# BYLAWS OF THE NORTH DAKOTA STUDENT ASSOCIATION

## CHAPTER I: PARLIAMENTARY PROCEDURES

A. Parliamentary Authority: The most current edition of Robert's Rules of Order Newly Revised shall be the parliamentary authority on all NDSA matters not otherwise addressed by the Constitution and Bylaws.

B. General Exceptions to the Parliamentary Authority: The following general exceptions are to be made in reference to the parliamentary authority.

1. Roll Call Votes: All main motions are to be done via recorded roll call vote without exception unless such a main motion is accepted by the Assembly without any objections. Electronic systems are acceptable for taking roll call votes. All subsidiary motions, as defined by the parliamentary authority, may be resolved with a voice vote unless either division is called or a request for a roll call vote is called; a roll call vote will then be taken for any subsidiary motion when either request is made by any member of the NDSA Assembly.

2. Suspension of the Rules

    a. Specific sections of these Bylaws may be suspended through the suspension of the rules motion, and only those sections of the Bylaws may be suspended. If not specified, the vote required is a two-thirds majority.

    b. Suspension of the rules can still be used normally as intended by the parliamentary authority for matters regarding the parliamentary authority itself and NDSA policies outside of the Constitution and Bylaws unless otherwise noted within those policies.

    c. A motion may be made to request discussion on a suspension of the rules motion. This motion is not debatable and requires a two-thirds majority to pass. If it does pass, each speaker will only have 1 minute to speak and must remain strictly germane to the issue of suspending the rules.

## CHAPTER II: POLICIES

A. Formula for Determining the Number of Voting Delegates:

1. The maximum number of voting delegates that a delegation can bring to NDSA will be determined by the following formula: Each school shall receive four (4) voting representatives for the first one (1) to one thousand students (1000), third week end headcount numbers (TWE). Each school shall then receive one extra voting representative for every one thousand (1000) TWE headcount above one thousand (1000) using standard rounding. TWE headcount

shall be based on the fall third week end numbers as reported by the North Dakota University System (NDUS) office for graduate and undergraduate students.

B. Membership Policies: The following is an extension of the membership provision of the Constitution to provide definitions and policies relating to each category of membership.

1. Delegates from the NDUS Institutions: The student government associations (SGAs) from each NDUS institution may identify a delegation of voting and non-voting delegates to send to meetings of the NDSA Assembly.

    a. The SGAs may designate up to a certain maximum number of students to serve as voting delegates on the behalf of the student voice of their respective institutions as defined by the delegate formula.

    b. The SGAs may designate students to serve as non-voting delegates to represent those interests, and such non-voting delegates will be guaranteed the same speaking privileges as voting delegates.

    c. All chosen voting and non-voting delegates must be students of that institution, and they may represent only that institution at NDSA Assembly meetings.

2. Officers of NDSA : The officers of NDSA are considered members of the NDSA Assembly without needing to associate with a delegation.

3. Dual membership: It is possible for the Chief of Staff and Chief Administrator to also dually serve as delegates from their respective NDUS institutions if Chapter III or Chapter IV of the Bylaws allows for it for that particular role and if the SGAs of each institution chooses to recognize such officers as their delegates. Some of these officers may additionally be allowed to serve as voting delegates if allowed to do so by both the respective sections of the Bylaws and their respective SGAs.

C. Participation in NDSA Assembly Meetings:

1. Only recognized members of the NDSA Assembly may directly participate in meetings. Non-members of the NDSA Assembly may be afforded the right to speak on an issue during Public Comment or by being yielded time by a member.

D. Legislation:

1. Definition: Per the Constitution, legislation will be the official method used by the NDSA Assembly to issue its opinions. Furthermore, legislation will be used as the official method to communicate any proposed amendments to the Constitution and Bylaws as well as the addition, nullification, or changes of any other NDSA policies.
2. All legislation on the agenda of an NDSA Assembly meeting must be allowed an opportunity for consideration by the full NDSA Assembly provided it meets all notice requirements.

3. Any legislation may be reviewed by a standing committee, and the standing committee may issue a recommendation in accordance with the procedures stated in Chapter VIII of the Bylaws. However, all legislation on the NDSA Assembly agenda must still be allowed an opportunity for consideration regardless of the recommendation made by the standing committee.
4. Legislation requires a simple majority vote by the NDSA Assembly for adoption unless the legislation proposes any of the following:

    a. Amendments to the Constitution and Bylaws: Such legislation will be subject to the appropriate provisions in Article VIII of the Constitution and Chapter XIII of the Bylaws.

    b. Creating, nullifying, and amending other NDSA policies: Such legislation will be subject to Chapter XV of the Bylaws.

E. Head Delegates of Delegations

1. Each school's governing body must have a written policy defining how Head Delegates and voting Head Delegates are selected and removed.

2. It is the Head Delegate's responsibility to inform the voting delegates about NDSA.

3. It is the Head Delegate's responsibility to submit a roster of all voting delegates present as well as all students present from their institution.

4. It is the Head Delegate's responsibility to inform their student body about the actions of NDSA.

F. The Presiding Officer of the NDSA Assembly:

1. The President shall be the presiding officer when present unless one of the following situations occurs:

    a. The President yields control of the meeting to the Vice President of Finance and Operations (VPFO) or another individual. This may be appropriate in any of the following circumstances:

        1. To give the Vice President of Finance and Operations or another individual an opportunity to preside over a meeting of the NDSA Assembly.

        2. To recuse the President from conflicts of interest.

        3. To allow the President to attend to matters of personal interest.

2. If the President is still present at the meeting and another person is presiding over the meeting, the President may take control of the presiding officer duties again at will.

3. If the President is absent for an NDSA Meeting, the VPFO will be the presiding officer if present unless the President and VPFO jointly appoint another individual to serve as presiding officer. If the VPFO needs somebody else to assume the presiding officer duties in such a case, the VPFO can unilaterally appoint a replacement. If the VPFO is present while another individual is presiding over the NDSA Assembly meeting and while the President is absent, the VPFO may take control of the presiding officer duties again at will.

4. If both the President and Vice President of Finance and Operations are absent without appointing a presiding officer, the Head Delegates must caucus prior to the meeting and appoint a temporary presiding officer through a majority vote of the Head Delegates. If such a temporary presiding officer cannot preside over a part of a meeting, refer to the parliamentary authority on what to do in such a circumstance.

5. The presiding officer, regardless of who holds the role, must remain impartial on all matters, must present items of information in an impartial way to the NDSA Assembly, and must not take a particular stance in discussion on a topic.

6. The presiding officer, regardless of who holds the role, will be considered a non-voting member of the NDSA Assembly except to resolve tie votes. This will override any voting or non-voting rules that may have originally applied.

G. Regular Meetings of the NDSA Assembly:

1. A meeting will be considered a regular meeting if at least a month's notice of the location and date is given to the Head Delegates of all institutions.

    a. The date and host institution location of a regular meeting may be moved with less than a month's notice with the agreement of at least eight head delegates. Any Head Delegate or Officer may initiate this process.

    b. Should concerns of severe weather arise, a change in the host institution or postponement to a later date shall occur as soon as possible with a simple majority vote of the Executive Team with input from the Head Delegates.

2. The President of the NDSA Assembly may either negotiate hosting privileges with an institution's delegation or the President may directly host the meeting in conjunction with the NDSA Officers.

H. Special Meeting of the NDSA Assembly:

1. A meeting will be considered a special meeting if less than a month's notice is given to the Head Delegates of all institutions. At minimum, the notice requirement of one week must be met, as stated in Article II of the Constitution.

2. A special meeting may be called if at least eight head delegates agree to a date and location, which may be held online. Any individual may initiate this process by contacting an officer. Officers may also initiate this process.

3. The President of the NDSA Assembly may either negotiate hosting privileges with an institution's delegation or the President may directly host the meeting in conjunction with the NDSA Officers.

4. Quorum must be met to pass official business of the NDSA. Quorum, as defined in the Constitution, is at least one half plus one of the eligible voting members are present and at least seven institutions of the aforementioned voting members.

I. Preference for Hosting Meetings

1. Preference shall be given to centrally located schools for the January, February, and March meetings.

2. Preference shall be given to institutions that have not hosted a regular meeting within the previous two (2) academic years.

## CHAPTER III: ELECTED AND APPOINTED OFFICERS

A. Officers Elected by the NDSA Assembly: President, Vice President of Finance and Operations, Vice President of Governmental Affairs, Vice President of Communication, and Chief of Staff.

B. Officers Appointed by the NDSA President: Chief Administrator, Parliamentarian, and any student representation on state committees that are not listed in these Bylaws.

C. General Expectations of Elected and Appointed Officers:

1. Comply with the NDSA Constitution, its Bylaws, and applicable policies.

2. Respond to correspondence regarding the position held.

3. Shall have the power to assign directors to assist with duties as is deemed necessary.

   a. Directors may be removed through the same process as the Officer Removal Process outlined in Chapter XI of the NDSA bylaws

4. Be responsible for other duties pertinent to their position with the mutual agreement of the officer ad the President

D. To be eligible to run for an NDSA Officer position, an individual must meet the following qualifications:

1. Be currently enrolled in a minimum of one credit hour at one of the eleven public institutions within the North Dakota University System.

2. Have no history of committing any egregious or violent felonies.

3. Have no history of embezzlement, fraud, or dishonesty when handling financial matters.

4. Has not resigned from any previous NDSA officer position.

5. Has not been removed from a previous NDSA position by vote of the NDSA general assembly.

6. Must have attended a minimum of two complete NDSA general assembly meetings prior to being nominated.

7. If any of the qualifications listed above are not met, the individual can appeal their case to the general assembly and the qualifications can be waived by a 2/3 majority vote from the general assembly.

E. Policies Regarding Officers Dually Serving as Delegates: Every elected and appointed officer except the President and any Vice Presidents may serve as voting or non-voting delegates of their institution's delegation at the discretion of the SGAs of each institution. The President and any Vice Presidents may not serve as official delegates, voting or non-voting, of any institution given the importance of those roles in staying neutral to the needs of all delegates.

F. Limitations on the Number of Officer Roles Held:

1. Members of NDSA may only hold one officer role at any given one point with the following exceptions:

    a. Officers may be appointed by the President to serve as an interim officer for a vacancy in an elected office until the NDSA Assembly either elects a replacement or the term of office expires.

    b. Parliamentarian: Because of the unique skill sets required for the role, officers holding other positions may also be appointed to this position.

G. Specific Powers and Duties of Officers:

1. President:

    a. Shall serve as the Chief Executive Officer of NDSA as required by Article IV of the Constitution, which entails the following:

        1. The power to make executive decisions on NDSA's behalf, as well as the power to lead and manage the other elected and appointed officers of the Executive Board.

        2. The duty to utilize the aforementioned powers within the scope afforded by the policies of NDSA and any official decisions rendered by the NDSA Assembly.

    b. Shall serve as the Head Representative of NDSA as required by Article IV of the Constitution, which entails the following:

        1. The power to serve as the primary spokesperson for NDSA.

        2. The duty to actively and faithfully work towards ensuring NDSA and its members are well represented in the state of North Dakota.

        3. The power to delegate this authority as needed to other members of the NDSA Assembly if it is not feasible for the President to directly represent NDSA for an event or when NDSA may be better represented by a specific officer with expertise.

    c. Shall serve as the Administrative Head of the NDSA Assembly, which entails the following:

        1. Propose a list of meeting locations and times for the year.

        2. Make other logistical arrangements as needed.

    d. Shall have any additional privileges granted from the procedures of the Executive Board specified in these Bylaws.

    e. Shall hold the authority to recommend the creation of special committees to the NDSA Assembly for its approval.

    f. Shall have the ability to make interim appointments to vacated elected positions as prescribed in Chapter VI.

g. Shall hold the ability to delegate any of the powers and duties of this office to the Vice Presidents for certain tasks or events with the mutual agreement of both parties.

h. Shall have additional powers and duties granted by sections of these Bylaws as well as the additional policies of NDSA.

2. Vice President of Finance and Operations:

a. Shall serve as the Chief Financial Officer (CFO) of NDSA as specified in the financial procedures in these Bylaws as well as the additional policies of NDSA. Some of these duties may be delegated to another officer with the mutual consent of the President, the Vice President of Finance and Operations, and the officer in question.

b. Shall serve as Acting President if the President vacates office until either a new President is elected to finish the term or the term ends.

c. Shall be responsible for clarifying and interpreting the Constitution and Bylaws as deemed necessary. Decisions must be reported to the Internal Affairs Committee at the following regular NDSA Meeting.

d. Shall attend, or appoint a designee to attend, the NDUS Academic Affairs Council meetings as the student representative.

1. Shall gather feedback from the members of NDSA relating to academic affairs issues and author resolutions if necessary.

2. Shall conduct and/or direct the research efforts regarding academic affairs policies for NDSA under the supervision of the President.

e. Shall present the monetary balance of the NDSA Reserve Account to the General Assembly at the October meeting of each academic year.

f. Shall present the progress of the NDSA Strategic Plan and plans to continue working towards fulfilling the NDSA Strategic Plan at the October meeting of each academic year.

g. Shall serve as the IAC Chair.

h. Must present items of information in an impartial way to the Internal Affairs Committee but may not otherwise take a particular stance in discussion on a topic.

3. Vice President of Governmental Affairs:

a. Shall serve as the Chief Legislative Communications Officer (CLCO) of NDSA and entails the following:

    1. Coordinate with the President and other officers to ensure that the views of the student members of NDSA are well represented to the appropriate entities within the State of North Dakota.

    2. Establish outreach efforts to the delegations of NDSA in conjunction with the respective Head Delegates. These outreach efforts may include in person visits, documents sent to the Head Delegates describing the efforts of the NDSA Assembly and/or its standing committees, and any other form of outreach deemed valuable by the Head Delegates, the President, or NDSA as an entity. Shall work with institution's individual student governments in order to ensure participation and smooth transitions.

b. Shall ensure that all schools are represented fairly within the NDSA.

c. May represent the views of NDSA to the North Dakota Legislature.

d. Shall gather feedback from the members of NDSA relating to governmental relations issues and author resolutions if deemed necessary.

e. Shall maintain an active presence during the legislative session and must be in attendance during committee meetings and other legislative functions deemed critical by the President.

f. Must present items of information in an impartial way to the Student Legislative Affairs Committee but may not otherwise take a particular stance in discussion on a topic.

g. Shall serve as the SLAC Chair.

4. Vice President of Communication:

    a. Shall serve as the Chief Communications Officer (CCO) of NDSA and entails the following:

        1. Coordinate with the President and other officers to create a strategically sound plan to ensure that the views of the student members of NDSA are well represented to the appropriate entities within the State of North Dakota.

        2. Establish outreach efforts to the delegations of NDSA in conjunction with the respective Head Delegates. These outreach efforts may include

in person visits, documents sent to the Head Delegates describing the efforts of the NDSA Assembly and/or its standing committees, and any other form of outreach deemed valuable by the Head Delegates, the President, or NDSA as an entity.

3. Organize press events for the NDSA in order to promote its goals and objectives.

4. Communicate directly to the public, with an emphasis on directing information to the 45,000 student stakeholders.

b. Shall attend, or appoint a designee to attend, the NDUS Student Affairs Council meetings as the student representative.

c. Shall gather feedback from the members of NDSA relating to student affairs.

d. Shall conduct and/or direct the research efforts regarding information technology policies for NDSA under the supervision of the President.

e. Must present items of information in an impartial way to the Student Affairs Committee but may not otherwise take a particular stance in discussion on a topic.

f. Shall serve as SAC Chair.

5. Chief of Staff:

a. Shall advise the Head Delegates of each institution and coordinate and preside over Head Delegate meetings. Head Delegate meetings shall occur at least once per month during the academic year.

b. Make arrangements for regular meetings of the NDSA Assembly in conjunction with the hosting delegation if a delegation is hosting.

c. Shall assist the hosting Head Delegates in preparing for monthly meeting**s**.

d. Shall attend, or appoint a designee to attend, all NDUS councils not already managed by other officers.

e. Shall monitor and compile the information received from NDUS councils and distribute the information to the appropriate individuals.

f. Shall periodically check to ensure that NDUS council members are meeting their duties as specified in the policies of NDSA.

6. Chief Administrator:

    a. Shall be responsible for recording the minutes and roll call votes at NDSA Assembly meetings. All minutes and recorded roll call votes shall be archived in the NDSA Microsoft Office 365 SharePoint.

    b. Shall assist the President of the NDSA Assembly in facilitating the specific functions of the meetings themselves.

    c. Shall ensure that the NDSA Microsoft Office 365 SharePoint is usable and accessible by members of the General Assembly.

    d. Shall ensure that the NDSA website is up to date and running properly so as to clearly state the goals and policies of the NDSA to the public. This duty may be delegated to another officer with the mutual consent of the President, Chief Administrator, and the officer in question.

    e. Shall aid the President in finding talent to support the operations of the NDSA.

7. Parliamentarian

    a. Shall advise the other officers on the parliamentary procedures of NDSA.

    b. Shall be well-versed on the parliamentary procedures of NDSA

## Chapter IV: NDSA Officer Code of Conduct

A. Once an individual is elected to an NDSA Officer position, they shall uphold the following requirements:

1. The student shall not violate any part of their respective Code of Student Life outlined at their institution.

2. The student shall maintain a minimum of a 2.0 GPA on a 4.0 scale throughout the entirety of their term.

3. The individual shall not miss more than one meeting per academic year, with the exception of extenuating circumstances as determined by the President. The President's decision can be overruled by a simple majority of the remaining executive members.

4. If any of the qualifications listed above are not met, the individual can appeal their case to the general assembly and the qualifications can be waived by a 2/3 majority vote from the general assembly.

## CHAPTER V: EX-OFFICIO OFFICERS

A. Definition: The ex-officio officers of NDSA are any individuals holding roles whose final election or appointment is outside of NDSA's authority or are elected by the NDSA to represent the NDSA at a federal student government organization that NDSA still wishes to recognize as being an official part of the officer structure.

B. Membership: Ex-officio officers are subject to the same membership policies as all officers.

C. Enforceability: NDSA can only directly enforce provisions regarding ex-officio officers under its direct control, which does not include their removal. The NDSA Assembly may recommend their removal to the appropriate organizations with a resolution if desired.

2. Exceptions
    a. North Dakota USSA delegates may be removed through the same process as the Officer Removal Process outlined in Chapter XI of the NDSA bylaws

D. Student Member of the State Board of Higher Education:

1. Qualifications:

    a. Student Member nominees must have completed at least one academic year of study at a member institution of the North Dakota University System at the time they assume responsibilities of that position.

    b. At the time of nominations, each nominee must be enrolled full-time at a member institution of the North Dakota University System.

    c. No student shall be eligible for nomination to the position unless he or she has represented his or her institution, in a voting or non-voting capacity, at three separate NDSA meetings before nominations open. This section of the Bylaws may be suspended by a two-thirds majority vote of the NDSA Assembly.

    d. No student shall be nominated for this position who has not earned a cumulative grade point average of 2.5 on a 4.0 scale.

    e. Nominees must be full-time residents of North Dakota.

2. Selection:

a. In accordance with the North Dakota Constitution, NDSA shall submit the names of three candidates for the position of Student Member to the State Board of Higher Education to the Governor, who shall make the formal appointment to the position.

b. Nominations for the Student Member shall remain open for a total of at least two meetings.

c. NDSA delegates shall interview all Student Member nominees prior to selection of the three candidates.

d. In each round of voting, each voting delegate shall cast one vote for each candidate position left to be filled. No person may vote for the same nominees more than once in each round. To ensure this, the vote of each delegate shall be written on a single ballot. The nominee with the fewest number of votes shall be removed from the list and a new round of voting shall begin. This process shall continue until three nominees have each received a majority of votes and these three candidates shall be submitted to the Governor.

3. Powers and Duties:

a. The Student Member shall have all powers and duties as given by the North Dakota State Board of Higher Education.

b. The Student Member shall attend all meetings of NDSA.

c. The Student Member shall communicate all pertinent information concerning the actions of the State Board of Higher Education to the NDSA Assembly.

d. The Student Member shall serve as a non-voting member of the NDSA Assembly.

E. United States Student Association (USSA) Delegates:

1. Qualifications:

a. USSA nominees must have completed at least one academic year of study at a member institution of the North Dakota University System at the time they assume responsibilities of that position.

b. At the time of nominations, each nominee must be enrolled at a member institution of the North Dakota University System.

c. No student shall be eligible for nomination to the position unless he or she has represented his or her institution, in a voting or non-voting capacity, at three separate NDSA meetings before nominations open. This section of the Bylaws may be suspended by a two-thirds majority vote of the NDSA Assembly.

d. No student shall be nominated for this position who has not earned a cumulative grade point average of 2.5 on a 4.0 scale.

2. Selection:

    a. In accordance with the Charter of the United States Student Association, the NDSA shall submit the names of those selected as delegates to the United States Student Association Executive Team

    b. Nominations for USSA delegates shall remain open for a total of at least two meetings.

    c. NDSA delegates shall interview all USSA delegate nominees prior to selecting the USSA delegates.

    d. In each round of voting, each voting delegate shall cast one vote for each USSA delegate position left to be filled. No person may vote for the same nominee more than once in each round. To ensure this, the vote of each delegate shall be written on a single ballot. The nominee with the fewest number of votes shall be removed from the list and a new round of voting shall begin. This process shall continue until nominees equaling the number of delegates allocated by the USSA have received.

    e. USSA delegates for the next academic year must be selected by March 31st.

3. Powers and Duties:

    a. USSA delegates shall attend all meetings of NDSA.

    b. USSA delegates shall communicate all pertinent information concerning the actions of the United States Student Association to the NDSA Assembly.

    c. USSA delegates shall serve as non-voting members of the NDSA Assembly.

    d. USSA delegates shall meet regularly with NDSA officers.

4. Terms of Office:
    a. The term of office for each North Dakota USSA delegate shall be one calendar year starting with June 1 and ending on May 31.

F. Head Delegates of NDSA: The Head Delegates of NDSA, who are specified in detail in Chapter II of the Bylaws, are recognized as ex-officio officers.

## CHAPTER VI: FOR ELECTIONS

A. Candidates running for any position shall be required to complete an election packet prior to the election and submit it to the President. The election packets will be distributed to all delegates prior to the election. This packet will ask for contact information, as well as questions of interest to the NDSA Assembly. This section of the Bylaws may be suspended by a two-thirds majority vote of the NDSA Assembly.

B. Each candidate will be asked to give a speech before the assembly. This speech shall expound upon the questions asked in the election packet. All candidates not presently speaking will be asked to leave the room.

    1. For all elections: Candidate's speeches may not exceed 10 minutes unless the time is extended through the appropriate parliamentary procedure.

C. After all candidates have given speeches, any candidates that are out of the room will be asked to enter again and stand before the NDSA Assembly to answer any questions. Questions must be asked directly to the candidates. Questions may be designated for all candidates or for some candidates. The question period is to be moderated by the presiding officer, and the presiding officer may choose who answers questions first when they are addressed to all candidates. Each answer may be no longer than one minute in length.

    1. For the elections of SBHE Nominees, Presidency, and Vice Presidencies: The question period may not exceed 20 minutes for those positions unless this time is extended through the appropriate parliamentary procedure.

    2. For all other elections: The question period may not exceed 10 minutes for those positions unless time is extended through the appropriate parliamentary procedure.

D. The NDSA Assembly will have the opportunity to discuss the candidates and candidates will be asked to leave the room. Each NDSA Assembly member is limited to two speaking opportunities per elected position, with each speaking opportunity to be limited to three minutes. The discussion period for each elected position will be limited to 15 minutes unless this time is extended through the appropriate parliamentary procedure.

E. After discussion, second round of questioning will take place. Members will reenter the room for a another round of questioning from the general assembly. The goal of this round is to clarify any points or questions that may have been brought up during the private discussion period. Answering questions may be no more than one minute in length, and the session shall be no more than 10 minutes, unless extended through due parliamentary procedure. This round may be skipped with a unanimous vote of the general assembly and must be voted on with every position. Once the second round of questions conclude, voting will begin.

F. All candidates may be in the room for voting or can step out of the room if desired. If the candidates are voting members of the NDSA Assembly, they may participate in voting. Alternatively, candidates that are voting members may appoint proxy voters to vote in their place as long as those proxy voters are present in the room. If a proxy voter is used, this must be clearly announced to the NDSA Assembly.

G. Voting Procedures:

1. If electronic voting methods are used, polls must be clearly and loudly announced when they are opened. Polls must be open for at least 20 seconds. A reminder of the voting options must be stated at least twice while the polls are open. Countdown of the final 5 seconds must be done loudly for the Assembly to hear.

2. For voting for the SBHE nominees: Rounds of elimination voting where the candidate with the least votes will be removed from consideration until only three nominees remain. Each voting member of NDSA may vote affirmatively for up to three candidates in each round. It is acceptable to vote for less than three candidates but voting affirmatively for more than three candidates will lead to disqualification of all of that voter's choices for the particular round where more than three candidates were voted for in the affirmative. The candidate with the least number of affirmative votes will be eliminated from further consideration. This will repeat until there are only three individuals left for consideration.

3. For voting for all other candidates: All candidates will be presented on the ballot at the same time. If a simple majority is reached, then the election for that position is declared over and the majority vote receiver is declared the winner. If no candidate receives a majority, then the lowest vote recipient is removed from consideration and a revote occurs between the remaining candidates.

4. If a suspected issue arises with voting at any point, a redo of an election may be requested by a two thirds majority of the NDSA Assembly without need for a reconsideration motion as long as the revote is requested before the adjournment of the general assembly meeting. The suspected issue(s) must be announced to the NDSA Assembly before a vote to hold a redo of an election is held, and a good faith effort to correct the issues must be made by the pertinent parties. The NDSA Assembly, through the vote to redo an election, may specify procedures that may otherwise conflict with this election code in order to resolve perceived problems, but this privilege should be used carefully

5. When voting for all aforementioned officer candidates and the SBHE nominee: each two-year NDUS institution shall be allocated 4 voting delegates and each four-year NDUS institution, both research and non-research, shall be allocated 5 voting delegates.

1. This shall be performed independently of regularly allocated voting delegate numbers.

2. Quorum for elections shall be set at half of the total allocated voting delegates plus one, in accordance with Robert's Rules of Order.

G. In extreme circumstances, any procedure in this Chapter of the Bylaws may be suspended with a three-fourths majority vote. Regardless of the rule suspended, the Constitutional requirement of a simple majority vote for directly elected positions by the NDSA Assembly must be upheld.

## CHAPTER VII: PROCEDURES FOR FILLING APPOINTED OFFICER ROLES AND VACANCIES IN ELECTED OFFICER ROLES

A. Procedures for Appointments Made by NDSA Officers

1. Scope: The full process applies to any officer roles that are regularly appointed and any appointments made to positions not listed in the Bylaws. For any interim appointees to fill vacancies in elected officer roles, all clauses except the confirmation clauses apply.

2. Officer Privilege: Any NDSA officer with the ability to make appointments may do so through any process that officer sees fit.

3. Announcement of Appointment: An announcement must be made to either the Head Delegates within 72 hours of an appointment or at the next NDSA General Assembly meeting.

4. Confirmation by the NDSA Assembly: All appointments are subject to a simple majority confirmation vote by the NDSA Assembly.

5. Pre-Confirmation Policy: Any appointment waiting for confirmation may still serve officially in that role until a confirmation takes place.

6. Executive Removal of Appointments: Besides the traditional removal processes available to the NDSA Assembly, the officer may remove any unconfirmed officer they appointed at will.

B. Procedures for Filling Vacancies in Elected Officer Roles

1. President: Should the Presidency be vacated, the Vice President of Finance and Operations shall serve as the Acting President until either the term of office expires or a special election is held by the NDSA Assembly. Such a special election will only include the Vice Presidents as candidates. If a vacancy occurs prior to the December General Assembly meeting, the NDSA Assembly must hold a special election.

2. All Other Elected Positions: The NDSA Assembly must hold a special election to fill vacancies if occurring before the General Assembly meeting in December. Any individual elected by special

election will serve out the remainder of the term. Until, -or if, a special election is held, any interim appointments made by the President may serve faithfully in that capacity.

3. Appointed Positions: Vacancies in appointments may be filled by the standard appointment process.

## CHAPTER VIII: EXECUTIVE BOARD

A. Purpose: The purpose of the Executive Board of NDSA is to unite all officers together in order to achieve the following ends:

1. Provide updates on the progress of the duties and initiatives of each officer.

2. Identify opportunities to represent the student members of NDSA.

3. Coordinate officer activities and discuss opportunities for collaboration.

4. Formulate proposals and strategic goals to present to the NDSA Assembly for consideration.

5. Host a retreat at least once a year.

6. Any additional goals of interest to the members of the Executive Board.

B. Membership:

1. Regular Membership: All elected and appointed officers of NDSA are considered regular members of the Executive Board. They are expected to attend all meetings and retreats unless a significant conflict occurs.

2. Ex-Officio Membership: All ex-officio officers are considered ex-officio members. They are not expected to attend any meetings or retreats, but they are to be invited to them and allowed to participate with the same privileges as regular members.

C. Executives of NDSA: All Executive Board members may be referred to as Executives of NDSA.

D. Executive Board Meeting Procedures:

1. Meetings may be called at will by the President provided at least three days of notice is given.

2. Meetings will be chaired either by the President or a designee of the President.

3. All meetings of the Executive Board of NDSA are to be accessible to the public, but participation of non-members may be limited by the chair.

4. Each regular member should give a report on the progress of the duties for that position. If the officer will not be present, a written report should be submitted. Each ex-officio member may give a report if they see fit as well.

5. The President may create additional procedures with a simple majority approval of the Executive Board.

6. The President may create subcommittees and taskforces of the Executive Board at will using the membership of the Executive Board without needing confirmation from the NDSA Assembly, and the President may invite non-officers to join such groups.

## CHAPTER IX: STANDING COMMITTEES

A. Procedures of the Standing Committees of NDSA: The following are the permanent standing committees of NDSA and the procedures specific to them.

1. Internal Affairs Committee (IAC)
    a. Shall be charged with the continuing revision and modification of the NDSA Constitution and Bylaws to ensure the changing needs of NDSA.

    b. Shall be charged with reviewing the purpose and scope of NDSA.

    c. Shall be responsible for creating and reviewing the election procedures established in the Bylaws.

    d. Shall be responsible for reviewing and altering the Strategic Plan for NDSA.

    e. The IAC Chair shall keep both hard and soft copies of the current NDSA Constitution and Bylaws (both strike through and normal formats). These shall be passed on to the new Committee Chair for the following term, along with legislation worked on by the committee.

    f. Shall review and, through the VPFO, be provided with the current financial situation of NDSA and shall provide a recommended budget to the delegation according to the Financial Procedures found in Chapter X of the Bylaws.

    g. Shall look for ways to reduce the costs of NDSA to the member institutions.

    h. Shall preside over all monetary transactions for the NDSA account. The Internal Affairs Committee must review all expenses or reimbursement requests prior to them being forwarded to the NDSA Assembly for final consideration of approval.

i. In order for the Internal Affairs Committee to conduct committee business, delegates from three (3) different institutions must be present.

j. The IAC Chair shall keep a hard and soft copy of the NDSA budget, which shall be passed on to the new Committee Chair for the following term.

2. State and Legislative Affairs Committee (SLAC)

a. The SLAC Chair shall have a working knowledge of the legislative process.

b. Shall keep in contact with legislators and review pending legislation.

c. Shall make recommendations to NDSA regarding the impact of pending legislation on the students of North Dakota.

d. Shall set the goals and plan the schedule for the NDSA lobbying effort.

e. Shall be responsible for researching issues and providing all necessary information and statistics to the Vice President of Governmental Affairs and relevant officers.

f. May organize communication between NDSA and the legislature.

g. Shall be responsible for implementing the NDSA Higher Education Social if the NDSA Assembly chooses to host one.

3. Student Affairs Committee (SAC)

a. Shall bring student concerns to NDSA and shall conduct surveys on problematic issues.

b. Shall research organizations that are similar to NDSA in order to provide ideas for future activities.

c. Shall be responsible for coordinating any conferences that NDSA may attend or host with other organizations.

d. Shall be responsible for overseeing the marketing of the NDSA.

B. Standing Committee Meetings:

1. Shall meet as deemed necessary by NDSA delegates.

2. May meet via electronic means that are accessible to all delegates.

a. The electronic means must be able to maintain the rights of a parliamentary meeting.

C. Standing Committee Chair Duties:

1. Submit an agenda one week prior to the upcoming NDSA meeting with researched topics for discussion.

2. Inform the President and the NDSA Assembly about discussion topics.

3. Shall be responsible for maintaining a digital copy of the committee minutes on a platform accessible to all delegates.

D. Standing Committee Recommendations on Legislation

1. Each Standing Committee may make recommendations regarding legislation to be presented to the NDSA Assembly. This recommendation may take any of the following forms:

    a. A DO PASS recommendation.

    b. A DO NOT PASS recommendation.

    c. A DO PASS AS AMENDED recommendation with the amendments made.

    d. A special recommendation to the NDSA Assembly to perform a certain parliamentary action. This recommendation is unique and may be issued in conjunction with a DO/DO NOT PASS recommendation.

2. Regardless of whether a motion is made to issue a DO PASS or DO NOT PASS recommendation, the chair should call for those that support a DO PASS (or DO PASS AS AMENDED) recommendation and those that support a DO NOT PASS recommendation. This may be done by voice vote unless a hand-raise vote or a roll call vote is requested.

3. If a recommendation is made to DO PASS AS AMENDED, and the amendments recommended are substantial, a recommendation shall still be made on the original legislation for the good of the order.

4. Examples of parliamentary procedures a standing committee can recommend to the NDSA Assembly: postpone definitely/indefinitely, table, and refer to a committee. The standing committee may consider other applicable procedures when making recommendations.

5. Regardless of the recommendation made, the standing committee chair shall ensure that the requirement in Chapter II that each item of legislation must be afforded an opportunity to be considered by the full NDSA Assembly is known to the standing committee.

## CHAPTER X: FINANCIAL PROCEDURES

A. Scope: The financial procedures of NDSA refer to any process that collects, budgets, and spends fee revenue generated by the NDSA Student Fee.

B. NDSA Student Fee: A student fee for NDSA shall be set at four (4) cents per credit hour up to twelve (12) credit hours for each NDUS student.

C. Fiscal Year: The fiscal year for NDSA will start on July 1st and end June 30th.

D. Budgeting Process: The NDSA Assembly must pass a budget by the end of April each year for the succeeding fiscal year that will serve as a mandated limit to the next President on NDSA expenditures unless the budget is amended to increase the limits at a later date.

E. Approval of the Budget: Any budget and any amendments to the budget shall require a two-thirds majority vote for passage if one week of prior notice is given to the Head Delegates and three-fourths majority vote for passage if that prior notice is not given. These respective voting standards shall also be applied to any attempt to amend a proposed budget or a proposed amendment to a budget.

F. The VPFO shall prepare a draft budget for the next fiscal year for review by the Internal Affairs Committee and consideration for approval by the NDSA General Assembly.

G. Requests for financial disbursement shall be brought before the Internal Affairs Committee and be given a recommendation by that committee prior to them being forwarded to the NDSA Assembly for final consideration of approval.

## CHAPTER XI: OFFICER REMOVAL

A. Scope: These procedures may only be initiated against an officer or ex-officio officer that is directly elected by the NDSA Assembly or appointed by another officer of NDSA.

B. Primary Procedure for Removing an Officer

1. For the removal of an officer to transpire, a petition to recall must be signed by a majority of the voting Delegates from one-third of the member institutions.

2. A Validating Committee composed of the Head Delegates from each member institution shall determine the validity of the petition.

3. If the petition is deemed valid, the Validating Committee shall examine the charges and determine when the entire delegation shall vote on the recall. This vote shall take place no later than the next meeting of the NDSA Assembly.

4. Before any voting by the NDSA Assembly , the accused shall have the right to due process, which shall include the right to speak to the NDSA Assembly regarding the charges.

5. Once the aforementioned criteria are met, the officer can be removed in accordance with the Constitution's voting requirement of a two-thirds majority vote.

C. Appeal Process: If successfully removed, the recalled officer shall be provided the right to exercise the appeals process in Chapter XII.

## CHAPTER XII: APPEALS PROCESS FOR ELECTIONS AND REMOVAL OF OFFICERS

## Chapter XII: APPEALS PROCESS FOR REMOVAL OF OFFICER AND CONTESTED ELECTIONS

All contestation of an NDSA Assembly election or appeals ~~of the NDSA Assembly election~~ of an officer removal decision~~s~~ shall follow the procedures outlined in this section. Officers, appointees, or ~~committees,~~ delegates may appeal a recall decision in the following matter:

A. ~~The initialappeal of an election or recall decision must be submitted in writing within 10 days to the Internal Affairs Committee Chair.~~ Members of the NDSA may contest an election or appeal an officer removal discission by submitting the required documents, in writing or electronically, within 10 days after the election or vote is made to the Internal Affairs Committee Chair.

1. The Committee Chair shall place the appeal on the agenda for the next regular or special meeting of the Internal Affairs Committee.

2. A copy of the submitted appeal shall be sent to the Head Delegates of each member institution and to the President.

3. The Internal Affairs Committee may make a recommendation on the appeal to the NDSA Assembly according to Chapter VIII of the Bylaws.

4. The Presiding Officer of the NDSA Assembly shall place the appeal on the agenda at the next regular or special meeting of the NDSA assembly.

5. A two-thirds vote of the NDSA assembly shall be required to overturn the election or recall decision.

B. Valid reasons for appeal shall be limited to procedural errors, violation of election procedures, or new information not considered in the original decision.

C. In hearing appeals, the appellate body shall rule on the appropriateness of a policy, procedure, or decision and does not have the power to make an appointment.

## CHAPTER XIII: CONFLICTS OF INTEREST

A. No officer of NDSA as defined by the NDSA Constitution and Bylaws shall be allowed to hold a position within NDSA and their member institution where an overlap of responsibilities at the campus level, state level, or federal level exists.

B. Any delegate of NDSA may file a conflict of interest inquiry request with the NDSA President. The President is charged with investigating the conflict of interest inquiry and issuing a decision. In his or her investigation, the President shall interview the sitting executive and the author of the inquiry and review the job descriptions of the NDSA position and the position at the executive's institution. The President shall issue a written decision including justification on the conflict of interest inquiry within four (4) weeks of receiving the complaint. In the event that an inquiry request is filed against or by the President of NDSA, the described process shall be conducted by the Vice President of Finance and Operations. The executive, ex-officio member, or state appointment may continue their duties during the investigation.

C. If the individual in question is found by the President or Vice President of Finance and Operations to have a conflict of interest, the individual in question must either resign from the NDSA position, the position at his or her member institution, or file an appeal with a member of the Executive Team not previously involved with the decision within one (1) week. In the event that the NDSA position is vacated as a result of a conflict of interest, NDSA shall follow the processes described in the Constitution and Bylaws to fill the vacant position.

D. Appeals

1. The parties involved in a conflict of interest inquiry may appeal the decision of the President or Vice-President to a member of the Executive Team not previously involved with the decision within one (1) week of the initial decision.

2. The Internal Affairs Committee shall review the decision of the President or Vice-President and may review any information used in the initial decision, as well as any other resources they deem to be relevant and reliable. In the event that an inquiry request is filed against a member of IAC, the involved party may not vote on the appeal.

3. IAC shall issue a decision during the following NDSA meeting.

4. Upon IAC finding of a conflict of interest, a recommendation ~~will~~ shall be submitted, and a vote shall be taken of the NDSA Assembly to require the delegate to resign from his or her

NDSA position or from his or her position at the member institution with a two-thirds majority vote. The decision must be made within one week of the vote should it pass.

## CHAPTER XIV: AMENDMENTS TO THE BYLAWS

A. Amendments to the Bylaws may be offered by any member of the NDSA Assembly.

B. Notice Requirement: If the proposed amendment is sent out to Head Delegates at least one week prior to a meeting, the amendment may be voted on at that meeting. Otherwise, the proposed amendment cannot be voted on until the following meeting.

    1. This Notice Requirement can be suspended with two-thirds majority vote of the assembly.

C. Amendments to the Bylaws shall be adopted with a two-thirds majority vote once the notice requirement has been satisfied.

## CHAPTER XV: ADDITIONAL NDSA POLICIES

A. Additional NDSA policies may be adopted as appendices to the Bylaws so they remain an active part of organizational memory, and must follow the same process as amendments to the Bylaws. However, additional policies will not be considered part of the Bylaws and the rules contained in the additional policies may be suspended at will by the NDSA Assembly unless otherwise specified within the policies themselves.