

**THE CONSTITUTION**  
of the  
**COLLEGE ASSEMBLY**  
at the  
**COLLEGE OF WILLIAM AND MARY IN VIRGINIA**

**PREAMBLE**

We, the Students of the College of William and Mary in Virginia; In order to create a more effective student government, represent the students to the administration, faculty and staff of the College, and promote the views, further the welfare, and execute the will of the students, do hereby establish this Constitution of the College Assembly.

**ARTICLE I: LEGISLATIVE**

**Section I: Creation of the Senate**

I. All legislative powers herein granted shall be vested in a Senate of the College Assembly.

II. The Senate shall be composed of members chosen in election every year by the students of the College. There shall be eighteen Senators from the Undergraduate classes, chosen five from each Class by the members of that Class. There shall be eight Senators from the Graduate Schools, apportioned among and sent by the Schools as the Graduate Council shall designate, provided every School is represented by at least one Senator.

III. In such case as there is a vacancy in the Senate, there shall be a Special Election to fill the vacancy.

**Section II: Requirements of the Senate**

I. The Vice President of the College Assembly shall be the Presiding Officer of the Senate, but shall have no vote on any matter unless they be equally divided. The Vice President shall have no vote in the decision of the Agenda of the Senate. The Agenda of the Senate shall be decided by the President Pro-Tempore, or other Officer of the Senate or process as that Body shall provide. Communications from the Executive and the Judicial shall be given to the President Pro-Tempore

II. The Senate shall choose their other Officers, and also a President Pro-Tempore, who shall exercise the duties of Presiding Officer of the Senate in the absence of the Vice President, or when the Vice President occupies the Office of President of the College Assembly. The Vice President shall attend all meetings of the Senate unless he is, for reason existing in this Constitution, unable to do so or is excused from attendance at a specific meeting by a vote of two of every three members of the Senate.

III. The quorum of the Senate shall be two out of every three Senators currently holding Office. No votes on questions of substance may be made in the absence of quorum. The Senate may develop a policy of attendance, which, after being approved by two of every three Senators, a violation of may be considered cause for Impeachment.

IV. The Senate shall meet once every seven days during the regular academic year, excepting those times when the College is not in session. They shall hold their first meeting of the academic year before September fourteen. All meetings of the Senate shall be open and public, allow for press and recordings, and give reasonable time for students to express their views if they so request. The Senate may enter Closed Session only on matters of personal proceedings upon a vote of a majority of the Senate. The role call of the vote to enter closed session shall be recorded. The Senate may not make any votes on substantive questions in Closed Session.

V. The Senate shall have the following Standing Committees: Finance and Budget, College Policies and Procedures, Student Activities and Organizations, and Constitutional and Electoral Review. The Senate may create other standing committees as it sees fit.

VI. The Laws of the College Assembly are to be maintained in an organized system of Titles of Code and made publicly available.

### **Section III: Legislative Process**

I. The concurrence of a majority of the Senate shall be required to pass a Bill.

II Every Bill, Order, Resolution or Vote which shall have passed the Senate, shall, before it becomes a Law, be presented to the President of the College Assembly within seven academic days; If he approves he shall sign it and it shall become Law, but if not, he shall return it, with his objections to the Senate within seven academic days, who shall proceed to reconsider it. If after such reconsideration three-fourths of the Senate shall agree to pass the Bill, it shall become a Law.

III. The Senate may pass non-binding Resolutions, which express the sense and opinion of the Senate only, without the requirement for Presidential approval.

### **Section IV: Powers of the Senate**

I. The Senate shall have the power: To provide for the Budget of the College Assembly and disbursement of monies from the Treasury of the College Assembly and of fees allocated for student activities;

II. To express the need for the creation and conduct of events, in conjunction with the Undergraduate and Graduate Councils, for the students of the College;

III. To provide for the creation of Executive Agencies, Offices, and Departments to carry out the Laws;

IV. To require, without their consent or that of the President, the testimony and records of the Secretaries, Deputies, Officers and other staff members and assistants of the Executive before their body, excluding the members of the Executive Office of the President;

V. To express the will of the students of the College on matters concerning the College, its policies, practices, events, agents, administrators, bodies, decisions and all such other topics, issues and concerns;

VI. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers herein granted by this Constitution to the Senate.

VII. None of the above powers, unless specifically excepted, to make and pass Law shall be considered free from the normal process of legislation.

VIII: No money may be dispensed from the Treasury of the College Assembly without the consent of the Senate or as provided for in a Budget passed by normal process of legislation.

### **Section V: Creation of the Class and School Officers**

I. Each Undergraduate Class shall elect a President, Vice President, Treasurer, and Secretary. These Class Officers, when in meeting, shall be known as the Undergraduate Council. The Undergraduate council may create and conduct events and projects for the Undergraduate Classes. The Vice President of the College Assembly shall be a non-voting member of the Undergraduate Council and is required to attend the meetings of the Council. The delegation to the Senate from each Undergraduate Class shall elect a member of their group to attend the meetings of the Undergraduate Council, but they shall have no vote in the business of the Council and shall not be considered Class Officers.

II. Each Graduate School shall elect a President, Vice President, Secretary, Treasurer and other such representatives and council members as they see fit. These School Officers, when in meeting, shall be known as the Graduate Council. This council shall have legislative authority only on matters that are internal to the Graduate Schools. Legislation from the Graduate Council may be superceded by the Senate.

III. The Councils may pass resolutions, free from the consent of the President, that express the opinion of their members. The Councils may require the presence of the President of the College Assembly at their meetings as they request.

IV. In such case as there is a vacancy in the a Class or School Office, there shall be a Special Election to fill the vacancy.

## **ARTICLE II: EXECUTIVE**

### **Section I: Creation of the Presidency and Vice-Presidency**

I. The executive power shall be vested in a President of the College Assembly.

II. In such case as the Presidency shall be vacant, the Vice President shall assume the Office of President of the College Assembly. If the Vice President shall be ineligible or unable to assume the Office, the President pro tempore of the Senate shall assume the Office. The Senate may provide for a further order of succession by legislation.

III. In such cases as the Vice Presidency shall be vacant, either by succession or other reason, the President shall, with the consent of three of every four members of the Senate, appoint a new Vice President within fourteen academic days.

IV: In such cases as the President is unable to carry out the duties of the Office, he may temporarily yield his authority to the Vice President, who shall exercise that Office and his own Office until such time as the President declares himself able to carry out his duties. In such extreme cases as the President is unable to yield his own authority, the Vice President may, in conjunction with the President of the College of William and Mary, temporarily transfer the powers of the President to himself until such time as the President declares himself able to carry out the Duties of the Office.

## **Section II: Requirements of the President**

I. The President must faithfully execute the Laws of the College Assembly and enforce the decisions of the Review Board;

II. He shall, once a semester, address the Senate on the State of the College, and recommend for their consideration such measures as he shall judge necessary.

III. He shall conduct regular and scheduled meetings of a Cabinet, including the Secretaries of the Executive Departments, and any other advisors and members of the executive as he shall deem necessary.

IV. He shall prepare and present to the Senate for their approval, the Budget of the College Assembly before the seventh day of February.

V. The regulations promulgated by the President and the Agencies, Departments and Offices of the Executive are to be maintained in an organized system of Titles of Regulation and made publicly available.

VI. Regulations by the Agencies, Departments and Offices of the Executive are superceded by Senate Law and must be in accordance with such Law.

VI. He shall represent the Students at such Ceremonial Events as the Office shall require.

VII. He must attend all meetings of the Board of Visitors which he is allowed by the laws of Virginia.

## **Section III: Powers of the President**

I. The President shall have the power; To manage, by Executive Order, the Executive Departments, Agencies and Offices, which shall research and address issues of importance to the College, supply information to the Senate, see to the faithful execution of Presidential goals and policies, and aid in the administration, planning and implementation of College Assembly services and projects;

II. To, through the Agencies, Offices and Departments, and as Directed by the Senate, promulgate, enforce and adjudicate regulations on the matters empowered to those Agencies, Offices and Departments.

III. To appoint, with the advice and consent of Senate, the Secretaries of the Executive Departments and principle officers of Agencies and Offices, who may appoint the necessary assistants and deputy officers to assist in the execution of their duties.

IV. To dismiss the Secretaries and principle officers of the Executive Departments, Agencies and Offices;

V. To appoint and dismiss the deputy officers and members of the Executive Departments, Agencies and Offices;

VI. To appoint and dismiss members of an Executive Office of the President which shall consist of Assistants, Advisors, Managers and Directors as he shall determine necessary;

VII. To recommend students to sit on the College advisory committees;

VIII. To call the Senate into Special Session for the consideration of important matters.

IX. The President of the College Assembly shall have all other powers as shall be necessary and proper for the execution of his duties as Chief Executive.

### **ARTICLE III: JUDICIAL**

#### **Section I: Creation of the Review Board**

I. The judicial powers of the College Assembly shall be vested in a single Review Board. The Review Board shall be composed of six Board Members and one Chairman. The Board shall meet only when a case has been brought for review.

II. The President shall appoint the Chief Justice and Associate Justices to the Review Board with the consent of the Senate. He must make all such appointments before the second Tuesday of September following his inauguration. If a vacancy shall occur, he must make such appointment within fourteen academic days. Board Members shall serve for a period of two years. No Board Member shall be appointed and confirmed by the Senate unless he shall have two academic years remaining in his expected tenure at the College.

#### **Section II: Jurisdiction of the Board**

I. The judicial power shall extend to all cases and controversies, in law and equity, arising under this Constitution, the Laws of the College Assembly, the Acts of the Bodies of the College Assembly, Regulations of the Agencies, Departments and Offices of the Assembly, and to adjudicate disagreements between the Bodies of the College Assembly. The Board is the sole body of Constitutional interpretation.

II. The jurisdiction of the Board shall not be construed to extend to the Honor or Judicial Councils.

III. The Review Board shall have the power of Judicial Review: To declare the Acts of the Legislative and Executive unconstitutional and reverse said Acts. The Board may provide advisory opinions at the request of the President.

IV. Deliberations of the Board may take place in private, however the Board must make a written and public opinion on the decision of the case.

## **ARTICLE IV: NON-SPECIFIC REQUIREMENTS**

### **Section I: Authority and Supremacy**

I. The Constitution of the College Assembly shall be the supreme law of the Assembly and those under its jurisdiction.

II. The authority of the College Assembly is derived from the Students of the College of William and Mary in Virginia and the delegation of authority by the President of the College. No Act of the College Assembly shall be in contravention to, nor be construed to supercede, the President of the College, the Board of Visitors, local, state or federal law.

III. The College Assembly shall have the sole authority to speak on behalf of the Students of the College.

IV. The use of masculine pronouns in this Constitution shall not be construed to prevent the equal participation of, discourage the involvement of, or otherwise disparage or insult members of either gender. The masculine pronoun may be construed to mean its corresponding gender opposite.

### **Section II: Journals, Records, Bylaws and Carryover**

I. All bodies and councils of the College Assembly must transmit to the other bodies their Acts.

II. All bodies of the College Assembly must keep regular journals and records in a physical archive which shall be open and publicly available to all students. All Acts of all bodies are to be recorded and saved in archive. Archive information must be kept for a period of at least five years.

III. All bodies of the College Assembly shall maintain By-Laws.

IV. The Laws of the College Assembly shall carry over and remain valid across academic years.

### **Section III: Exclusionary Rule**

I. No member of one Branch may be a member, elected or otherwise, of any other branch.

II. When not acting in accordance to a Law or Act, passed and executed with due process by the College Assembly, any Officer, Secretary of Department, Deputy, Assistant, other member of the Executive, Senator, or member of the Review Board may only invoke the name of their Office, Board, or House rather than that of the College Assembly.

## **ARTICLE V: ELECTIONS**

### **Section I: College Elections Commission**

I. There shall be an Executive Agency known as the College Elections Commission. The Commission shall be charged with the fair and proper execution of elections in accordance with this Constitution and at the direction of the Senate.

II. The Commission shall consist of one Chairman and six members, who shall be appointed to their position with the consent of the Senate. The President must make such appointment within two weeks after inauguration. No member appointed and confirmed may have a public interest in the outcome of an election.

III. The Commission shall, at the direction of the Senate, promulgate regulations for elections. It shall have the power to adjudicate infractions of these regulations as an Agency of the Cabinet.

IV. Every student enrolled at the College may cast one secret ballot in each race for which he is eligible to vote.

### **Section II: Candidacy**

I. Any full-time, degree-seeking student at the College may run for no more than one office. No student who is on Judicial or Honor Probation may seek election without the consent of the Elections Commission. Nor may anyone seek office with the knowledge that he will not be enrolled as a full-time student at the College during all or part of his expected tenure.

II. No student may seek to represent a constituency of which he or she is not a part.

### **Section III: Election Dates**

I. General Elections shall be conducted on the second Thursday after Spring Break, or such date as the Senate shall determine by a three-fourths vote taken prior to Thanksgiving Break, provided their determination shall fall after March first and before April first.

II. Freshman Elections shall be held on the second Thursday in September unless the Senate makes special exception by a vote of three of every four Senators then holding office.

III. Graduate School Senators shall be selected no earlier than March first and no later than the last Tuesday of the following September.

IV. If an elected Office, other than that of the President or Vice President of the College Assembly, or senior class officer, is vacant less than six weeks before an election for that position would normally occur, the Elections Commission may decide not to hold a special election. In such case, the President may appoint members of the Senate with their consent and that of the Officers of the Class or School. A Vacancy in one of the Councils shall be filled by appointment by the members of that Council, with the consent of the Senate.

In cases as such a vacancy occurs with more than six weeks before an election for that position would normally occur, other than the President or Vice President of the College Assembly or a senior Class Officer, the Elections Commission must hold a Special Election within twenty-one days.

### **Section IV: Election Method**

Elections, with the exception of Senate offices, shall be decided by the instant run-off system. Senate offices shall be decided on a plurality system, with top vote-getting candidates being elected to the available seats. Only one person may hold each office. A person may only hold one office.

### **Section V: Senatorial Elections**

I. Senators and Class Officers, excluding freshman Senators and Officers, shall be elected in the General Election and shall take office on the first meeting of the Senate following their Election.

II. Freshman Senators and Officers shall be elected during Freshman Elections and shall take office on the date of the first meeting of the Senate following their Election.

### **Section VI: Presidential Elections**

I. The President and Vice President of the College Assembly shall be elected by the students of the College during the General Election. They shall hold their offices for a term of one year, beginning on the first Tuesday of April following his Election.

II. Before taking office, the President-elect shall take the following oath or affirmation: "I do solemnly swear (of affirm) that I will faithfully execute the office of President of the College Assembly, and that I will, to the best of my ability, preserve, protect, and defend the Constitution of the College Assembly." The President shall be bound to this oath or affirmation.

III. The President and Vice President of the College Assembly shall be elected together on a candidate ticket. The candidate ticket may not change less than seven days before the election.

## **ARTICLE VI: CENSURE, IMPEACHMENT AND REMOVAL**

### **Section I: Offenses**

All elected Officers and members of the Review Board of the College Assembly may be brought to trial for impeachment for serious neglect of the duties of their Office. Elected Officers of the Assembly who have been convicted of an Honor Code violation of substantial importance or a College Judicial Code violation of substantial importance must be considered for removal. Any Official on Trial of Impeachment or under consideration for Censure shall be given appropriate time to address the Senate on the question. Meetings on questions of Impeachment and Removal must be open and the roll of all votes of substance must be taken.

### **Section II: Impeachment and Removal**

The Senate shall have the sole power of impeachment. When sitting on matters of Impeachment, the Chairman of the Review Board shall preside unless he is on trial. A simple majority is required to pass a Bill of Impeachment. A separate vote, in which three of every four Senators is required in the affirmative, shall then remove the Official on Trial from their Office.

**Section III: Censure**

The Senate may, by simple majority, pass a Bill of Censure on the President or Vice President of the College Assembly, or Secretary of an Executive Department.

**ARTICLE VII: AMENDMENT AND RATIFICATION**

**Section I: Amendment**

I. The Senate, whenever three of every four Senators shall concur, may pass a Bill of Amendment.

II. A Petition of Amendment, signed by fifteen percent of the student body, when presented to the Senate, may be passed as a Bill of Amendment with the consent of two of every three Senators.

III. A Bill of Amendment shall stand for thirty academic days, during which time either the Undergraduate or Graduate Councils may veto the Bill by majority vote. If they fail to do so, or if they vote to support the Bill by majority vote, then it shall become an Amendment to the Constitution.

**Section II: Ratification**

I. This Constitution shall be considered ratified when: Two out of every three Senators of the existing Student Assembly shall consent to it, and neither the Undergraduate Council or the Graduate Council shall give their objection by majority vote within thirty days of the Senate's consent; or, when all of the Senators of the existing Student Assembly shall vote to ratify it.

II. Once ratified, this Constitution shall take effect upon inauguration of the President of the Student Assembly elected in the next General Election. Election to positions not existent in the Student Assembly shall be provided for in said General Election. Those elected to positions in said General Election shall hold the corresponding position in the new College Assembly.

III. When this Constitution takes effect, the Student Assembly will be immediately dissolved, and the College Assembly shall come into existence.