

# The Constitution of the Graduate and Professional Student Association of the University of New Mexico



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## **PREAMBLE**

We, the graduate and professional students of the University of New Mexico hereby establish the Graduate and Professional Student Association, in order to acknowledge and secure the right to pursue continuing education in a diverse community and to ensure fair and just access to resources provided by public institutions or available in the commons. As students with valuable experiences and unique pursuits, as well as common interests and concerns, we are united in our concern for the quality of our academic environment and recognize and affirm our right to organize for the purposes of protecting student welfare and expression. The establishment of this association provides for greater cooperation and influence to preserve and protect the rights of the students at this university including but not limited to the right to freely express ideas and thoughts, the right to have equitable access to a high quality education, and the right to participate in the processes and institutions that will ensure this education remains worthy and acceptable, and to advance the interests of the graduate and professional student community.

## **ARTICLE I. ORGANIZATION**

### **Section 1. Name**

The name of the organization is the Graduate and Professional Student Association of the University of New Mexico, hereafter referred to as GPSA.

### **Section 2. Objective**

To represent and serve graduate and professional students by promoting their rights and interests as students within the University community through advocacy, education, and financial support.

### **Section 3. Membership**

- A. Any graduate or professional student enrolled in a degree granting department or school at The University of New Mexico (the University) and who has paid the GPSA fee for that semester, as approved by the University of New Mexico Board of Regents (Board of Regents).
- B. A student may voluntarily resign their membership, but is not exempt from obligation to pay GPSA fees.

### **Section 4. Regent Control**

This Constitution, including all Constitutional amendments, shall be subject to modification by and under the control of the Board of Regents.

## **ARTICLE II. EXECUTIVE BRANCH**

The Executive Branch is composed of the President, Chief of Staff, Executive Committees, presidential appointees, and staff.

### **Section 1. President**

The President is head of the Executive Branch. Any GPSA member is eligible to run for the position.

#### A. Duties, Powers, and Responsibilities

1. Serve as the official representative of GPSA to the Board of Regents and the public.
2. Serve as Chairperson of the Student Fee Review Board in accordance with its governing documents.
3. Have a working knowledge of the GPSA Constitution, Bylaws, policies, and the duties of positions within GPSA.
4. Shall have the authority to approve or veto all GPSA legislation, excluding resolutions. The President shall have the authority to sign on to joint resolutions with the legislative branch.
5. Oversee the finances of the Executive Branch, including the executive budget.
6. Coordinate with Executive Committee Chairs and executive staff to prepare and submit a budget for the Executive Branch to the Council in accordance with budget procedures.
7. Supervise the administration of the GPSA Office.
8. Chair and coordinate the Executive Board.
9. Appoint Executive Standing Committee chairs, with approval from Council, and appoint representatives to joint Student-Faculty Senate and University committees.
10. Ensure delivery of executive committee reports at least once per semester to Council.
11. Produce a public annual GPSA report that shall be available to any GPSA member upon request.
12. Other duties as defined by the GPSA Constitution and Bylaws.

#### B. Term of Office

1. The term is one year, beginning at noon of the last day of the spring semester and ending at noon of the last day of the following spring semester.
2. An individual may serve a maximum of two terms as GPSA President.

#### C. Payment

1. The President shall receive financial payment for their services. Such payment shall be set by Council in accordance with University policy. Changes to payment shall take effect at the start of the next Presidential term.

#### D. Removal

##### 1. Removal by Council

###### a. Impeachment

The President may be impeached for willful neglect of office, gross misconduct, or malfeasance by a majority vote of Council Representatives at a regular Council meeting.

###### b. Removal

- i. Removal of the President requires a two-thirds (2/3) vote of Council Representatives at a special meeting called by the Council Chair no less than five (5) academic days and no more than ten (10) academic days from the date of impeachment.

- ii. Upon removal by Council, the Elections Committee will initiate a recall election by the GPSA membership.
- 2. The President shall be relinquished of all powers and privileges immediately upon a vote of removal.
- 3. The Council Chair shall serve as Interim President until a special election can be scheduled within twenty (20) academic days following the removal of the President.

**Section 2. Chief of Staff**

The Chief of Staff works directly with the President, Executive Board, Staff, and other branches of GPSA. Any GPSA member is eligible to apply for the position.

A. Duties, Powers, and Responsibilities

- 1. Serve as an alternate representative for the President on official business to the administration, Board of Regents, and the public.
- 2. Have a working knowledge of the GPSA Constitution, Bylaws, policies, and the duties of positions within GPSA.
- 3. Shall have the authority to sign on behalf of the GPSA President for official business, at the President’s behest.
- 4. Other duties as defined by the GPSA Constitution and Bylaws.

B. Term of Office

- 1. The term is one year coinciding with the President’s term of office, beginning upon appointment by the President and ending at noon of the last day of the following spring semester.

C. Payment

- 1. The Chief of Staff shall receive financial payment for their services. Such payment shall be set by Council in accordance with University policy. The payment shall neither be increased nor diminished during the duration of their term.

D. Removal

- 1. The Chief of Staff may only be removed by the President.
- 2. In the case of removal of the President, the Chief of Staff shall only remain if re-appointed by Presidential replacement.

**Section 3. Executive Committees**

Executive Committees shall be established for the purposes of effective governance and will report directly to the GPSA President. All committee members must be members of GPSA. All Executive Committee Chairs will be appointed by the President.

A. Executive Standing Committees

- 1. For all Executive Standing Committees, quorum shall be established if more than half of the voting members are physically present.
- 2. Grants Committee
  - a. Shall allocate funds from all GPSA grants and scholarships.
- 3. Elections Committee
  - a. Shall administer GPSA elections according to the GPSA Bylaws.

- b. Shall conduct themselves in a manner that promotes public confidence in the integrity and impartiality of the election process and will not publicly support or campaign for any candidate.
        - c. Shall distribute a written public report after every election.
  - 4. Lobby Committee
    - a. Coordinate long term research and study of legislative issues as directed by the President.
    - b. Produce the annual proposed legislative platform.
    - c. Recommend to the President the appointment of student lobbyists during the annual New Mexico Legislative Session.
  - 5. Programs Committee
    - a. Implement programs that serve and facilitate interaction between graduate and professional students and the University.
    - b. Foster positive relationships with the University and with the local community through service programs.
  - 6. Student Support and Advocacy Committee
    - a. Assist and advocate for students requesting the support of GPSA.
    - b. Act as a GPSA liaison for students and respond to student inquiries about GPSA.
    - c. Conduct on-campus outreach and education about services and resources available through GPSA and the University. Collaborate with graduate and professional student organizations.
- B. Executive Standing Committee Chairs
1. Duties, Power, Responsibilities
    - a. Assemble and administer committees according to the GPSA Constitution and Bylaws.
    - b. Monitor committee budget and prepare annual budget request.
    - c. Provide annual written public report to the President to be included in annual GPSA report.
  2. Term
 

Term of office is from the date of appointment until noon on the last day of the academic year or when letter of resignation is submitted to the President.
  3. Payment
 

The Chairs shall receive financial payment for their services.
  4. Removal
 

The President can remove a committee chair at any time, but the president must appoint a replacement within twenty (20) academic days of the date of removal.
- C. Executive Ad Hoc Committees
1. May be created by the President as deemed necessary.
  2. All Executive Ad Hoc Committees shall be dissolved at the end of the term of office of the president who created them.

D. Other Committees

1. May include, but is not limited to, Joint Student-Faculty, University Committees, and other policy making bodies.
2. Representatives, as appointed by the President, shall maintain communication with the Executive Board of GPSA.
3. Appointed representatives shall attend meetings of their respective committees.
4. Committee representatives shall submit an annual written report to the President to be included in annual GPSA report.

**Section 4. Executive Board**

An Executive Board consisting of the President, Chief of Staff, Council Chair, and the Chairs of the Executive Standing Committees and Joint Standing Committees shall be established for the purposes of effective governance by the Executive Branch.

**ARTICLE III. LEGISLATIVE BRANCH**

The Legislative Branch is composed of the Council Chair, Council, Legislative Committees, and staff.

**Section 1. Council**

All legislative powers in GPSA shall be vested in a Council.

A. Composition

1. The Council shall consist of GPSA Representatives selected through each Recognized Departmental Student Association (RDSA).
2. Each graduate and professional RDSA will be entitled to a minimum of one (1) Representative. Each RDSA representing a degree-granting department or school with more than one hundred (100) graduate or professional students are entitled to one (1) additional Representative for each one hundred (100) or part of one hundred (1-99) graduate and professional students enrolled in the department.

B. Council Meetings: Council shall meet on a regular basis during the academic year in accordance with the bylaws.

C. Duties, Powers, and Responsibilities

1. The Council shall make all laws that it deems appropriate and necessary for GPSA.
2. The Council shall have the authority to override a presidential veto with a two-thirds (2/3) vote at a meeting.
3. The Council shall consider budgetary recommendations and vote on the GPSA budget.
4. Other duties including, but not limited to, the appropriation of the General Fund and endowments, approval of GPSA resolutions, impeachment of specified GPSA officials.

**Section 2. Representatives**

Representatives must be members of GPSA that are selected at will by the RDSA in the department or school in which they are enrolled.

A. Duties, Powers, and Responsibilities

1. Attend and participate in Council meetings.
2. Represent respective constituents' concerns and interests to the Council.
3. Regularly communicate Council business and decisions with constituents.
4. Representatives are eligible to participate in designated Committees.
5. All representatives must have the proper credentials on file with the Council Chair.

B. Term

Representatives serve at the discretion of their respective RDSAs.

**Section 3. Council Chair**

The Council Chair must be a member of GPSA and shall be elected by Council at the regular April Council meeting in accordance with the GPSA Constitution and Bylaws.

A. Duties, Powers, and Responsibilities

1. The Chair shall:
  - a. Call and preside over Council meetings.
  - b. Serve as the official representative of the Council to the public.
  - c. Serve as an ex officio member on the Executive Board, and Legislative Committees.
  - d. Administer and oversee the Council budget.
  - e. Other duties as defined by the GPSA Constitution and Bylaws.
2. The Chair shall not vote in Council, except in the case of a tie.

B. Term

1. The term is one year, beginning at noon of the last day of the spring semester and ending at noon of the last day of the following spring semester.
2. An individual may serve a maximum of two (2) terms as the Council Chair.

C. Payment

1. The Council Chair shall receive financial payment for their services. Such payment shall be set by Council in accordance with University policy. The payment shall neither be increased nor diminished during the duration of their term.

D. Removal

1. The Council Chair may be impeached for willful neglect of office, gross misconduct, or malfeasance by a majority vote of Council Representatives at a regular Council meeting.
2. Upon an affirmative vote of impeachment, Council shall consider a vote of removal to be held at a special meeting within eleven (11) academic days. The Council Chair shall be relinquished of all powers and privileges immediately upon a two-thirds (2/3) vote of removal by Council.
3. The Legislative Steering Committee Chair shall serve as interim Council Chair until an election by Council can be scheduled within twenty (20) academic days following removal.

**Section 2. Section 4. Legislative Committees**

Legislative Committees shall consist of Council Representatives.

A. Composition

1. The Council Chair shall appoint all chairs and members of the Legislative Committees and shall submit these appointments for approval by Council.
2. Council Representatives may recommend nominations for committee positions for Council consideration.
3. Shall be composed of a minimum of five (5) and not more than twelve (12) Representatives representing a minimum of three (3) RDSAs.

B. Legislative Standing Committees

1. Steering Committee shall make recommendations regarding legislations sent to the Council.

C. Legislative Standing Committee Chairs

1. Duties, Power, and Responsibilities
  - a. Chairs shall administer committees according to the GPSA Constitution and Bylaws.
  - b. The Steering Committee Chair shall oversee the committee and will have no vote except in the event of a tie.
2. Payment  
Legislative Standing Committee Chairs shall receive financial payment for their services.
3. Removal  
The Council Chair can remove a committee chair in accordance with the GPSA Constitution and Bylaws, but shall present a replacement to Council at the next regular meeting.

D. Legislative Ad Hoc Committees

1. May be created by the Council Chair with a majority vote of approval from Council or created by Council with a two-thirds (2/3) majority vote.
2. All Legislative Ad Hoc Committees shall be dissolved by the end of the session.

## **ARTICLE IV. JUDICIAL BRANCH**

The Judicial Branch is composed of the GPSA Court of Review.

### **Section 1. Court of Review**

A. Jurisdiction

The Court of Review shall have jurisdiction over disputes arising under the GPSA Constitution and Bylaws. The Court may also have appellate jurisdiction as defined in the GPSA Bylaws.

B. Composition

1. The Court shall consist of a minimum of three (3) Justices, of which no more than two shall be appointed from the same department or school.
2. There shall be one Chief Justice and no less than two (2) Associate Justices.

C. Duties, Powers, and Responsibilities



1. The Court of Review shall hear and have jurisdiction over complaints brought forth by a GPSA member regarding:
  - a. Matters arising under the GPSA Constitution and Bylaws
  - b. Acts of the President, Council Chair, GPSA staff, or other GPSA official when acting under the authority of GPSA.
2. Members of the Court of Review shall not serve in any other position within GPSA.

## **Section 2. Justices**

### **A. Term of Office**

1. The term of office for the Chief Justice shall be one year. The term shall begin after appointment and upon confirmation of the Council, and shall terminate on the last day of the Spring semester
2. The term of office for the Associate Justices shall be for one year. The term shall begin after appointment and upon confirmation of the Council and shall terminate on the last day of the spring semester.
3. The President and Council Representatives shall have the authority to recommend Justices. All recommendations must be considered.
4. All Justices must be approved by the Council.
5. No Justice shall serve more than two terms.

### **D. Payment**

The Chief Justice and Associate Justices shall receive financial payment for their services.

### **E. Removal**

1. Justices may be impeached for willful neglect of office, gross misconduct, or malfeasance by a majority vote of Council Representatives at a regular Council meeting.
2. Removal of a Justice requires a two-thirds (2/3) vote of Council Representatives at a special meeting called by the Council Chair following vote of impeachment.

## **ARTICLE V. FINANCE**

### **Section 1. Fees**

Subject to authorization by the Board of Regents, a nonrefundable fee, henceforth referred to as the GPSA fee, shall be levied on all degree-seeking graduate and professional students. The University shall collect these fees and forward them immediately to the GPSA.

- A. The GPSA fee shall not exceed twenty-five dollars (\$25) per student per semester and any increase must be approved through a referendum and by the Board of Regents.
- B. Five percent (5%) of the total collected GPSA fees are taken by the University in the form of an accounting fee payable to the Student Government Accounting Office (SGAO). The remainder of the total is added to the General Fund.

- C. Purpose: Collected fees shall be allocated by the GPSA Council to fund the general GPSA government and to benefit chartered student organizations and graduate and professional students through GPSA Committees and Council.

## **Section 2. Oversight and Distribution**

- A. The Finance Committee (FC)
  - 1. The FC shall be established as a Joint Standing Committee.
  - 2. The FC shall make recommendations to Council on appropriations and compile and recommend the GPSA budget in accordance with the GPSA Constitution and Bylaws.
  - 3. The Finance Committee Chair and/or Vice Chair shall have all necessary authority to approve budget revisions. The FC shall prepare a monthly report of revisions to be included as a supporting document for the next Council Meeting
    - a. When Council is not in session, the President, Council Chair, and Grants Chair must jointly review and decide on budget revisions.
- B. SGAO acts as the agent of all GPSA financial transactions
- C. The GPSA financial records including, but not limited to, the GPSA budget and appropriations may be subject to a financial review as requested by a Council Representative, the President, the Council Chair, or through a complaint filed with the Court of Review.

## **Section 3: GPSA Budget**

- A. This budget shall be based upon the anticipated revenue for the upcoming fiscal year as determined by SGAO.
- B. All branches of the GPSA government must follow budget processes as defined by the GPSA Constitution, Bylaws, and applicable standing rules to be eligible for funding.
- C. A final budget must be approved no later than the April council meeting.
- D. Forty percent (40%) of the GPSA budget shall be reserved for the Pro-Rated Benefits Fund.
- E. No less than ten percent (10%) of the total GPSA budget shall be allocated to the Grants Committee as Student Research Grants and Professional Development Grants.
- F. No less than five percent (5%) of the GPSA budget shall be reserved for appropriations.
- G. Funds not appropriated through the budget process shall be placed in the General Fund.
- H. Council shall have the authority to determine the process of reversion of funds allocated through the budget.

## **Section 4. Financial Compliance**

- A. GPSA shall be in accordance with all necessary local, state, federal, and University requirements as determined by SGAO.
- B. Student organizations seeking funding from the GPSA budget must be in compliance with guidelines set by the FC.

C. Misuse of GPSA funds shall result in Council recourse, including Financial Enjoinment.

## **ARTICLE VI. ELECTIONS**

The Elections Committee shall administer annual GPSA elections and provide public notice of elections, in accordance with the Bylaws.

### **Section 1. General Election**

- A. A general election of the President shall occur in the spring semester of each academic year.
- B. The ballot shall include the opportunity to vote for GPSA President, and may include amendments, referenda, and any other items approved by Council.
- C. A plurality of votes shall decide all items presented on the ballot.
- D. All members of the GPSA are entitled to vote in general elections.

### **Section 2. Council Chair Election**

- A. An election of the Council Chair shall occur at the April Council meeting.
- B. The Council Chair is elected by a majority of votes of eligible representatives at the April meeting.

### **Section 3. Special Elections**

- A. Special elections may be held as called by the Council or the President, or by a referendum petition. If so called, it must occur within thirty (30) Academic Days.

## **ARTICLE VII. REFERENDA**

A referendum is a ballot initiative put to a popular vote of the GPSA membership.

- A. Referenda may be submitted by the President with majority approval of Council, or a petition signed by at least fifty (50) GPSA members. The Elections Committee will have the authority to verify the signatures on a referendum petition.
- B. In order to be placed on the general election ballot, referenda must be submitted to the Elections Committee no later than thirty (30) academic days prior to the general election.

## **ARTICLE VIII. AMENDMENTS**

Proceedings to introduce a Constitutional amendment may be initiated by any GPSA member.

### **Section 1. Amendments**

Requires a two-thirds (2/3) approval by Council Representatives present at a regular Council meeting, plurality approval by GPSA members voting in the General Election, and approval by the Board of Regents.

## **ARTICLE IX. DEFINITIONS**

These definitions shall apply throughout this document.

*Academic Day* – any day in which the University has regularly scheduled classes during the fall or spring semesters, unless specifically noted otherwise. This excludes weekends, holidays, and days which the University is closed.

*Academic Year* – starting the last day of the spring semester through the day preceding the last day of the subsequent spring semester.

*Ad Hoc Committee* – A temporary committee established for a specific purpose.

*Anticipated Revenue* – anticipated aggregate sum of GPSA fees to be collected in the following fiscal year as determined by SGAO.

*Audit* – evaluation of financial records.

*Ballot* – the list of candidates and issues to be voted on in an election.

*Board of Regents* – governor appointed board of community members and students who are responsible for the assets and programs of the University, establishment of goals and policies and guide the University and oversight of the functioning of the University.

*Budget Revisions* – a request to re-define funding previously allocated through the GPSA budget process or allocations. Budget revisions must be approved before GPSA funding may be spent on purposes other than originally approved or directed through Council.

*Bylaws* – active legislative supplement to the GPSA Constitution, composed of all codes which must not violate the Constitution but may further elaborate GPSA law.

*Chartered Student Organization* – any group which meets the chartering requirements of The University of New Mexico.

*Constituents* – GPSA members which a particular Council Representative represents.

*Constitution* – the instituting document of GPSA, and the organization's ultimate legislative authority.

*Complaint* – official grievance presented to the GPSA Court of Review that initiates action within the Court.

*Council* – the primary legislative body of GPSA.

*Credentials* – A form that verifies representative authority from a RDSA to serve as a Council Representative.

*Elections Code* – the GPSA Bylaws particularly concerning GPSA election law.

*Enrollment report* – a report distributed by the University indicating enrollment of graduate and professional students within degree granting departments and schools.

*Financial Enjoinment* – a legislative action issued that prohibits a student group from engaging in any financial activities with the use of GPSA funds.

*Financial Review* – disclosure of financial records and subject to a review process.

*General Election* – the annual election of the GPSA President, during which other ballot issues may be presented to the voting members.

*General Fund* – the fund in which all fees collected on behalf of GPSA are deposited as well as all monies which revert back to GPSA.

*GPSA fee* – a fee levied upon all degree-seeking graduate and professional students that is forwarded to GPSA.

*GPSA Member (Member)* – any graduate or professional student enrolled in a degree granting department or school at the University of New Mexico main campus and who has paid the GPSA fee for the current semester.

*Gross Misconduct* – an intentional act forbidden or unlawful performed with indifference to known or obvious harmful consequences.

*Impeachment* – presentation of formal charges against a GPSA official by Council.

*Joint Committee* – a committee established by both Executive and Legislative branches.

*Leave of absence* – an approved absence from duties of office as communicated in writing.

*Legislative Session* – the first day of the fall semester to the last day of the spring semester.

*Malfeasance* – Commission of a wrongful act which an official has no legal right to do, or any wrongful conduct which affects, interrupts, or interferes with the performance of official duty, or an act for which there is no authority or warrant of law.

*Majority* – more than fifty percent (50%).

*Neglect of Office* – Willful knowing, and intentional failure to attend to one's official duties.

*Plurality vote* – a vote in which candidate or issue is decided by receiving the greatest number of votes.

*Professional Development Grant (PDG)* – a grant to fund student travel relevant to the applicant’s field.

*Pro-Rated Benefits Fund (PB Funds)* – funds allocated based on student enrollment as requested by Recognized Departmental Student Associations.

*Quorum* – The minimum number of participants needed to conduct official business.

*Recognized Departmental Student Association (RDSA)* – the primary student association of each program, department, and school as recognized by GPSA.

*Referendum* – a legislative initiative put to popular vote in a general or special election (pl. Referenda).

*Semester* – the fall or spring academic term as determined by the academic calendar of the University.

*Special Election* – An election scheduled at other than the usual date, for a specific purpose.

*Standing Committee* – A permanent committee established to conduct the business of GPSA.

*Student Government Accounting Office (SGAO)* – a service department of UNM that processes all funds allocated by GPSA.

*Student Research Grant (SRG)* – a grant to fund expenses related to student research relevant to the applicant’s field.

*Term* – a term of office as stipulated, or part thereof.

*University (UNM)* – the University of New Mexico, not including branch campuses.