community Group Representative Seat whose applications will be reviewed every Fall Session as stipulated in §Section 9.5 of the UPUA Bylaws and Operational Code.

pt. a Determine the placement of whether a community group falls under the categories of student identity or inherent identity

cl. v Meet with a designee of each organization that has applied for a Community Group Seat.

cl. vi Compile a report recommending to the Assembly which of the Recognized Student Organizations that have applied qualify for a seat in the Assembly.  The Recognized Student Organizations within the aforementioned report must be confirmed with a 2/3rd vote of the Assembly.

cl. vii Ensure every semester that Recognized Student Organizations representing Community Groups are recognized by the University, and active while also fulfilling the requirements set by the UPUA governing documents by communicating with the Office of Student Affairs.

pt. a Revoke Community Group recognition in the event that the RSO has ceased to fulfill cl i, cl iv, cl v, and cl vi of the vetting criteria listed in §Section 9.5.2 of the UPUA Bylaws and Operational Code.

pt. b Compile a report recommending the Assembly Revoke Community Group recognition in the event that the RSO has ceased to fulfill any other part of the vetting criteria listed in §Section 9.5 of the UPUA Bylaws and Operational Code. The revocation of Recognized Student Organizations within the aforementioned report must be confirmed with a 2/3rd vote of the Assembly.

§7.2 Membership**:**

§7.2.1 Justices**:**

cl. i There shall be nine (9) Members of the Judicial Board known as Justices, of which there shall be a head known as the Chief Justice. Collectively, they shall carry out the Business of the Judicial Board.

cl. ii All Justices shall be appointed to their Offices by the procedure outlined in §6.8.2 of the UPUA Bylaws and Operational Codes.

cl. iii The Justices shall serve one-Assembly long terms, but may be reappointed for as long as they are eligible members of UPUA.

pt. a Judicial Board Members shall serve these terms provided a Judicial Board Member is not removed from office on reasonable grounds or does not step down voluntarily.

cl. iv Only Justices may exercise the powers and responsibilities vested in the Judicial Board.

§7.2.2 Judicial Clerks**:**

cl. i There shall be no more than nine (9) Judicial Clerks of the Judicial Board Collectively, they shall support the mission and work of the Judicial Board, but they do not have voting powers.

cl. ii Judicial Clerks shall be appointed to their Offices by the procedure outlined in §6.8.2 of the UPUA Bylaws and Operational Codes.

cl. iii The Judicial Clerks shall serve one-Assembly long terms, but may be reappointed for as long as they are eligible members of UPUA.

pt. a Judicial Clerks shall serve these terms provided a Judicial Clerk is not removed from office on reasonable grounds or does not step down voluntarily.

**Article VIII**

**Meetings**

§8.1 General Meetings**:**

§8.1.1 General Meetings shall be defined as the convening of the voting General Business Members of a Branch for the purpose of transacting business.

§8.1.2 The Assembly and Executive Branch may not have more than six (6) academic days pass between any two general meetings, work session meetings, or any combination thereof. In a semester, the number of general meetings must exceed the number of work session meetings.

§8.1.3 All general meetings of all Branches are to be public. The business of Branches shall be made available to the public along with information establishing basis for transactions. The meetings shall be advertised and designed to accommodate the public interest as appropriate. Representatives’ votes shall be made public online.

§8.2 Work Session**:**

§8.2.1 The Assembly may have work session meetings. At these work sessions meetings all Standing CORE Committees will meet to discuss pertinent matters.

§8.3 Summer Term:

§8.3.1 No Subsidiary of any Branch shall convene in any form during the summer without first establishing rules for the transaction of Business.

§8.4 Quorum shall be a majority of the non-vacant Seats of a Branch or Subsidiary.

 **Article IX**

**Finances**

§9.1 Money Management**:**

§9.1.1 All UPUA Funds will be deposited in and handled through the Associated Student Activities (ASA) office. All Funds shall be generally maintained in the “general account.”

§9.1.2 All expenditures shall be approved by the Assembly. The Assembly may demand, when extreme cases warrant, the reversal of transactions. The UPUA shall not be responsible for losses suffered by General Business Members for transaction reversals.

§9.1.3 The Assembly may provide the President during the Fall and/or Spring with an Account for disbursement at the President’s discretion without approval of the Assembly. This Account may not be used for funding items rejected by the Assembly. The books of the Account shall be closed and monies returned to the general Account at least at the end of each academic year.

§9.1.4 The Assembly may permit the establishment of Sub-Accounts with pre-approved purposes to the Unrestricted Account and may be assigned to an Branch or Subsidiary outside of the Assembly. Funds appropriately transferred to a Sub-Account by the Assembly may be disbursed for pre-approved purposes without action of the Assembly.

§9.1.5 The Assembly, as an extension of its regulatory authority, shall be responsible to ensure that all Branches and Subsidiaries are appropriately funded for the execution of their mission through a Budget. This implies due consideration to all funding requests by Departments and Associated Groups.

§9.2 Dues**:**

§9.2.1 Dues shall not be required for Membership or General Business Membership. This provision shall not invalidate the power to acquire student monies through University Entities.

§9.3 Summer Term Funds**:**

§9.3.1 The Assembly shall at the conclusion of each Spring Semester, establish a Summer Term Fund. This Fund shall include a portion spendable by the President. If no form of the Assembly is available, all Funds shall be spendable by the President. The books of the Account shall be closed on the day of Summer Graduation. All unspent Funds shall be returned to the UPUA General Account.

 **Article X**

**Elections and Terms of Office**

§10.1 Application and Time for Elections**:**

§10.1.1 Elections or appropriate democratically-based processes shall be applicable to Assembly Representatives and the Chief Executive Officers of the Executive Branch.

§10.1.2 Annual student public Elections shall occur on the Wednesday thirteen (13) academic days after the conclusion of Spring Break of the year in question.

cl. i In the event there is no Spring Break in a given year, the Election Commission shall have the discretion to set the date of the election. The Elections Commission must notify the Assembly at least six (6) weeks before the decided date.

§10.1.3 The Representatives for students of first and second Semester standing shall be appointed no later than the Thursday of the 5th academic week of the Fall Semester for the term of that Fall Semester and the Spring Semester of that Academic Year.

§10.2 Terms of Office**:**

§10.2.1 Unless set forth elsewhere in this Constitution, terms of Office for elected General Business Members serving in a given Academic Year running Summer to Spring shall begin following Election Day after reciting the Affirmation/Oath of Office and shall end with the swearing-in of the next President, Vice President, and Assembly.

§10.2.2 Terms of Office for Executive Directors shall begin following confirmation by the General Assembly after reciting the Affirmation /Oath of Office and shall end with the swearing-in of the next President, Vice President, and Assembly. Executive Directors wishing to return to the same Office must follow the same appointment procedure.

cl.i Executive Directors from the previous Administration may remain in their Offices as Acting Executive Directors at the discretion of the newly-elected President for a period of no longer than four (4) weeks after the official end of their term or until they reapply are re-confirmed to their Office by the next General Assembly in order to ensure the continuity of necessary organizational operation.

§10.2.3 Directors, Judicial Clerks, and Staff Members of any Branch or Subsidiary may be retained for a term at the discretion of their respective Branch head given that these members remain eligible Members of the UPUA.

§10.3 Election Rules and Elections Commission**:**

§10.3.1 All elected Officials must be elected by an appropriate Constituency defined by the Assembly.

§10.3.2 Elections rules shall be established by the Elections Commission and the Speaker of the Assembly.

cl. i The Elections Commission and Speaker of the Assembly shall hold a public session to receive suggestions before presenting the Elections Code to the Assembly.

cl. ii The Elections Code shall be approved via two-thirds (2/3rds) vote of those present and voting.

cl. iii In the event that election rules do not pass, the Assembly may send recommendations to the Chief Justice or Speaker of the Assembly before the Elections Code is presented again.

§10.3.3 There shall be an Elections Commission to administer all Election related matters throughout the year. It shall be governed by the rules of the Assembly and managed by the Judicial Board.

§10.3.4 Candidates who qualify as winners shall be eligible to take Office. Eligibility shall be extended to remaining Election participants until Seats have General Business Members sworn in.

§10.3.5 All Offices filled by Election shall be elected popularly by student public vote except as contained herein:

cl. i Each Seat for the Community Groups determined by the Judicial Board and confirmed by the Assembly must be elected for each new UPUA Assembly in a democratic manner.

cl. ii The Election process, while up to the Community Group organization, must be approved by the Judicial Board when looking over the organization’s application to ensure compliance with the UPUA Elections Code. It cannot violate the spirit of the UPUA Elections Code.

pt. a The election process for this shall be overseen by the organization with a member of the Elections Commission present to ensure compliance with the UPUA Elections Code.

pt. b All members of the Community Group must have the ability to vote in the election.

cl. iii   The terms of Office for these Seats shall be no longer than one UPUA Assembly.

§10.4 Appointment Process**:**

§10.4.1 In cases where Representative Seats become vacant after the departure of a Seat holder for the Academic Year in question or was never filled, and only in such cases, Representatives shall be appointed with the following constraints:

cl. i Academic Unit Representatives being appointed by their respective Academic Unit Student Councils.

cl. ii All other Representatives being appointed by the Assembly or as prescribed by the Assembly.

§10.5 Affirmation/Oath of Office**:**

§10.5.1 Before any Member of all Branches within UPUA shall take Office or their duly appointed Position, they shall recite the following Affirmation /Oath:

cl. i “I promise to faithfully uphold the Constitution of the University Park Undergraduate Association and to defend the rights of each individual student while working toward the betterment of student life. I shall perform, to the best of my ability, the responsibilities and duties that have been entrusted to me by the University Park Undergraduate Student Body through virtue of the Office which I hold.”

**Article XI**

**Member Discipline and Removal**

§11.1 Discipline Policy**:**

§11.1.1 Each Branch may establish discipline policies for matters not covered by other sections.

§11.2 Suspension:

§11.2.1 The Assembly, by a two-thirds (2/3rds) vote, may choose to suspend a Member which will lead to the removal of their speaking privileges in Assembly Meetings for one (1) academic day.

cl. i The Chair may motion for suspension during an Assembly meeting.

§11.2.2 A suspension is to be enacted if:

cl. i A Member has violated the values of the UPUA outlined in Section §1.4.

cl. ii A Member has contributed to a hostile environment, therefore impeding on Representatives’ rights to contribute and perform in the Assembly as outlined in Section §5.2.3.

 §11.2.3 Discussion and voting shall proceed as follows:

cl.i The Accused Member shall be afforded up to two minutes to speak on behalf of themselves before discussion.

cl.ii The Assembly of Representatives shall discuss the motion, and the Accused Member shall then have up to two minutes to defend themselves and rebut arguments when discussion is finished before a vote is called. The Accused Member may not be yielded time.

cl.iii The Assembly of Representatives will go into a vote by secret ballot. The Accused Member can vote.

§11.3 Removal**:**

§11.3.2 Processes:

cl. i General Business Members of the UPUA may be removed by a three-fourths (¾) vote of present and voting Members of the Assembly for failure to fulfill the duties of their Office, violation of University policies, or any other reasonable grounds.

cl. ii Committee Chairs of the UPUA may be removed from their role as Chair by a three-fourths (¾) vote of present and voting members of the General Assembly, but may remain in their role as a Representative.

cl. iii Representatives of the UPUA may be removed through a deficiency point process for failure to fulfill the responsibilities and duties of their Office as stated in the governing documents. The power of the removal is at the discretion of the Chairs and Speaker of the Assembly.

cl. iv For proceedings on Members of the Judicial Board, the Vice President shall preside. If the Vice President is unable to preside, the Assembly shall elect a Representative to preside.

cl. v For proceedings on Members of the Executive Branch, the highest ranking Member of the Judicial Board shall preside.

cl. vi If it is found that a member of UPUA, regardless of their branch affiliation, is currently on probation with a notation on their transcript for offenses including but not limited to: sexual misconduct, hazing, or harassment, they shall hereby be removed from UPUA and shall be notified of their removal by the head of their branch.

pt. i Suspensions by the University shall also be considered grounds for removal.

pt. ii The member will be given the opportunity to resign from the role before the student conduct record and reasoning for removal becomes public.

pt. iii Filling the vacancy shall undergo the processes set forth in the Constitution and Bylaws & Operating Procedure.

§11.3.3 The provisions of removal shall not be construed to deny the President reasonable ability to remove any Executive Director, Director, or staff member of the Executive Branch at their discretion.

§11.4 Resignation**:**

§11.4.1 All General Business Members shall retain the right to resign from any position within the UPUA regardless of whether that Member is the subject of disciplinary proceedings.

§11.4.2 All resignations must be submitted to the highest-ranking Officer of the Branch or Subsidiary from which the Member wishes to resign. No Branch or Subsidiary may refuse a resignation.

§11.4.3 Once an elected member has resigned, they may not return to the same Office via an appointment for the remainder of the Assembly session.

 **Article XII**

**Parliamentary Authority**

§12.1 Modern Rules of Order shall be used in all cases not covered by the UPUA Constitution or Bylaws and Operational Code.

**Article XIII**

**Advisor**

§13.1 The UPUA shall retain a primary Advisor and may obtain additional advisors for specific purposes, such as the operation of Executive Departments and the facilitation of UPUA Elections.

§13.2 The Advisor(s) shall be a Faculty, Staff, or an Administrator of the University and shall be nominated by the President and consented to by the Assembly.

§13.3 The Advisor(s) shall retain their title in perpetuity unless a majority vote by the Assembly suspends or removes the title(s).

**Article XIV**

**Amendments**

§14.1 Amendments to this Constitution may be brought, at any time, by and to the Assembly as an Act subject to standard submission and perfection rules.

 §14.1.1 Any individual policy must be sent to the Steering Committee and passed through at least seven (7) days in advance of coming to the floor.

cl. i In the case that a policy change does not pass the Steering Committee, the Speaker of the Assembly shall be required to provide the reasoning of its failure and the original policy change to the Entire Assembly.

§14.2 The Assembly may pass the amendment with a three-quarters majority (3/4) of the entire Membership.

§14.3 The Judicial Board must approve or reject all amendments passed within forty (40) calendar days to ensure fairness and equity in the proposed changes.

§14.3.1 A majority of sitting Judicial Board Members will be required to approve the amendment and decide the effective date before it is considered duly ratified.

cl. i If the Judicial Board fails to approve or reject the amendment, it forfeits its obligation to review.

cl. ii These provisions do not apply to Referendum-initiated Constitutional amendments.

**Article XV**

**Referenda**

§15.1 A Referendum shall be defined as a vote of the University Park Undergraduate Student Body to decide an action of the UPUA, including official opinions and changes to this Constitution.

§15.2 Referenda may be proposed either by:

§15.2.1 An Act of the Assembly

§15.2.2 A Petition of three percent (3%) of the full-time University Park Undergraduate population utilizing an official Referendum Petition form made perpetually accessible on the UPUA Website

§15.3 Referenda shall require and be subject to the approval of the Judicial Board for structure only and not for merit. However, dilatory referenda may be dismissed with five (5) Justices concurring.

§15.4 The date of the approved Referenda shall be at the discretion of the Assembly, considered urgent, and held within the academic Semester or otherwise set for inclusion in the upcoming Election.

§15.5 A majority of those voting, with at least fifteen percent (15%) of all eligible University Park undergraduate students voting, shall be sufficient for a decision to be considered rendered and binding on the UPUA.

**Article XVI**

**Old Constitutions**

§16.1 All agreements made under prior Constitutions with reason to be valid under this Constitution shall be considered valid, upheld, and binding.

**Article XVII**

**Enactment and Protections**

§17.1 Enactment**:**

§17.1.1 This Constitution shall be enacted following approval by the existing Student Government Entity.

§17.2 Protections Against Dissolution**:**

§17.2.1 This Constitution shall be protected by the standards established herein for all Branches and actions of the UPUA. Neither the UPUA nor any Entity of the University may dissolve this Organization as it stands in this Document without surpassing the highest challenges this Document establishes. These challenges may be determined as a combination or mix of one or more provisions. All attempts at subversion will not be tolerated and will be considered a direct assault on the ability of the University Park Undergraduate Student Body to organize.