Graduate Student Senate
University of Massachusetts - Amherst

University of Massachusetts Amherst

Whereas, the Graduate Student Senate has recognized a need to amend its Constitution as outlined here: Appendix 1a: WHY Constitution Amendments (Attached as Appendix 1a) **and;**

Whereas, the proposed changes to the structure of the governing body of graduate students requires a new name for the organization to accurately reflect its role**;**

Be it therefore enacted, the Graduate Student Senate (GSS) at the University of Massachusetts Amherst hereby changes its name to the Graduate Student Government (GSG) of the University of Massachusetts Amherst **and;**

Be it further enacted, all current members, officers, senators, or any individuals with any position in any form connected with the GSS, elected, appointed, or associated under the name of GSS, shall continue under the name of GSG **and;**

Be it further enacted, the effective date of the updated and amended Constitution shall be the date of ratification by the Board of Trustees **and,**

Be it further enacted, the Constitution, also known as Trustee Document T12-001 (Attached as Appendix 1b), be updated and amended to the following:

THE CONSTITUTION OF THE GRADUATE STUDENT GOVERNMENT OF THE UNIVERSITY OF MASSACHUSETTS AMHERST

HISTORY:

Approved by the Graduate Student Senate April 9th, 2024

Approved by the Graduate Students May 6th, 2024

Ratified by the Board of Trustees September 19, 2024

PREAMBLE

We, the Graduate Students of the University of Massachusetts Amherst, in order to establish a democratic system for Graduate Students in University governance, and recognizing the necessity of organizing in order to attain a just, cooperative society which serves the interests of graduate students, and further recognizing the necessity for immediate and ongoing action to effectuate cooperation and participation among graduate students, and ultimately to ensure the representation of all degree-seeking graduate student members, do hereby ordain and establish this Constitution of the Graduate Student Government at the University of Massachusetts Amherst.

ARTICLE I

Name

Section 1 The name of this organization shall be the Graduate Student Government of the University of Massachusetts Amherst, herein referred to as the GSG.

Section 1

ARTICLE II

Authority

This constitution shall supersede any other previously existing system of campus wide governance for the University graduate student population.

Section 2 The GSG derives its authority from the graduate students of the University, through election, and by actions of the Board of Trustees approving this Constitution, as provided in Section 3, Chapter 75 of the General Laws of the Commonwealth of Massachusetts.

Section 3 The GSG, in its responsibilities and relationships with other governing components of the University, shall be governed by the Board of Trustees' Statement on University Governance (Trustee Document T73-098, as amended).

Section 4 All bylaws, acts, procedures and all other actions of the GSG, shall be consistent with this Constitution and Trustee Document T73-098, as amended.

ARTICLE III

Purpose

Section 1 The purpose of the GSG shall be:

A. To ensure the representation of all degree seeking graduate students, herein referred to as graduate students, of the University of Massachusetts Amherst;

B. To discuss and recommend policies affecting the campus and the University as a whole;

C. To promote graduate student participation in the development of policies and procedures within all aspects of the University of Massachusetts Amherst;

D. To serve as a resource and advocate for graduate students;

E. To represent the goals, interests, concerns, and professional development of the graduate student population;

F. To facilitate community and communication among graduate students in different Colleges, Schools, and Departments;

Section 1

ARTICLE IV

Membership

All graduate students of the University of Massachusetts Amherst, herein denoted the University, that meet the qualifications for GSG membership as defined in Article IV Section 2 shall be entitled to be members of the GSG, and shall have an equal voice and vote therein with that of their fellow members.

Section 2 "Graduate Student Government member", shall hereby be defined as any graduate student of the University of Massachusetts Amherst who is subject to and has paid, the Graduate Student Government Fee for the calendar time to which it is applicable.

Section 3 "Graduate Student Government membership", shall hereby be defined as all GSG members.

Section 4 "Graduate Student Government officer", shall hereby be defined as any GSG member who holds an elected or appointed position within the Graduate Student Government.

Section 5 "Membership in attendance", shall hereby be defined as the total count of the votes in the affirmative and in the negative but excluding any abstentions. Abstentions shall not be counted towards the overall vote count.

Section 6 Any GSG member receiving any form of compensation for services carried out in the name of, and for the express purpose of furthering the mission of the Graduate Student Government, shall be treated as an Officer of the Graduate Student Government.

Article V

Composition of Government

Section 1 The GSG shall be composed of three branches of Government: the Legislative, Executive, and Judicial branches. All elected and appointed officers of the GSG shall be members of the GSG, as defined in Article IV of this Constitution. No GSG member shall hold elected or appointed office in more than one branch of the government, except as provided for by the General Bylaws of the GSG. No GSG member shall hold more than one office, in any branch, that receives monetary compensation.

Section 2 The University Student Trustee as defined by the General Laws of the Commonwealth of Massachusetts, shall be an ex-officio officer of the GSG.

Section 1

Article VI

The Graduate Student Government Fee

The GSG shall levy a fee to fund the operations of governmental procedure and disperse its funds in the interest of graduate students and as prescribed in the General Bylaws of the GSG.

Section 2 Any recommended increase in the GSG Fee of over 7.5% shall require a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting, and an affirmative vote of the GSG membership through an Action Referendum.

Article VII

The Legislative

Section 1 The legislative authority of the GSG shall be vested in the Senate.

Section 2 The membership of the Senate shall be composed of representatives, herein denoted as Senators, apportioned by the Senate to Electoral Districts, as defined by the General Bylaws of the GSG.

Section 3 Senators shall be elected in a manner prescribed by the General Bylaws of the GSG and shall serve for a term prescribed therein.

Section 4 The Speaker of the Senate:

A. The Senate shall provide for the election of, from its voting membership, a Speaker of the Senate, herein denoted the Speaker, who shall serve as the chief presiding officer and the chief clerk and parliamentarian of the Senate. The Speaker may only be a sworn-in Senator, in good standing, according to the General Bylaws of the GSG.

    i. The Speaker shall be responsible for the business and management of the Senate.

B. If a vacancy shall occur in the office of Speaker, a new Speaker shall be elected at the next regularly scheduled meeting of the Senate, unless otherwise provided within the General Bylaws of the GSG. The President shall chair Senate meetings during the time of the election of a Speaker.

    i. The Associate Speaker shall be responsible for the duties of the Speaker, except for the chairing of Senate meetings in which the election of the Speaker shall take place, until the position is filled.

Section 5 The Associate Speaker of the Senate:

A. The Senate shall provide for the election of, from its voting membership, an Associate Speaker of the Senate, herein denoted the Associate Speaker, who shall serve as the chief historian and chief coordination officer of the Senate. The Associate Speaker may only be a sworn-in Senator, in good standing, according to the General Bylaws of the GSG.

B. If a vacancy shall occur in the office of Associate Speaker, a new Associate Speaker shall be elected at the next regularly scheduled meeting of the Senate, unless otherwise provided within the General Bylaws of the GSG.

    i. The Speaker shall be responsible for completion or delegation of the duties of the Associate Speaker until the position is filled.

Section 6 The Senate shall have the power to:

A. Review and make recommendations regarding the Graduate Student Government Fee.

B. Determine and provide for its rules and procedures, elect its officers, and fix the time and place of its meetings, provided that there be a regular meeting with fixed time and place at least once every month of the regular academic calendar of the University. This shall not preclude meetings outside of the regular academic calendar, provided that appropriate steps are taken to advertise the meeting to Senators.

C. Require the attendance of its members by rule, as delineated in the General Bylaws of the GSG.

D. Expel a member of the Senate. The act of Expulsion shall require a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting.

E. Enact, amend or repeal the General Bylaws of the GSG. Such an act shall require a two thirds (2/3) vote of its membership in attendance at a scheduled meeting, and any other such provision as outlined in the General Bylaws of the GSG.

F. Ratify GSG Elections within thirty (30) calendar days of the election. Such an act shall require a majority vote of its membership in attendance at a scheduled meeting.

G. Initiate a referendum as defined by this Constitution. Such an act shall require a two thirds (2/3) vote of its membership in attendance at a scheduled meeting.

H. Decide tied General or Special Elections at its first meeting following the election. Such an act shall require a majority vote of its membership in attendance at a scheduled meeting.

Section 1

I. Approve the GSG Budget Request. Such an Act shall require a majority vote of its membership in attendance at a scheduled meeting.

J. Override a presidential veto. Such an act shall require a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting.

K. Approve Executive Cabinet and Judiciary Appointments. Such an act shall require a majority vote of its membership in attendance at a scheduled meeting.

L. Require reports from the President, Vice President, Executive Cabinet, and Standing Committee Chairs on any matter relevant to the functioning of the GSG Senate.

M. Impeach an elected or appointed officer of the GSG. Such an act shall proceed only after a legal review, followed by a two-thirds (2/3) vote of its membership in attendance at a scheduled meeting.

N. Make recommendations, as a governance body, on University policies and procedures consistent with Trustee Document T73-098, as amended.

Section 7 The Senate shall not:

A. Take an action abridging any of the powers delegated to it by this Constitution.

B. Deny the rights and privileges of Senate membership to any duly elected or appointed Senator, except as provided for by this Constitution or the General Bylaws of the GSG.

C. Recommend the appropriation of monies for a period of more than one (1) fiscal year.

D. Recommend the increase or decrease in wage of any elected or appointed officer of the GSG, effective to the incumbent at the time of the increase or decrease.

E. Infringe the secrecy of the ballot in any GSG Elections.

F. Meet in "executive session", as defined by the General Laws of the Commonwealth of Massachusetts.

   i. **Exception**: The Senate may only enter executive session in matters of Impeachment if the Senate needs to discuss the reputation, character, physical condition, or mental health, rather than professional competence, of an individual, by a two-thirds (⅔) vote of the Senate membership in attendance at a scheduled meeting.

Section 8 The procedures of the Senate shall be as follows:

A. No bill, unless otherwise provided for by the General Bylaws of the GSG, shall become an Act of the GSG unless it shall have been introduced to the Senate, read, and passed by a majority vote of its membership in attendance at a scheduled meeting.

B. No bill, unless otherwise provided for by this Constitution or the General Bylaws of the GSG, shall become an Act of the GSG without the signature of the GSG President. The President of the GSG may veto the bill within seven (7) calendar days of its passage, providing explicit reasons for the veto in writing to the Speaker of the Senate. If the President vetoes a bill, the Speaker of the Senate shall send the vetoed bill, along with the President's written reasons for the veto, back to the Senate within three (3) calendar days of receiving the veto. The Senate shall consider the vetoed bill at the next regular or special meeting of the Senate.

C. If a bill is neither signed nor vetoed by the GSG President within seven (7) calendar days following its passage, it shall automatically become an act of the GSG unless two-thirds (2/3) of the Senate membership in attendance at a scheduled meeting vote to extend the review period for an additional seven (7) days.

D. A vetoed bill or a bill not signed by the GSG President within the specified period may be enacted notwithstanding the veto or failure of signature of the GSG President if it shall have been read in full a second time and passed upon a twothirds (2/3) vote of the Senate membership in attendance at a scheduled meeting.

E. The quorum for the conduct of official business at a Senate meeting, or a meeting of any Senate Committee or entity, shall be fifty percent (50%) of the total voting membership of the body, plus one (1), unless otherwise provided for by this Constitution. Voting membership shall be defined as the total number of active GSG Senate officers eligible to vote in the body.

F. Should the Senate be equally divided on a matter, the pending matter shall be considered to have failed.

Section 9 Special Senate Meetings may be called by:

A. The Speaker of the Senate, at the request of any member of the graduate student body or any representative of the University Administration. The Speaker shall be empowered to deny this request.

B. Twenty-five percent (25%) of the Senate, by petition to the Steering Committee. The petition shall be verified and approved for accuracy by the Steering Committee, as delineated in the General Bylaws of the GSG. The Speaker shall not have the power to deny this request.

C. Five percent (5%) of fee paying graduate students, by petition to the Steering Committee. The petition shall be verified and approved for accuracy by the Steering Committee, as delineated in the General Bylaws of the GSG. The Speaker shall not have the power to deny this request.

D. The President, through a request to the Steering Committee, at which the Steering Committee shall require a majority of its membership to approve the President's request. The President shall not vote upon this request, unless the vote of the committee is equal. The Speaker shall not be empowered to deny the chosen action of the Steering Committee.

Article VIII
The Executive

Section 1 The executive authority of the GSG shall be vested in the GSG President, herein denoted the President, and other lesser executive officers recognized by this Constitution or the General Bylaws of the GSG.

Section 2 The President and Vice President shall run on a joint-ticket and the Treasurer on a separate ticket. The aforementioned positions shall be popularly elected by a majority or plurality of the GSG membership voting, on or before March 31st of each calendar year and shall serve for a term of one (1) year, here defined as June 1st to May 31st. Elections shall be held in a manner prescribed by the General Bylaws of the GSG.

Section 3 In the event of the vacancy of the President, the Vice President shall assume the Office of the President. The vacancy of the Vice President shall be filled by appointment from the President in accordance with the General Bylaws of the GSG. Should the Office of President and Vice President become vacant at the same time, the Treasurer shall assume the Office of the President. The vacancy of the Treasurer shall be filled by appointment by the Steering Committee in accordance with General Bylaws of the GSG. All vacancies shall be filled for the unexpired term of office.

Section 4 The President shall have the power to: A.

Act as the chief executive of the GSG.

B. Take care that all the provisions of this Constitution, the General Bylaws of the GSG, and Acts of the GSG are faithfully executed.

C. Appoint, upon a majority vote of the Senate membership in attendance at a scheduled meeting, the Executive Cabinet.

D. Appoint, upon a majority vote of the Senate membership in attendance at a scheduled meeting, the five (5) Justices of the Judiciary.

E. Appoint all lesser executive officers and membership to all external committees.

F. In a manner prescribed by the General Bylaws of the GSG, call the Senate into Session.

G. Add any bill to the agenda of a regularly scheduled meeting of the Senate.

H. Veto any bill except the Annual Budget Act and any Articles of Impeachment.

I. Be the President of the Senate, but shall have no vote.

J. Initiate a referendum as defined in Article XI of this Constitution.

Section 5 The Vice President shall have the power to:

A. Act as the head of the Executive Branch when the President is not in attendance.

B. Act for the President as their official representative in all capacities with the exception of signing or vetoing legislation, so long as the President has given prior consent to their actions.

C. At such times as the President deems necessary, become Acting President and to exercise all the powers of the Presidency, including, but not limited to, hiring and firing staff and signing and vetoing legislation. The President shall inform the Senate of this transfer of power.

D. Act, in conjunction and consultation with the Directing Attorney of Student Legal Services Office or their designee, as the chief legal counsel to the GSG in matters pending before the GSG Judiciary.

i. Be directly responsible for the official judicial records of the GSG including, but not limited to Judiciary Rulings.

Section 6 The Treasurer shall have the power to:

A. Act as the chief financial officer of the GSG.

B. Take care that all the financial provisions of this Constitution, the General Bylaws of the GSG, and Acts of the GSG are faithfully executed.

C. Manage the Graduate Student Government Trust Fund in conjunction with the Senate, as prescribed in the General Bylaws of the Graduate Student Government.

D. Control purchasing and expenditure of GSG funds.

D. Oversee distribution of Line Item and Ad Hoc funding.

E. Audit recipients of GSG monies.

F. Create, modify, or alter the Graduate Student Organization (GSO) funding guidelines, in conjunction with the Senate, as prescribed in the General Bylaws of the Graduate Student Government.

G. Be directly responsible for the official GSO records of the GSG.

H. Approve or deny the applications of new GSOs, and manage all registrations or re registrations of GSOs.

I. Freeze graduate student group financial accounts for violation of University Policy, or violation of any Bylaw, Act, or resolution of the GSG via the process enumerated in the General Bylaws of the Graduate Student Government.

Article IX

The Judicial

Section 1 The Judicial authority of the GSG shall be vested in a Judiciary.

Section 2 The Judiciary shall have original jurisdiction over any controversy arising under this Constitution, the General Bylaws of the GSG, or any Act of the GSG.

Section 3 The Judiciary shall be composed of five (5) Justices appointed by the GSG President and confirmed by a majority vote of the Senate membership in attendance at a scheduled meeting. The Justices shall serve from the date of their swearing-in until they resign or graduate from the University. The Chief Justice and Associate Chief Justice shall be elected at the start of every academic year, as provided in Article IX Section 7 of this Constitution. Should the Judiciary lack the ability to produce quorum, due to a lack of action by the President to appoint Justices, for a period of ninety (90) calendar days from the date on which quorum could no longer be met, the President shall defer their right to appoint the number of Justices that would facilitate the Judiciary's ability to produce quorum. The Steering Committee, via a majority vote of its membership, shall be empowered to appoint, upon a majority vote of the Senate membership in attendance at a scheduled meeting, the number of Justices necessary to facilitate a quorum.

Section 4 The Judiciary may hold, by declaratory judgment, any act by any agent of the Executive or Legislative Branches of the GSG, or of any agency directly associated with the GSG, or of any candidate for GSG office, to be unconstitutional, or in violation of any Bylaw or Act of the GSG, and therefore, invalid, provided said action is not a governance item approved by the Board of Trustees.

Section 5 Any person(s), with the exception of serving Justices of the Judiciary, may file with the Judiciary a Petition for a Ruling on the constitutionality or validity of any act by any agent of the Executive or Legislative Branches of the GSG, or of any agency directly associated with the GSG, or of any candidate for GSG office, within sixty (60) calendar days of said action. The Judiciary shall issue a ruling on the same, provided said action is not a governance item approved by the Board of Trustees.

Section 6 The Quorum for the conduct of business for the Judiciary shall be four (4) Justices. No business shall be conducted by the Judiciary without quorum.

Section 7 Chief Justice & Associate Chief Justice

A. The Judiciary shall provide for the election of, from its voting membership, a Chief Justice of the Judiciary, herein denoted the Chief Justice, who shall serve as the chief presiding officer of the Judiciary.

B. The Judiciary shall provide for the election of, from its voting membership, an Associate Chief Justice of the Judiciary, herein denoted the Associate Chief Justice, who shall serve as the chief clerk of the Judiciary.

C. If a vacancy shall occur in the office of Chief Justice, the Associate Chief Justice shall become Chief Justice for the duration of the unfinished term.

Article X

The Steering Committee

Section 1 The Steering Committee shall serve as an intermediary body, consisting of GSG leadership, in order to promote and strategize a plan for, and the direction of, the GSG. The purpose of the Steering Committee is to ensure cooperation and coordination between the branches of the GSG Government, and ensure necessary functions of government are carried out. The task and charges of the committee shall follow the parameters set forth in the General Bylaws of the GSG.

Section 2 The President shall be the Chair of the Steering Committee, with the Speaker as the Vice Chair. The membership of the Steering Committee in its entirety is as follows:

A. President

B. Vice President

C. Treasurer

D. Chief Justice

E. Speaker

F. Two (2) Chairs of a GSG Standing Committee, as provided in the General Bylaws of the GSG, with appointment to the Steering Committee via a majority vote of the Senate.

Article XI

Referenda

Section 1 There shall be two primary types of referenda:

A. Action - An Action Referendum, if approved, shall become an Act of the GSG, shall not be subject to presidential veto, and when such an action is intended as a formal recommendation from the GSG, as a governance body, it shall be submitted in accordance with the procedures prescribed in Trustee Document T73-098, as amended.

B. Advisory - An Advisory Referendum shall only be a measure of public sentiment.

Section 2 All referenda shall be clearly labeled and understood by the GSG membership to be either an Action or Advisory Referendum.

Section 3 Referenda shall be initiated by any one of the following:

A. The Senate

B. The GSG President

C. The signatures, on a petition, of not less than five percent (5%) of the GSG membership.

Section 4 No referenda shall be considered valid unless approved by no less than five percent (5%) of the GSG membership.

Article XII

Amendments to the General Bylaws of the GSG

Section 1 The General Bylaws of the GSG may be amended in accordance with the General Bylaws of the GSG and by a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting.

Article XIII

Amendments to the Constitution of the GSG

Section 1 An amendment to this Constitution shall be passed upon a two-thirds (2/3) vote of the Senate membership in attendance at a Regular or Special meeting of the GSG, provided that the proposed change shall have been presented at a previous Regular or Special Meeting of the GSG, and with a majority vote of the GSG membership voting on the amendment through an Action Referendum.

Section 2 Amendments to this Constitution shall be effective only after approval by the Board of Trustees.

Section 3 If the amendment process of this Constitution shall have been invoked, then, following an amendment's passage in the Senate, the amendment shall appear as an

Action Referendum before the GSG membership, no more than thirty (30) calendar days from the calendar date of the amendment's passage in the Senate.

Article XIV
Ratification

Section 1 This Constitution shall be ratified upon a two-thirds (2/3) vote of the Senate membership in attendance at a scheduled meeting, a majority vote of the voting GSG membership on an Action Referendum, and the approval of the Board of Trustees.