Order SO 2425-27 **February 5, 2024**

Matthew Amante, ***Keenan Hall Senator***

AN ORDER AMENDING THE CONSTITUTION TO CLARIFY IMPEACHMENT AND REMOVAL PROCESSES

Whereas, Article III, Section 1(a) of the *Constitution of the Undergraduate Student Body of the University of Notre Dame du Lac* states that the Senate's purpose is to "formulate and advance the position of the undergraduate student body on all issues concerning campus life;"

Whereas, Article XIII of the *Constitution of the Undergraduate Student Body of the University of Notre Dame du Lac* provides a list of elected officials who can be removed from office via impeachment;

Whereas, Hall Presidents and Off-Campus Vice-Presidents are excluded from the list of officials that may have a bill of impeachment submitted against them;

Whereas, Article XIII of the *Constitution of the Undergraduate Student Body of the University of Notre Dame du Lac* also excludes Hall Presidents and Off Campus Vice-Presidents from the list of officials who may be recalled in a recall election;

Whereas, in past cases, the Ethics Council concluded that there was no path for removing a Hall President, and that, they themselves had the power to unilaterally remove a Hall President;[1]

Whereas, while the Judicial Council decided to overturn this decision, there is currently no way for Hall Presidents to be removed, leaving room for misconduct or inadequate representation;

Whereas, providing a clear path of removal for Hall Presidents and Off Campus Vice-Presidents would clear up this confusion, while also putting them in line with every other elected official;

Whereas, establishing that elected officials cannot be removed unilaterally, and instead must go through a formal impeachment process, would strengthen the will of the people*;* therefore, be it

Ordered by the Student Senate of the University of Notre Dame du Lac,

That The Constitution of the Undergraduate Student Body is hereby amended as follows:

I. Article XII Section 6(a) is hereby amended to read as follows:

(a) The Student Union Ethics Council shall be in charge of reviewing and enforcing all attendance policies set forth in each Student Union organization's bylaws. Furthermore,

the Ethics Council will oversee the faithful completion of the duties of each position enumerated in this Constitution. Should the Ethics Council be notified that any Student Union official is in violation of attendance policies and/or neglecting his or her duties as set forth in this Constitution and/or any applicable bylaws, the Ethics Council may take appropriate action outlined in this Section. That action may include, but is not limited to, censure, written apology, and bill of impeachment.

II. Article XII Section 6(a)(1) is hereby inserted as follows and all subsections and references thereafter and thereof are renumbered accordingly:

(1) Individual branches of the Student Union may or may not, at their discretion, provide within their own bylaws to the Ethics Council the power to remove members of said branch. Members of branches which do not have said language in their bylaws may not be removed by the Ethics Council. Additionally, no elected official in the Student Union may be removed from office by the Ethics Council;

III. Article XIII Section 1(a) is hereby amended to read as follows:

(a) If any Senator or elected member of the Senate finds that any elected official or any official appointed and approved by the Senate should be removed from office due to their behavior or misconduct, they are obligated to report the issue to the Student Union Ethics Council.The Student Union Ethics Council shall then convene to review the allegation and provide a recommendation regarding further action;

IV. Article XIII Section 1(b) is hereby amended to read as follows:

(b) If the Student Union Ethics Council finds that any elected official(besides a Hall President except in cases of eligibility) or any official appointed and approved by the Senate should be removed from office due to their behavior or misconduct, a hearing to consider the Bill of Impeachment shall be conducted at the next regular meeting of the Senate or within one academic school week. In the event that a Senator disagrees with the recommendation of the Student Union Ethics Council, they may then submit a Bill of Impeachment directly to the Senate;

V. Article XIII Section 2(c) is hereby amended to read as follows:

(c) A petition bearing the valid signatures of 20% of any other elected official's constituency shall cause the Judicial Council to hold a recall election for that official within two academic weeks of presentation of the petition;

VI. Article XIII Section 2(d) is hereby repealed, and all subsections and references thereafter and thereof are renumbered accordingly.

VII. Article XIII Section 2(e) is hereby repealed, and all subsections and references thereafter and thereof are renumbered accordingly.

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It is so ordered.

Dawson Kiser
Student Body President

Thomas Musgrave, Student Union Parliamentarian
SO2425-27, February 2025
39 Affirmative, 0 Negative, 0 Abstain