

C O N S T I T U T I O N

of the

South Dakota Student Council Association

PREAMBLE

We, the members of the South Dakota Student Council Association (SDSCA), encourage and support the development, the growth, and the unity of Student Councils and their activities in South Dakota. Since Student Councils are laboratories of democratic practices and procedures for citizenship training in high schools, the promotion of leadership and cooperation among Student Councils is an important factor. Improving communication and public understanding can aid in the development of efficient and responsive Student Councils in the schools of South Dakota.

ARTICLE I

Name

Section One: The name of the organization under this constitution will be the South Dakota Student Council Association (SDSCA).

ARTICLE II

Membership

Section One: The South Dakota Student Council Association (SDSCA) will be composed of the following:

- A) Any public, private, or parochial school in South Dakota that belongs to the South Dakota High School Activities Association shall be eligible to be a member of the South Dakota Student Council Association (SDSCA).
- B) Any public, private or parochial organized Junior High or Middle School shall be eligible to be a member of the South Dakota Student Council Association (SDSCA).

Section Two: Each member school is entitled to be represented at the annual state convention by one official student council delegate, and one faculty advisor, with each being entitled to vote.

Section Three: Each member school may be represented by additional representatives and sponsors, who may attend meetings and participate in discussion, but may not vote.

ARTICLE III

State Association Student Officers

Section One: The student officers of the South Dakota Student Council Association (SDSCA) shall be one president, one vice-president, one secretary, one treasurer, one reporter and one sergeant-at-arms/parliamentarian. (NOTE: Although the Representative from each region sits as a member of the State Executive Board, the Region Representatives are region officers rather than state officers.)

Section Two: The terms of office for the officers of the South Dakota Student Council Association (SDSCA) shall be for one full year beginning 30 days after the State Convention, ending 30 days after the next convention.

Section Three: The candidates for officers of the South Dakota Student Council Association (SDSCA) must enter the tenth or eleventh or twelfth grade in the year for which they seek election to an office, and must be a full time student. The candidates must be members of their local Student Council at time of nominations.

- A) Candidates for the Vice-President can be a member of any high school class other than a senior. (**NOTE:** The Vice-President cannot be a senior during his/her term as Vice-President.)

ARTICLE IV Duties of State Association Student Officers

Section One: It shall be the duty of the President to:

- A) Preside at all meetings of the Association and the Executive Board.
- B) Be an ex officio member of all committees.
- C) Represent the Association at all public occasions as is deemed necessary.
- D) Attend or appoint a designee to attend regional meetings.

Section Two: It shall be the duty of the Vice President to:

- A) Act as President in the absence of the President.
- B) Co-ordinate the activities of all committees.
- C) Maintain communication between member schools.
- D) Perform any duties delegated to him/her by the President.

Section Three: It shall be the duty of the Secretary to:

- A) Keep the minutes of all meetings at the annual Association convention.
- B) Keep the minutes of each Executive Board Meeting.
- C) Preserve, as directed, all records of the South Dakota Student Council Association.

Section Four: It shall be the duty of the Treasurer to:

- A) Work with the SDSCA Executive Director and SDHSAA representative regarding all financial matters pertaining to the SDSCA.

Section Five: It shall be the duty of the Sergeant-at-Arms/Parliamentarian to:

- A) Assist in the coordination of all activities at the State Convention.
- B) Exercise crowd control during meetings at the State Convention.
- C) Know the rules of parliamentary procedure and to make sure they are followed at the State Convention.
- D) Base the rules of parliamentary procedures on Robert's Rules of Order.

Section Six: It shall be the duty of the Reporter to

- A) Publicize Association activities in various newsletters as directed by the State Executive Board.
- B) Maintain SDSCA social media outlets on a regular basis. All posts must be approved by the SDSCA Executive Director.

Section Seven:

It shall be the duty of ALL State Board members to attend at least three of the four scheduled board meetings during their term.

ARTICLE V

Election of State Executive Board Student Officers

Section One:

Nominations for office (students) on the State Executive Board shall be made at the Annual State Convention. Each region will meet during the Convention and may nominate one candidate for each State Board office from the students from their region who are in attendance at the Annual Convention, provided they have completed the required Officer Intent Form and submitted it to the SDHSAA representative by the required deadline.

- A) All students nominated for President of the State Executive Board must have served at least one year on either the SDSCA State Executive Board or on a SDSCA Region board.
- B) The Vice-President will be an automatic candidate, if they so desire, for the position of President at the next convention.

Section Two:

Election of officers shall take place at a designated time during the annual convention.

Section Three:

The candidate for each office receiving the highest number of votes is elected.

Section Four:

Officers elected shall assume office thirty days after the close of the convention. At that time, all records shall be transmitted by the retiring officers to the newly elected officers.

Section Five:

The State Executive Board shall have the power to fill any vacancy on the State Executive Board that may develop in the period between conventions.

Section Six:

- A) Each individual is allowed two attempts to secure a nomination for a state position.
- B) Each individual is allowed to run for one state and two region positions.
- C) In an election where there are more than three candidates, after the first vote the top three advance. The second vote will determine the winner.

ARTICLE VI

Meetings

Section One:

There shall be meetings of the State Executive Board at times and places to be decided by the State Executive Board. A quorum shall consist of 50% plus one of the Executive Board membership.

ARTICLE VII

Finances

Section One:

All expenses for the annual state convention shall be paid by the SDHSAA.

Section Two: All funds of the South Dakota Student Council Association shall be paid to the Treasurer who will pay bills approved by the State Executive Board.

Section Three: Official funds may be used to pay all routine expenses of the Association and to assist in sending official state delegates to the NASC Region IV Convention.

ARTICLE VIII Regions

Section One: The SDHSAA shall divide the state into regions.

Section Two: One Region Representative to the State Executive Board may be elected by each region during the state convention.

Section Three: The State Executive Board shall determine the voting procedures to be used in all region elections.

Section Four: The Executive Director of the SDSCA or his/her designee will communicate between local, region, state and national councils.

ARTICLE IX State Executive Board

Section One: The State Executive Board of the South Dakota Student Council Association (SDSCA) shall consist of the following members:

- A) The student officers of the organization - President, Vice President, Secretary, Treasurer, Sergeant-at-Arms/Parliamentarian, and Reporter.
- B) The Assistant Executive Director of Fine Arts of the SDHSAA or his/her Assistant.
- C) One secondary school principal representative shall be appointed by the South Dakota Association of Secondary School Principals (SDASSP). His/her term of office shall be 3 years and he/she may be re-appointed.
- D) One student council advisor representative shall be elected at the time of the state convention by the student council advisors present at the time. The term of office shall be three years. The student council advisor may be re-elected.
- E) One Region Representative elected by each region.
- F) One Middle School Representative elected by middle school student councils in attendance at the annual State SDSCA Convention.
- G) Any individual who attains a position on the Regional or National Student Council Board will automatically be a voting member of the SDSCA State Executive Board.

Section Two: The Executive Board shall have the authority to carry on the work of the South Dakota Student Council Association between conventions.

ARTICLE X Impeachment, Dismissal, and Resignation

Section One:

Impeachment And/Or Dismissal: Any member of the SDSCA Executive Board shall be susceptible to impeachment and dismissal if he/she fails to carry out the duties and responsibilities of his/her office.

- A) Charges of impeachment may be brought against a member of the Executive Board for one or more of the following reasons:
 - 1. Failure to successfully fulfill his/her duties, as outlined in the SDSCA Constitution.
 - 2. Conduct not representative of the ideas and/or guidelines of the SDHSAA.
- B) Charges of impeachment must be brought forth by one or more members of the Executive Board.
- C) Charges of impeachment must be brought forth at an official meeting of the SDSCA Executive Board.
- D) A majority vote of those present is necessary to successfully impeach a member of the Board.

Section Two:

Impeachment Hearing: Upon successful completion of impeachment against a member of the SDSCA Executive Board, the subject in question shall be notified immediately of the charges. A hearing on the matter shall be held within 30 days of said notification.

- A) The subject of dismissal shall be allowed to attend the hearing.
- B) He/she shall be allowed to speak on his/her behalf.
- C) The subject of dismissal may bring representation to speak on his/her behalf.
- D) The President of the Executive Board shall preside over the hearing, except in the case that he/she is the party facing dismissal. In such case, the Vice-President shall assume the responsibility to preside over the hearing.
- E) Final dismissal of an impeached member requires a 2/3 majority vote of the members present.

Section Three:

Filling A Vacant Position Upon Dismissal Or Resignation:

- A) It shall be the responsibility of the SDSCA Executive Board President to appoint an individual to fill a position vacated because of the dismissal.
- B) It shall require a majority vote of the Executive Board to ratify the appointment of the President.
- C) In the case that the President is the member dismissed, the Vice-President shall immediately assume all Presidential duties. The Vice-President's vacated position shall then be filled according to the guidelines set forth in Article X, Section 3, Sub-Sections A and B.

**ARTICLE XI
Oversight**

Section One:

The South Dakota High School Activities Association shall have the authority to veto any decision made by the Executive Board and/or the South Dakota Student Council Association.

**ARTICLE XII
Proposed Amendments**

The constitution may be amended at any business meeting of the annual state convention of the South Dakota Student Council Association through:

- A) A proposed amendment may be submitted by a member school or by the Executive Board. Proposed amendment must be submitted in writing to any member of the Executive Board thirty (30) days or more prior to the opening of the State Convention.
- B) Notice of the proposed amendment shall be sent to all member schools fourteen (14) days or more prior to the state convention.
- C) Ratification by a two-thirds majority vote of the official delegates in attendance at the business meeting of the annual state convention.
- D) The constitution may be temporarily amended until the time of the next state convention by a unanimous vote of the Executive Board.

BY-LAWS
of the
South Dakota Student Council Association

PART I. REGIONS

Section One: **Creation of Regions:** The State of South Dakota will be divided into regions. The number of regions and the alignment of schools within each region will be determined by majority vote of the members serving on the State Executive Board, and with approval by the SDHSAA.

- A. **Review of Region Alignments:** The SDSCA State Executive Board will review all Region alignments throughout odd numbered years. If changes in the alignment for any region are mandate, the State Executive Board will enact any re-alignment changes at the beginning of each even numbered year.
- B. **Requests to Change Region Alignment:** If a school should desire to change its alignment and to affiliate with some other region the following procedure should be followed:
 - 1. The school must directly border with one or more schools in the region which it desires to join..
 - 2. The school shall secure a “SDSCA Petition To Change Regions” form from the SDHSAA Representative to the SDSCA. Said petition must be submitted to the SDSCA State Executive Board prior to the opening session of the Annual State Convention *in odd numbered years*.
 - 3. Prior to the opening session of the Annual State Convention the SDSCA State Executive Board will review and act upon the “Petition to Change Regions”.
 - 4. If the State Board votes to approve the change in alignment, and the SDHSAA approves of the change, the change in alignment and affiliation will become effective immediately and will apply for the region alignment in the upcoming even numbered year.

Section Two: **Region Officers:**

- A. Each region will determine the number of officers and the officer positions that make up their Region Board. As a minimum, each region will elect a Region Representative to the State Executive Board, a President, Vice-President and a Secretary. Other officers that can be elected include Treasurer, Reporter, Parliamentarian and Sergeant-At-Arms.
- B. Each SDSCA member school shall be entitled to elect one School Representative from their school to sit as a member of the Region Board at Region Board meetings.

Section Three: **Region Elections:**

- A. The election of all region officers shall take place at a designated time during the Annual State Convention.
- B. Special elections can be held to fill any vacancies during any regularly scheduled region meeting.

- C. Under emergency conditions, when a vacancy must be filled prior to the next scheduled region meeting, the region officers can appoint an individual to fill the vacancy.

Section Four:

Region Advisor: Each region will have an advisor. The Region Advisor will also serve as a member of the South Dakota High School Activities Association (SDHSAA) Student Council Advisory Committee.

- A. The Region Advisor will assist in coordinating the activities for his/her region and will advise the other region officers on the affairs of the region.
- B. The Region Advisor will have one vote on all voting issues at Region Board meetings.
- C. Region Advisors, while acting as members of the Student Council Advisory Committee, will assist in planning the SDHSAA Student Council Workshops.
- D. The student council advisors from each region who are in attendance during the Annual State Convention will nominate their Region Advisor. If a vacancy occurs between Annual State Conventions, the advisors present at a regularly scheduled region meeting can nominate an advisor to fill the vacancy. The Board of Directors of the South Dakota High School Activities Association must approve each individual nominated as a region advisor.
- E. The term of office for the Region Advisor will be five years. An Adviser can not be elected to consecutive terms as Region Advisor. Region Advisor terms will be staggered to provide for continuity in planning region meetings and workshops.

Section Five:

Region meetings:

- A. Each Region Board must hold a minimum of one region meeting each year. The Region Board will report to the region membership on the Region Board meeting at the time of the SDHSAA Student Council Workshop that is scheduled for the region.
- B. Each region can determine the number, dates and locations for any additional regular region meetings.
- C. Any school who has a student attaining a position on the Region Board must be a member of SDSCA by the first region meeting of the school year.

Section Six:

Region Finances:

- A. Each region will receive a portion of the registration fee that is charged of all students and adults that attend the SDHSAA Student Council Workshop for the region. The money received from the Workshop registration fees will be used to pay any expenses associated with the workshop. Any excess money will be placed in the region treasury.
- B. Regions have the following options for raising additional money:
 - 1. Charge a small registration fee for students attending other scheduled Region meetings.
 - 2. Gather donations from businesses, and/or allow schools to pledge amounts of money. Regions wishing to have any other type of relationship with a business must write to the State Executive Board requesting approval.
 - 3. Regions experiencing an emergency need for additional money exists may request funds from the State Executive Board. The request for emergency funds should be in writing and should demonstrate that the extent of the need

and the importance of receiving the funds. Both the Region President and the Region Advisor must sign the written request. After examining the written explanation of the situation causing the emergency need, the State Executive Board possesses the power to grant allowances up to \$200.00 per year depending on each situation.

PART II. SDSCA MEMBER SCHOOLS LOCATED IN STATE CONVENTION CITIES

Section One: SDSCA member schools located in or in the immediate vicinity of the city hosting the Annual State Convention, in lieu of incurring the expenses of transportation and lodging while attending the Annual State Convention, may be asked by the State Executive Board to provide certain in-kind services for the operation of the State Convention. The type of services that the State Board might request could include: providing photo-copies of certain documents generated during the Convention (such as election ballots), providing some financial assistance to sponsor refreshments during a break or other social function, assisting in providing some door prizes or other awards for participants during the Convention, running errands to pick up Convention supplies, etc.

PART III. SDSCA OFFICER CODE OF CONDUCT

Because serving as a South Dakota Student Council Association officer is a privilege granted by student leaders from across South Dakota and because such elected SDSCA officers need to set an exemplary model for high school student, the SDSCA State Executive Board will enforce the following regulations. These regulations will be in effect throughout the officer's term of office and apply to the officer's home school as well as all SDSCA events.

Section One: Officers will not use, possess, transfer or disperse any tobacco products, alcoholic beverages, controlled substances.

- A. Officers will not confiscate, destroy or vandalize private or public property. This will include but not be limited to theft, shoplifting, breaking and entering, vandalism.
- B. Officers are expected to avoid situations/gatherings where illegal substances (alcohol/tobacco/drugs) are available to underage youth. Officers need to take positive action to avoid situations where illegal substances are present. A plan should include information about the situation/gathering prior to attending and take action immediately to leave the situation/gathering if illegal substances are present.
- C. Officers will not display any behavior that is detrimental to the welfare of SDSCA's image (such as obscene behavior).
- D. Officers will uphold the highest level of personal and academic integrity.

Section Two: If an officer violates the above regulation, he/she must immediately contact the SDSCA Executive Director. The SDSCA State Executive Board shall act upon the violation. Violation of the above regulations may result in any of the following disciplinary actions:

- A. Removal from the SDSCA sponsored activity at the officer's expense
- B. Impeachment and dismissal from their SDSCA elected position
- C. Exclusion from future participation in SDSCA activities
- D. Reimbursement of SDSCA funds (if applicable)

Section Three: At any time during the officer's term of office, if the officer receives a suspension from school he/she must immediately contact the SDSCA Executive Director. The SDSCA Executive Director will consult with the school's administration and report their findings to

the SDSCA State Executive Board to take appropriate action. An officer's suspension from school may result in any of the following disciplinary actions:

- A. Suspension from a SDSCA activity
- B. Impeachment and dismissal from their SDSCA elected position
- C. Reimbursement of SDSCA funds (if applicable)

Section Four: This code of conduct will be signed by the SDSCA officer and his/her Student Council Advisor. The content of this agreement will be reviewed with the newly elected officers at the first SDSCA State Executive Board meeting following convention.

PART IV. SDHSAA STUDENT COUNCIL ADVISORY COMMITTEE MEETING

Section One: The Student Council Advisors Representative will be expected to attend the annual meeting of the SDHSAA Student Council Advisory Committee. During the SDHSAA Student Council Advisory Committee Meeting the Advisors Representative will serve in an *ad hoc* capacity, reporting on the actions of the SDSCA and its State Executive Board and in general represent the SDSCA.

PART V. AMMENDING THE SDSCA BY-LAWS

These by-laws may be amended at any regularly scheduled meeting of the SDSCA State Executive Board provided:

- A. A proposed amendment to the SDSCA By-Laws may be submitted by a member school or by a member of the State Executive Board. The proposed amendment must be submitted in writing to either the SDSCA State Executive Director or the SDHSAA Representative to the SDSCA. The proposed amendment must be submitted thirty (30) days or more prior to a regularly scheduled SDSCA State Executive Board meeting.
- B. Previous notice of the proposed by-laws amendment is sent to all State Executive Board members fourteen (14) days or more prior to the scheduled meeting.
- C. The proposed by-laws amendment is ratified by a two-thirds (2/3) majority vote of the State Executive Board members in attendance at the scheduled meeting of the SDSCA State Executive Board.

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