

# **The Constitution**

## *of the Undergraduate*

### **Association of the**

# **Massachusetts Institute of Technology**

## **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 of the Massachusetts Institute of Technology (UA). 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 a currently registered student working 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 Association. It 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 of the Council or at the 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, shall be reserved for the amending the Constitution, 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. The Council may delegate reallocation of funds with a 2/3 vote of the full voting membership of the Council.
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 with a majority of all officers voting in favor unless otherwise specified. 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. 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 their 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 decision of the Council not decided by a consensus or population vote. The Council may override a Presidential veto with a 3/4 vote of the full voting membership of the Council.
  - e. The President shall be responsible for the execution of all decisions of the Council. They may jointly execute a decision with other parts of the UA at their discretion.
  - f. The President shall call meetings of the Council and set the agenda for these meetings in accordance with the Council Bylaws. The President shall make a good faith effort to keep the Council informed of all pertinent matters.
  - g. The President shall organize an orientation for Council members prior to the first Council meeting of the Spring semester, the purpose of which shall be to give Council members all necessary information to fulfill their duties in Article II, Section A.
  - 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 inform the Council of the state of the UA Government and Association as a whole at the first meeting of both the fall and spring terms
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 their duties. Written notification shall be sent by the President to all members of the Council at the occurrence of such an event.
  - c. The Vice President shall be responsible for assisting the President with the completion of their duties.
  - d. 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 and Nominations Committee shall be responsible for soliciting applications for representatives to Institute Committees, interviewing candidates, and selecting a slate of nominees. Approval of nominations shall be governed by the Nominations Committee Bylaws. At a minimum, the Council shall have an opportunity to object to all nominations.
  - c. The Chief of Staff shall and Nominations Committee shall be responsible for determining when to derecognize student representatives to Institute Committees for neglecting their responsibilities. This process shall be governed by the Nominations Committee Bylaws. At a minimum, the Council shall have an opportunity to object to all removals.
  - d. The Chief of Staff shall maintain relationships with student representatives to Institute Committees and provide them with data relevant to their duties.
  - e. 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.

- f. The Chief of Staff shall be responsible for assisting the President with the completion of their duties.
  - g. The Chief of Staff shall be responsible for conducting the Institute Committee nominations process in accordance with the Nominations Committee bylaws.
7. The Treasurer shall have the following duties and powers:
  - a. The Treasurer shall be the chief financial officer of the UA. The Treasurer shall serve as the financial advisor 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 a member of the UA Finance Board as prescribed by the Bylaws of the Finance Board.
  - d. The Treasurer shall be responsible for the maintenance of UA accounts.
  - e. The Treasurer shall be responsible for assisting the President with the completion of their duties.
  - f. The Treasurer shall be responsible for submitting reimbursements on behalf of the Council and the Committees.
  - g. 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. Allocation power shall be the responsibility of the Council.
  - h. The Treasurer may serve as the UA Finance Board Chair if selected.
  - i. The Treasurer shall, at monthly intervals, submit a report to the Undergraduate Association Council detailing all expenses and income accrued during said interval.
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 timely inspection by any member of the Association. Information of a sensitive nature may be excluded from this inspection. If information is believed to be wrongly classified as sensitive, members of the Association may appeal to the Judicial Review Board, who will then have access to the information for review.
  - 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 their duties.
  - f. The Secretary shall ensure that the content of the UA website and UA bulletin board remains current.
  - g. The Secretary shall ensure that an up-to-date, complete list of students by constituency is maintained. This list will be used during a population vote
9. In addition to the items outlined below, the Principal Officers are responsible for additional duties given to them in the Bylaws of the Council and Standing Committees.
10. 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 by the Association in a process 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. The President and/or Vice President may be removed by a person vote of at least 16 Council Representatives. This removal must be based on misuse of power, malfeasance, gross neglect of duty, or other severe violations of this Constitution. Such a vote may be called by written notification to the Council at least 3 days before the meeting where the vote will take place. The Judicial Board must approve that the stated reasons are within the allowable reasons above.
- g. A recall election for the President and/or Vice-President may be mandated by a person vote of at least 16 Council Representatives or by a written petition signed by ten percent of the Association. At the time of such a vote or submission of such a petition, the individual(s) in question shall temporarily surrender their office(s) pending the results of a recall election vote. A recall election vote shall require a 2/3 majority to pass.
- h. The Chief of Staff, Treasurer, or Secretary may be removed by a person vote of at least 14 Council Representatives by the process outlined in item f above. They may also be removed by a recall election by the process outlined in item g above.
- 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. The purpose of the Judicial Board shall be to interpret this Constitution and other governing documents of the UA in cases of dispute between the bodies of this organization or its members. Additionally, this board shall hear complaints from members of the Association concerning the governmental bodies and act to resolve the situation. This Board shall also oversee the creation and operation of the UA Election Commission as delineated in the UA Election Code.
3. Membership:
  - a. The Judicial Review board shall be composed of 3 UA members
    - i. None of the Judicial Board members shall be affiliated with any other Undergraduate Association Governing Body with the exception of participation in ad-hoc committees reviewing governing documents of the Association.
    - ii. No person intending to run for office in UA elections may sit on the Judicial Board. Obtaining a petition to run for office by a member shall be considered as a resignation from the board.
  - b. Appointments shall be made by the UA president, with a 2/3 approval vote of Council. Failure of the president to initiate a replacement process for an incomplete Board shall

be considered by Council as sufficient grounds for removal from office, without approval of the Judicial Review Board.

- c. At the end of each academic year, Council shall approve by majority vote, the continued membership of all members of the board. In addition, Council may remove any member of the board with an amendment-level vote and 3 days notice.
  - d. The chair of the Judicial Review Board shall be chosen by Council by a majority vote.
    - i. The chair shall be in charge of administrative duties of the board and serve as the representative of the board in non-judicial contexts.
    - ii. The chair shall not have any more power than board members in judicial procedures.
  - e. 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 with exception of committees as described in Article II, Section C, Item 3. a. ii. Additionally, any member of the association may seek advice on constitutional issues from board members.
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 have the full cooperation of the other governmental bodies of this Association in executing its decisions.
  - d. Decisions can be overturned by an amendment level vote from Council with approval of the president.
  - e. The bodies affected by the decisions of this board shall act on those rulings immediately.
  - f. 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.
  - g. Members of this board shall not initiate complaints to the Judicial Review Board.
  - h. 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.
5. Procedures:
- a. Upon hearing a complaint and any member of the board considering the complaint non-frivolous, the board shall convene according to the procedures described in the Bylaws of the Judicial Review board and endeavor to render quick and faithful judgments.
  - b. When possible, this board shall aim for unanimous decisions, otherwise by majority vote. At no point shall a decision be made with the support of only one member.

## **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 fourteen 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 fourteen members of the Council and who shall serve until the next regularly scheduled election.

### **Section C: Committee and Assistant Officer Order of Succession**

1. In the event of a vacancy of a Committee Chair or Assistant Officer, a new chair should be selected by the process outlined in IV.B.2 and IV.B.3, unless otherwise specified in this Constitution or in the Bylaws of the Standing Committees.

## **Article IV: Committees & Assistant Officers**

### **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 and this list is automatically updated upon the establishment of a new Standing Committee.
3. Ad Hoc and Standing Committees may be established by a majority vote of the Council Representatives approving a charter for the committee including: name, purpose, principles of operation, and membership provisions. Ad Hoc committees must also have provisions for their period of operation. In the case that the Council is unavailable to make a timely decision on establishing an Ad Hoc Committee, approval may be given by a 4/5 vote of all the Principal Officers. The Council must be immediately notified of such a decision.
4. All committees shall report regularly to the President and Vice-President.

5. The decision of a committee may be overturned or amended by the Council by a majority vote unless otherwise stated in this Constitution.
6. Committees shall establish bylaws concerning their operation, and these bylaws shall become effective by approval of 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. These bylaws shall reside in a unified document – the Bylaws of the Standing Committees.

## **Section B: Chairs and Officers of Committees**

1. The Chairs 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 Chairs of all UA Committees shall be nominated by the UA President. They shall be appointed if seven days after notice of the nomination has been served to the Council, provided that five Council Representatives do not register a written objection or object at an intervening meeting. If five or more Council Representatives object, the nominee shall require majority approval of the full voting membership of the Council to be appointed.
3. When the Council is not in session, the President may appoint an Acting Chairman who shall serve until the Council is back in session and the process in the previous item can be followed.
4. 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.
5. 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 removal proceedings for the Chair.
6. The Chair shall be responsible for selecting all of its members via a fair application process, and may select a Vice-Chair at their 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 Officers**

1. Assistant Officers shall serve to assist the Principal Officers with the completion of their duties in a specific area.
2. Permanent Assistant Officer positions shall be enumerated in the Bylaws of the Council.
3. The Principal Officers may additionally charter and establish temporary Assistant Officer positions to serve throughout their term with the approval of a majority of the full voting membership of the Council.



4. Assistant Officers shall establish bylaws concerning their operation and these bylaws shall become effective by approval of 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 shall reside with the Bylaws of the Standing Committees.
5. Selection, removal, and mid-term reviews for Assistant Officers shall be the same as those for Committee Chairs. The basis for a breach of duty shall be limited to those explicitly enumerated in the position's charter in the Standing Committee Bylaws.

## **Article V: 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 meetings when the amendments are proposed and when they are voted on.

### **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 VI: Referenda and Advisory Questions**

### **Section A: Advisory Questions**

1. The submission of a matter to a vote by the Association can be made by six Council Representatives or by a written petition signed by five percent of the Association.

### **Section B: Referenda**

1. The submission of a matter to a binding vote by the Association 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 Association. The result of the vote shall be binding on the UA, if applicable, if at least twenty percent of the Association voted.

## **Article VII: 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:

*Last updated: August 6, 2017*

- 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 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 Constitution of Dormitory Council
- e. The constitutions or bylaws of activities and other living groups