

*A note from the Convener of*  
**THE CONSTITUTION REVIEW COMMITTEE**

10 November 2015

Dear fellow student,

1 I hope this note finds you well. The purpose of this note is to provide a summary of what the **Constitution Review Committee** has been doing since its first meeting on 3 September 2015, and to advise you on the remainder of the Review process.

### INTRODUCTION AND TIMELINE

2 The Committee was formed by the current Student Government to carry out the sunset period mandated by the current Yale-NUS College Student Constitution<sup>1</sup>. This involved revising the whole Constitution over the last two months with more than 25 open and public meetings held. This is a brief timeline of the remainder of the Review process:

- a. **10 November 2015.** The draft of the new Constitution has just been opened for a **public comment period**. During this period, students can submit suggestions for amendment to the Committee through our amendments form, or by contacting any member of the Committee. A physical copy of the draft Constitution has been delivered to every residential suite for this purpose, and an online version of the draft is available on the Government website. The Committee will also be producing a summary document of the Constitution's main points with explanations, which will be made publicly available shortly.
- b. **16 November 2015.** The Committee, together with the current Government, will hold a General Assembly to provide information on the Constitution, address concerns, and receive suggestions. More details will be released soon.
- c. **20 November 2015.** The public comment period closes. The Committee will vote on every amendment arising from this period and effect its decisions. See the "*Procedure for the Consideration of Amendments*" outlined on the overleaf of the amendment form for more details.
- d. **23 November 2015.** The Committee finalises the draft Constitution. At this point no further amendments and no changes to the draft may be made until after the ratification vote is conducted. The finalised draft will be made public for consideration before the ratification vote.
- e. **25 to 26 November 2015.** The Committee will work with the current Government to conduct a **ratification vote**. More details on the ratification procedure will be released soon. The quorum for ratification is set at **50% of the entire body of matriculated Yale-NUS students. Two-thirds of that quorum** need to vote in the affirmative to successfully ratify the new Constitution. Arrangements to cast votes will be made for students studying abroad or who are otherwise unable to attend the ratification vote in person.
- f. **26 to 27 November 2015.** The Committee, with the help of volunteers, will **count the votes**. More details on vote counting will be released soon. Should the new Constitution be successfully ratified, the Committee will disband on 27 November unless extenuating circumstances require the Government to extend the Committee's term.

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<sup>1</sup> Article VI, Section Two, "Sunset Clause Amendment": "At the end of every electoral term, students may call, via petition signed by 10% of the student body, for a 'Sunset Period' organised by the standing Government. During this period students shall review the Constitution as a whole and re-ratify each article. Any article which is not re-ratified must be revised and ratified, or removed."

## ROLES AND RESPONSIBILITIES

3 To ensure a representative process, the current Student Government selected **public representatives** for the Committee randomly picked from a pool of volunteers, adjusted for demographic representation<sup>2</sup>, with current government members which serve as convener, devil's advocate and secretary. The disproportionate public representation relative to government participation was intentional. The original members of the Committee comprised:

### *Public Representatives*

Adila Sayyed '19, Anandita Sabherwal '19, Avery Simmons '19, Isabel Perucho '18, Matthew Ware '18, Ng Qi Siang '19, Sara Rotenberg '19, Subhas Nair '17<sup>3</sup>, Swarnima Sircar '19, Tamara Burgos '18

### *Government Representatives*

Tee Zhuo '18 (Convener), David Chappell '18<sup>4</sup> (Secretary), Jay Lusk '18 (Devil's Advocate)

4 Government representatives served the following roles, which were designed to minimise the direct influence of the current Government on the review process while ensuring the challenges and lesson learnt from the experiences of the current Government would still be considered in improving the Constitution:

- a. *Convener*. Organised and facilitated meetings. The Convener had the same rights as any other member of the Committee to vote and debate, but maintained impartiality in application of rules.
- b. *Secretary*. Recorded minutes of meetings, and the publishing of said minutes as soon as possible after each meeting. The Secretary had the same rights as any other member of the Committee to vote and debate, but was tasked to prioritise careful record keeping.
- c. *Devil's Advocate*. Provided logical objections to each proposed action without prejudice, to ensure rigorous debate. The Devil's Advocate abstained from all votes by default, and voted only in the case of an exact tie between all other members of the Convention.

## PROCEDURE

5 With the exception of the Devil's Advocate, all members of the Committee, including myself, have pledged **not to stand for the immediate Government elections**. This commitment was required to prevent personal bias related to political ambition from influencing the Review of the Constitution. The Devil's Advocate was exempt from this stipulation as they were opposed to every position equally on principle, and was required to abstain by default. They thus did not have any personal opinion or influence within the process.

6 During meetings, voting and minuting was done in a similar fashion to the current Government. A two-thirds quorum was required for meeting decisions to be valid, and a two-thirds majority within that quorum was used for voting. Online voting was allowed where necessary. Minutes were kept for every meeting, and are available on the Government website.

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<sup>2</sup> This means that the selection was conducted to ensure at least one person from each Residential College and Class in the Committee.

<sup>3</sup> Left the Committee as of 17 October 2015 due to conflicting commitments.

<sup>4</sup> Served as Secretary of the Committee up till 28 October 2015. A Government vote was passed to redesignate the role as one which would rotate among current Government members. This was done to more equitably distribute the considerable demands of the role. The Committee and I would like to thank David Chappell for serving the role with distinction up to that point, despite his substantial commitments in other areas of Government at the time.

7 The Committee began with a preliminary review of the current Constitution. They then voted to create a new Constitution, with reference to the current Constitution and other sources (such as the constitutions of other universities, and government models of countries).

8 Decisions on the structure of the Constitution, principles, and the main contents of each article were voted on first. With these decisions made, the detailed drafting was split up among groups of members of the Committee, with online collaboration within the Committee to gather comments and suggested revisions. Details of the drafting guidelines can be found on the Government's website. The articles were then discussed in meetings as a whole, and finalised versions of each article were voted upon again.

9 School administration and members of faculty were not allowed to vote in or influence the Committee in any way, unless invited by the Committee. All meetings were held **openly** and **publicly**, and students were encouraged to attend and participate in the meetings. An online form was created for the submission of ideas, and whiteboards were placed at the Saga and Elm Dining Halls to announce major decisions by the Committee and gather feedback and suggestions. The Committee also publicised these efforts on the project page on the current Government's website, in posts by the Committee on the Yale-NUS College Student's Facebook page, and posters around the College campus.

## ACKNOWLEDGEMENTS AND CONCLUSION

10 On behalf of this Committee, I would like to acknowledge and express gratitude for the contributions made by fellow students (including those who suggested amendments and provided comments), members of the current Government, former members of the now dissolved Elected Students Committee and inaugural Elections Committee, and members of administration which the Committee consulted for advice (including the Dean of Student's Office and the Rectors' Offices).

11 I would also like to take this opportunity to extend my sincere thanks to the other members of this Committee, and recognise the substantial amounts of time and effort they have contributed to its work. I am grateful for the tireless work they have put in to ensure the successful and timely completion of a Constitution befitting our beloved College and its students.

12 With this, on behalf of the Committee, I submit the draft Constitution to you for comments. Please do not hesitate to approach me or any other member of the Committee should you need clarifications on the Review or the draft. This document will have a central role in forming the next elected body of student representatives, which will in turn directly impact your experience as a student at Yale-NUS College. I therefore encourage you to look closely at the draft Constitution and think about the implications of its clauses. Thank you for supporting the Committee and the Review process thus far, and I look forward to your suggestions for the draft Constitution.

Yours Sincerely,



**TEE ZHUO**

Convener,  
The Constitution Review Committee

# THE YALE-NUS COLLEGE STUDENT GOVERNMENT CONSTITUTION

## CONTENTS

Preamble	2
Article I. Purpose	2
Article II. Structure	2
Article III. Council	2
Article IV. Committees	7
Article V. Judiciary	8
Article VI. Elections	10
Article VII: Code of Conduct	12
Article VIII: Removal from Office	13
Article IX: Procedures	15
Article X: Definitions	18
Schedule I: Bylaws	21
Schedule II: Oaths of Office	22
Schedule III: Important Numbers Summary	22
Schedule IV: Structure of the Government (Diagrams)	23

## PREAMBLE

We, the students of Yale-NUS College, affirming:

1. Our right to assemble in the common interest;
2. Our aspirations to build a community according to our vision; and
3. The principle of democratic self-governance of students, by students and for students,

Do hereby ordain the Yale-NUS College Student Government Constitution to secure for ourselves and all who come after us representation, autonomy, and community, as well as to safeguard and promote the interests of the Yale-NUS College student body pursuant to the values of transparency, accountability and effectiveness.

## ARTICLE I: The Yale-NUS College Student Government Constitution

The Yale-NUS College Student Government Constitution, hereafter referred to as “the Constitution”, delineates the duties, responsibilities, and powers of the Student Government.

1. Representation in the Government will not be subject to any form of discrimination on the basis of, but not limited to, race, religion, political views, nationality, sex, gender, gender identity, sexual orientation, etc., per the anti-discrimination policies laid out by the Yale-NUS College Dean of Students’ Office;
2. Unless specified otherwise, all meanings of key terms used in this Constitution are as defined in Article X Section 3.

## ARTICLE II: Structure

### Section 1: Purpose

This article provides an outline of the composition of the bodies of the Government.

### Section 2: Bodies

The Yale-NUS College Student Government will comprise the following bodies:

1. The Yale-NUS College Student Council is the primary legislative and executive branch of the Student Governments comprised of a minimum of 10 and a maximum of 23 representatives elected by the student body. The members of the Council include the President, Vice-President, Speaker, Directors, and Deputy Directors. The positions of President and Vice-President will be elected by the student body, while the Speaker will be elected from the Council by Council members. The Directors and Deputy Directors will be chosen from the elected Council by the President, and then ratified by a  $\frac{2}{3}$  majority vote of the Council;
2. The Council shall appoint Standing and Select Committees comprising randomly selected members of the student body;
3. The Judiciary is a body separate from the Council which will scrutinise the affairs of the Council, and ensure their conduct is in line with the Constitution. It will comprise 9 members of the student body, will be randomly selected from a group of volunteers controlled for demographics as defined in Article X, Section 3. One of the Judiciary members, elected from within the Judiciary by Judiciary members will be the Chief Justice.

## ARTICLE III: Council

### Section 1: Purpose

The Council is the governing branch of the Yale-NUS Student Government; it fulfils legislative and executive duties. The roles in the Council hold Council members accountable for a portion of the overall agenda of the Government.

## **Section 2: Duties and Powers**

The Council shall:

1. Adhere to the Constitution;
2. Serve as the primary liaison between students and faculty, administration, and external parties;
3. Represent the interests and welfare of students to the administration in all areas of student wellbeing, including but not limited to: student life, academics, student organisations, events, and budget;
4. Uphold principles of transparency and accountability in its processes and actions;
5. Recognise student organisations and allocate funds at its disposal to student organisations;
6. Elect the Speaker of the Council;
7. Provide a response, within a reasonable timeframe, to be delivered in writing, in person, or both. to every student who gives the Government feedback or raises a concern to the Government. Maintain an online platform and publish general meeting minutes and voted-upon decisions within 72 hours, for the purposes of Article IX, Section 2;
8. Appoint individuals from the Council to liaise with the Residential College Advisory Councils (RCACs) who shall attend every meeting held by them. These liaisons are ex-officio members of the RCAC;
9. Hold weekly meetings of the full Council, which will be public and open;
10. Faithfully execute and enforce the rulings of the Judiciary;
11. Organise General Assemblies for ordinary and/or extraordinary purposes by setting an appropriate venue, date, time, and promoting the event across campus to ensure the attendance of members of the Student Body:
  - a. Ordinary General Assemblies (GAs) will be held at least twice per term, and will be held for the purpose of reporting on the Government's progress on key issues and projects, as well as to discuss future plans. Ordinary GAs will also serve as an opportunity for students to question the Government on its record and plans, provide feedback, and express their opinions through direct dialogue with the Government,
  - b. Extraordinary GAs will be held when deemed necessary by a vote of the Council in the following circumstances:
    - i. Emergencies,
    - ii. Pressing issues affecting the whole community that are within the jurisdiction of the Council;
12. By a vote of the Council, form committees with public representation, at least one per portfolio, except for internal affairs and logistics;
13. Maintain and publish a budget containing all anticipated expenses during the Council's term of office, and update this budget whenever there are changes.

## **Section 3: Powers**

The Council has the power to:

1. Issue formal statements and declarations on behalf of the student body;
2. Organise and allocate funds to major college-wide events, including but not limited to welfare events, beginning and end-of-term celebrations, and festive events when these are not otherwise organised by student organisations;
3. Hold closed meetings;
4. Call for the Judiciary to review the actions or conduct of a particular Council member. This is not equivalent to an Impeachment Hearing;
5. Form additional committees by voting on them.

## **Section 4: Order of Role Selection**

The Council shall be elected and divide itself into roles in the following order:

1. Council members will be elected by the student body in the first round of the General Elections or in a By-Election;
2. The President and Vice-President will be elected from the pool of already elected Council members by the student body in a separate vote. This does not apply to the by-elections;
3. The Council will elect the Speaker following the procedure outlined in Article III, Section 7;
4. The Council members will submit their applications for specific Director roles for the President's consideration;

5. After careful consideration of the applications, the President will inform the Council of proposed Director and Deputy Director appointments;
6. The Council will ratify the President's appointments, with a  $\frac{2}{3}$  majority required. The Council shall not vote on the list role-by-role, but as an entire list of appointments. If the appointments do not receive approval from  $\frac{2}{3}$  of the Council, the President shall re-consider the appointments and present a new list of appointments;
7. If the Council still does not ratify the President's choices, the Speaker shall sequester the Council until the Council successfully ratifies a President's list of appointments;
8. The Council shall appoint Liaisons according to Article III, Section 11;
9. All members will then be sworn into their respective positions. See Appendix, Second Schedule: Oaths of Office.

### **Section 5: President**

The President is the head of the Council and of the Student Government. They are the primary representative of the student body, and the chief representative of the Council to any external body, including the Yale-NUS College administration.

1. The President shall:
  - a. Set the vision and overarching year-long agenda for the Council at the start of the term. The President shall consider the input of other members of the Council;
  - b. Appoint Directors and Deputy Directors, after considering formal applications submitted by all the elected Council members expressing their preferences and qualifications. The number of Directors and Deputy Directors, and their assigned roles, are left to the discretion of the President;
  - c. Appoint the seven Directors outlined in Article III, Section 8. The President's appointments will then be ratified by a  $\frac{2}{3}$  vote of the Council;
  - d. Ensure that each Director and Deputy Director fulfils their duties;
2. The President has the power to:
  - a. Create Portfolios in addition to the seven listed in Article III, Section 8;
  - b. Appoint additional Directors and Deputy Directors from the elected Council members, with the consent of the Council, in excess of the roles mentioned in Article III, Section 8;
  - c. Rearrange Directors or remove Directors from their positions, but not from the Government, as the President sees fit. Any rearrangement will be followed by a re-ratification vote requiring a  $\frac{2}{3}$  majority of the Council;
  - d. Call for the Judiciary to review the actions or conduct of a particular Government member. This may lead to an Impeachment Hearing;
  - e. Veto a decision of the Council. The Council can override a veto with a  $\frac{4}{5}$  majority vote, and the President cannot veto the Council's override. The President's veto can also be overridden by Student Opinion vote in the student body, as defined by Article X, Section 3;
  - f. Settle matters of contentious confidentiality. See Article VII, Section 2, Clause 7;
  - g. Delegate assignments to any member of the Council except for the Speaker;
  - h. Delegate powers to the Vice President.

### **Section 6: Vice President**

The Vice President of the Council is next in succession to the President.

The Vice President shall:

1. Fulfill roles assigned to them by the President;
2. Assume the role of Acting President Interim if the President is absent for more than two weeks, resigns, or is dismissed. In such a case, the Acting President will temporarily assume all the duties and powers of the President;
3. Relinquish the role of Acting President upon the President's return or the election of a new President through a by-election.

### **Section 7: Speaker**

The Speaker is an impartial member who sets the agenda, convenes Council meetings, and mediates disputes between different branches of the Council and between the Council and outside parties, in concordance with the Judiciary. They are elected by the Council by a  $\frac{2}{3}$  majority vote.

The Speaker shall:

1. Relinquish the ability to vote in Council decisions, except in the case of a tie;
2. Set the agenda and arrange logistics;
3. Consider the opinions of all the Council members when setting the agenda;
4. Convene and maintain order in all Council meetings;
5. Appoint a temporary Deputy Speaker when the Speaker is absent from a meeting. The Deputy Speaker cannot be the President, Vice-President, or a Director. The Deputy Speaker can change for each of the Speaker's absences if the Speaker so chooses;
6. Mediate between the President, Vice-President, and the rest of the Council, as well as between Council and Judiciary.

### **Section 8: Directors**

The Directors are the heads of the portfolios within the Council; including the seven portfolios mandated by the Constitution and any additional Portfolios the President creates. The Directors shall oversee their respective portfolios; give regular reports to the President and Council at large; and form, oversee, and disband committees. There will be a Director, and may be co-Directors of:

1. Student Life, who shall:
  - a. Communicate with the student body and report to the Council issues related to housing, community living, individual and/or collective identity, student wellness, security within campus, and infrastructure,
  - b. Liaise with the Dean of Students Office, Yale-NUS Health Centre and Wellness Office, Educational Resources and Technology Office (ERT), and Information Technology (IT), and any other offices of the administration as necessary to fulfill the duties described above in Article III, Section 8, Clause 1, Sub-clause a;
2. Academics, who shall:
  - a. Convey inquiries and feedback on the Curriculum presented by the student body to the relevant members of the Yale-NUS College administration,
  - b. Be responsible for communicating inquiries and feedback regarding the Double Degree Programmes and Study Abroad Programmes offered between Yale-NUS College and other institutions;
3. Student Organisations, who shall:
  - a. Formally recognise Student Organisations that abide by the standards and regulations established by the Council,
  - b. Award funds for Student Organisations in accordance to their needs and the annual budget allocated to the Council by the Dean of Students Office,
  - c. Collaborate with the Budget Portfolio for the allocation of funds to Student Organisations;
4. Events, who shall:
  - a. Organise the General Assemblies, setting an appropriate venue, date, time and promoting the event across campus to ensure the attendance of members of the student body,
  - b. Organise college-wide events hosted by the Council by setting an appropriate venue, date, time and promoting the event across campus,
  - c. Assist and collaborate with other partners for events that include the college,
  - d. Organise events of the Council such as:
  - e. Large meetings that involve individuals and organisations not part of the Council,
  - f. Workshops and leadership talks etc;
5. Budget, who shall:
  - a. Manage Government finances,
  - b. Serve as co-budget director for the entire fiscal year, beginning in the second semester of their government term. For the first semester of their term, their co-director will be the outgoing budget director,



- c. Collaborate with the Student Organisations Director for the allocation of funds to student organisations,
  - d. Permit a member of the Dean of Students Office to sit on the committee and assist with duties as necessary,
  - e. Address student concerns on college-wide budgeting,
  - f. In the case of a dispute from student organisation, form an appeal committee, comprised of the President, Vice President, Chief Justice and relevant directors (budget, student organisations, etc.) to review appeals and provide a report to the student organization on the final decision;
6. Logistics, who shall:
- a. Manage internal records, including attendance, voting history, indexed minutes, etc. in concordance with the Speaker,
  - b. Keep a database of useful resources, such as important contacts,
  - c. Work closely with the External Communications director to publicise minutes and other matters, as delineated in Article III, Section 2, Clause 7;
7. External Communications, who shall:
- a. Manage communications with the student body,
  - b. Seek out opportunities to establish relationships with external parties, including other universities,
  - c. Assist the President in logistics related to establishing relationships with external parties,
  - d. Manage the Government website, publicity, and direct democracy votes,
  - e. Liaise with other directors to publicise their events as necessary,
  - f. Provide regular updates, including but not limited to weekly minutes, to the student body on the Council's progress,
  - g. Function as the sole competent authority in maintaining mediums of Council communication.

### **Section 9: Deputy Directors**

Deputy Directors are subsidiary to Directors, and shall assist the Directors to accomplish the goals of their respective portfolios.

1. Deputy Directors shall serve under the portfolios of student life, academics, student organisations, events, budget, internal communications, external communications, and any other areas as listed in Article III, Section 8;
2. Deputy Directors can serve under multiple portfolios;
3. Deputy Directors can be appointed the head convener of a committee, at the discretion of either that committee's Director or the President.

### **Section 10: Limitation of Directors**

The total number of Directors, Co-Directors, and Deputy Directors shall be limited to 14, composed as follows:

1. The seven Directors which are required in Article III, Section 8;
2. Seven additional members, who may be appointed either as Deputy Directors, Co-Directors, or Directors of Portfolios not specified in this Constitution.

### **Section 11: Liaisons**

The Council shall, by a  $\frac{2}{3}$  vote of its members, appoint liaisons to outside organisations and constituent bodies of the College. Any member of the Council, with the exception of the President, Vice President, and Speaker, may be appointed as a liaison, regardless of other duties or positions. The Council shall appoint individuals to liaise with each of the following groups.

1. Each Residential College;
2. Athletics;
3. Arts.

## ARTICLE IV: Select and Standing Committees

### Section 1: Purpose

1. Select and Standing Committees serve to advise the Council on its decisions and form a link between the Council and the student body;
2. Standing Committees are subsidiary to a specific Portfolio of the Council; that Portfolio's Director is ultimately responsible for the committee;
3. Select Committees may be created subsidiary to Portfolios of the Council, or independently by any member of the council.

### Section 2: Select Committees

A Select Committee is a temporary committee formed by a member of the Council to deal with a specific short-term purpose. Select Committees will:

1. Be established with the approval of the majority of the Council;
2. Be headed by a member of the Council, who will convene the meeting;
3. Have members randomly chosen from a pool of volunteers, and then adjusted for the demographics of year and residential college in the presence of at least one public witness;
4. Be composed such that the number of public representatives exceeds the number of Council members on the committee;
5. Be disbanded after the Select Committee's specific purpose has been fulfilled:
  1. In order to disband a committee, the member must submit a report to the legislature with the reasons for disbanding the committee, and pending a vote of support from the council, they have the power to disband the committee,
  2. All committees except for the ones whose terms exceed the duration of the term of office of the Government shall be automatically disbanded after the disbandment of the Government which set them up;
6. Only have the power to give recommendations; final decisions on the subject are to be made by the Council;
7. Solicit feedback from the public and publicise information about the proceedings of the committee as deemed necessary.

### Section 3: Standing Committees

Directors to have duty to form at least one standing committee directly related to their scope of work in order to seek input from the student population. The Logistics and External Communications Directors do not have a duty to form standing committees. A Standing Committee is a long-term committee formed by a Director to discuss and provide advice to the Council on permanent issues. Standing Committees will:

1. Be created by the Director of the pertinent Portfolio;
2. Be headed by either a Director or Deputy Director, who will convene the meeting
3. Be selected in multiple ways:
  - a. For committees not related to Budget or minority interests, which will be determined by a Council vote or student petition, have members randomly chosen by the pertinent Portfolio from a pool of volunteers, and then adjusted for demographics in presence of at least one public witness,
  - b. For committees representing minority interest (e.g. Law DDP), have members randomly chosen from volunteers from that specific minority group in presence of at least public witness,
  - c. For the Budget Committee, which allocates funding to Student Organisations, have mixed membership. Half will be current members of Council, half outgoing and then adjusted for demographics. This committee will sit for the entire fiscal year, instead of the Council's term of office;
4. Include, when necessary, non-student members such as representatives from the Dean of Students Office:
  - a. The decision to include such members will be voted on within committee,
  - b. The Council can take suggestions from administration on including non-student members, but ultimately it will be decided by a vote of the Council;
5. The number of public representatives will exceed the number of Council representatives on the committee, but there is no overall limit to the size of the committee;

6. Have a term of one semester, excluding the Budget Committee. The Budget Committee shall have a term of one year, starting at the beginning of the fiscal year;
7. Officially disband after one semester or at the discretion of the overseeing Director. After disbanding, members may resubmit their names to serve in the Standing Committee. There is no term limit for members.

#### **Section 4: Appeals Committee**

The Appeals Committee, which is comprised of the President, Vice-President, Chief Justice, Speaker, and other relevant directors shall settle disputes between the Council and student organisations. The committee shall:

1. Meet when a formal complaint against the Council or Council member is filed;
2. Provide a final report for the parties involved in the dispute.

## **ARTICLE V: Judiciary**

#### **Section 1: Purpose**

This article delineates the composition, structure, and roles of the Judiciary branch of the Student Government. The Judiciary is a body separate from the Council which will scrutinise the affairs of the Council, and ensure their conduct is in line with the Constitution.

#### **Section 2: Appointment**

The Judiciary will be randomly selected from a pool of interested applicants. The selection will be controlled for demographics, as defined in Article X, Section 3.

1. The Election Committee shall facilitate the formation of the Judiciary simultaneously with the formation of the Council, before the President is elected;
2. No appointed member of the Judiciary may be part of the Council;
3. All appointed members shall upon taking office declare any potential conflict of interest that may influence their actions and decisions as members of the Judiciary;
4. Upon selection, an appointed member may refuse the appointment. In that case, a redraw from the pool of interested candidates shall be performed;
5. There are no term limits for the Judiciary members.

#### **Section 3: Composition**

1. The Judiciary comprises 9 members, randomly selected from a pool of interested applicants and controlled for demographics, as defined in Article X, Section 3;
2. A Chief Justice will be elected by the members of the Judiciary from among themselves. The Chief Justice shall:
3. Represent the Judiciary before external parties,
4. Call, arrange and chair hearings of the Judiciary,
5. Prepare verdicts, memorandums and opinions on legal matters pertaining to the Constitution and Bylaws,
6. Allocate duties among members of the Judiciary where necessary,
7. Serve on the Appeals Committee as per Article IV, Section 4,
8. Manage any other affairs undertaken by the Judiciary.

#### **Section 4: Powers of the Judiciary**

The Judiciary has the power to:

1. Serve as the final authority on legal matters pertaining to the Constitution;
2. Review and comment on the constitutionality of a Council action;
3. Review and comment on the conduct of Council members, including the President, at any time;
4. Review alleged misconduct (as delineated in Article VIII of the Constitution) of a Council member, through means including:
  - a. Summoning witnesses,

- b. Acquiring evidence where possible and necessary,
  - c. Demand individuals who have been signaled as subjects of a hearing to attend said hearing and comply with the corresponding formal procedures;
5. Upon reaching a decision as a body, after completing investigations and proceedings, order the Council to:
  - a. Cease an action that it has ruled unconstitutional,
  - b. Perform a duty, which is not currently being performed by the Council,
  - c. Make restitution to the plaintiff should the Council be found to have infringed the Constitution, in the event that a member of student body has initiated legal proceedings against the Council.

### **Section 5: Duties**

The Judiciary shall scrutinise the affairs of the Council, provide checks and balances on the Council's affairs, enforce constitutional stipulations and regulations, and adjudicate disputes involving the Council. The Judiciary shall:

1. Arbitrate disputes within the Council, between the Council and student organisations, and between the Council and student body;
2. Consider requests made by the President of the Council to review the conduct of any member of the Council;
3. Scrutinise all general meetings of the Council. When the Judiciary in its totality cannot be present at such a meeting, at least one of its members shall attend the meeting;
4. Present public monthly reports to the student body on the conduct of the Council, with special regard for the Council's adherence to the stipulations of the Constitution;
5. Adjudicate cases of student complaints against members of the Council;
6. Take care to accurately and comprehensively document all special procedures, especially impeachment and hearing procedures;
7. Develop guidelines for submission of complaints on Council members, requests for reviews of the Council, and the arbitration of disputes as in Article V, Section 5, Clause 1;
8. Take minutes of its proceedings, and publish such minutes, unless otherwise specified;
9. Publicise the Judiciary's function to the student body;
10. Hold at least one meeting a month to conduct its tasks, and make minutes from all its meetings publicly accessible to all members of the student body;
11. Review legislation enacted by the Council in order to ensure that it is consistent with the Constitution;
12. Provide and publicise its opinion on any amendment proposed and/or made to the constitution. Such comments will be non-binding.

### **Section 6: Procedures**

The Judiciary shall follow the procedures below in the execution of its powers and duties, and the regular running of its affairs. Where procedures are not specified in this section, the Judiciary shall follow proper procedure as outlined in Article IX.

1. The Judiciary shall meet in its totality at least once a month;
2. A decision of the Judiciary passes with a  $\frac{2}{3}$  majority vote of its members;
3. The Judiciary shall publicise its functions, opinions, and meeting minutes on the website of the Student Government;
4. Conflict of interest:
  - a. All members of the Judiciary will declare any and all conflicts of interest that may affect their judgment in a particular hearing,
  - b. Members of the Judiciary may choose to discharge themselves from judicial duty if they feel they are unable to objectively hear a case,
  - c. Members are not obliged to discharge themselves based purely on their conflict of interest with the plaintiff or the defendant;
5. Judiciary members shall abide by the same resignation procedures as described in Article VIII, Section 6 for Council members.

### **Section 7: Procedures for Constitutional Challenges**

1. Members of the public who wish to challenge the Council on the constitutionality of an action may issue a suit against the government in the Judiciary;

2. All parties may request other members of the student body to represent them in the constitutional challenge;
3. Should the plaintiff prefer that the issue be heard in private, they may request a private arbitration hearing with the Judiciary, which will take place in accordance with the following procedures:
  - a. The hearing will occur in private in the form of a meeting between the plaintiff, defendant and the Judiciary,
  - b. The Judiciary shall minute the proceedings of the meeting and make it available to the student body,
  - c. Both sides shall discuss the issue together and seek to achieve a compromise.
  - d. Upon a consensus being reached, the Judiciary shall reflect that in their opinion and order both parties to accede to this compromise,
  - e. If both parties fail to reach consensus, the Judiciary may call the trial to a conclusion. The judges shall then deliberate based on these arguments and make an appropriate ruling,
  - f. Should the Judiciary be of differing opinion, the opinion of a  $\frac{2}{3}$  majority of members will prevail,
  - g. The decision of the judicial body shall be communicated both verbally and in writing to both parties by the Chief Justice;
4. Should the plaintiff wish for the issue to be heard in public, they may request a public hearing with the Judiciary, which will take place in accordance with the following procedure:
  - a. The hearing will occur in an adversarial manner, where both plaintiff and defendant put forth arguments against each other. The Judiciary shall serve as an objective referee between both parties,
  - b. The hearing will be open to public observation,
  - c. Both plaintiff and defendant will have an equal amount of time to present their arguments,
  - d. The plaintiff will be allowed to present their arguments first, followed by the defendant,
  - e. The plaintiff may reserve part of their available time for rebuttals against the defendant's arguments by informing the Judiciary before beginning their arguments. They will be able to use time allocated in this manner after the defendants have concluded their arguments,
  - f. The Judiciary will be allowed to interrupt the speeches of both parties to question them on their arguments,
  - g. Having heard the arguments of both sides, the judges shall deliberate based on these arguments and make an appropriate ruling. Should the Judiciary be of differing opinion, the opinion of the majority of members will prevail,
  - h. The decision of the judicial body will be communicated both verbally and in writing to both parties by the Chief Justice;
5. Should the parties agree that the method chosen is not leading to a resolution, they may request a switch in hearing method to be held at a later date;
6. All decisions by the Judiciary are final.

## ARTICLE VI: Elections

### **Section 1: Purpose**

This Article describes the procedures and bodies necessary to elect members of the student body to the Student Government.

### **Section 2: The Election Committee**

1. The Election Committee shall hold, coordinate, and facilitate the election process of the Council and the President in a clear, fair, transparent, and efficient manner by considering and implementing parameters such as but not limited to the following:
  - a. Specific timing of nominations as stipulated in Article VI, Section 3,
  - b. Specific timing of elections as stipulated in Article VI, Section 3,
  - c. Publication and dissemination of minutes and results,
  - d. Process of elections, including reservation of physical spaces, presence of witnesses and tabulation of online votes;

2. The Election Committee will be created by the outgoing Council the second week of November and shall disband after the President is officially elected;
3. The Election Committee shall comprise:
  - a. Seven impartial arbiters from the student body chosen from a pool of applicants using quotas on RC and class,
  - b. Two outgoing Council members acting as committee conveners,
  - c. Non-candidate, non-decision making volunteers solicited and delegated by the Election Committee arbiters responsible for the logistical execution of the elections;
4. The Election Committee meetings will be closed. After meetings, the Election Committee shall publicise all decisions reached, including considerations and rationales that are not tied to the names of members in the meeting;
5. The Election Committee shall facilitate the formation of the Judiciary simultaneously with the formation of the Council, before the President is elected.

### **Section 3: Procedure**

1. The Election Committee shall publicise information regarding the election process, election policies, rules, and available positions by the end of November;
2. The process to nominate candidates for election will be opened in the first week of December and closed one week prior to Election Day. Candidates are permitted to announce their candidacy and campaign within this time period;
3. Elections shall begin in the month of January of every calendar year;
4. The Council will be voted in by the student body using the runoff voting method. Votes are tabulated using the Kemeny-Young algorithm as defined in Article X, Section 3.
5. Students studying on campus will vote using closed, secured computer stations;
6. Students studying abroad will email their vote to the Election Committee using the email provided by Yale-NUS College. The contents of such emails will be kept confidential;
7. In the event that fewer than 23 people run for office, a minimum of 10 people will be sufficient to form a government. These 10 people shall be the President, Vice-President, Speaker of the Council, and the seven directors outlined in Article III, Section 8;
8. After the Council elections, the President shall be elected from the elected Council members using the Kemeny-Young voting method stipulated in Article VI, Section 3, Clause 4;
9. Announcement of candidacy and elections for the President will commence within the week after the results of the Council elections are released;
10. All members will take office one week after elections take place.

### **Section 4: Candidate Eligibility**

1. All candidates must be matriculated students of Yale-NUS College;
2. All candidates for President must commit to serve in the Council of the Student Government for a full term of two (2) semesters. As part of their announcement of candidacy, Presidential candidates shall pledge:
  - a. Not to accept offers for off-campus commitments lasting half a semester or longer, such as but not limited to:
    - i. study-abroad programmes,
    - ii. independent research programmes,
    - iii. international fellowships,
    - iv. long-term internships,
  - b. To serve for the duration of their term with the exceptions of involuntary circumstances, including but not limited to illness, death in the family, impeachment, and other circumstances delineated in Article VIII, Section 2, Clause 1;
3. Non-President members of the Council that are unable to serve for their term with full commitment shall resign in time for by-elections to elect replacements with the parameters as stipulated by Article VI, Section 5, Clause 2;
4. There are no term limits for members of the Council.

### **Section 5: By-elections**

1. By-elections are elections in which replacement representatives are elected from the study body in the event of a vacancy in the Student Council;
2. By-elections will be held within the three weeks after the Council member leaves office:
  - a. By-elections may not be held during and after Reading Week,
  - b. If a Reading Week occurs within the three week period, then it shall not count towards the said period,
  - c. By-elections shall not be held if the General Election is within three weeks;
3. By-elections will be held and facilitated by a By-Election Committee that will be formed and shall operate with the same procedural principles of the Election Committee as stipulated in Article VI, Section 2;
4. By-elections eligibility rules:
  - a. All non-Presidential candidates in the by-elections are eligible if they fulfil the requirements stipulated in Article VI, Section 4,
  - b. Only existing members of the Council are eligible Presidential and Vice Presidential candidates in the event of each position's vacancies:
    - i. All students may then run for the position left vacant by the member who is elected as President or Vice President,
    - ii. This by-election will be held within the three weeks stipulated in Article VI, Section 5, Clause 2.

## **ARTICLE VII: Code of Conduct**

### **Section 1: Purpose**

The purpose of the Code of Conduct is to describe proper behaviour of Student Government members.

### **Section 2: Rules and Regulations**

Government members shall comport themselves in a manner upholding the reputation of the Student Government and Yale-NUS College. In doing so, they shall:

1. Act with honour and integrity, both while conducting Government affairs and while participating as members of the Yale-NUS community;
2. Respect and faithfully execute Government decisions. Refer to Article IX, Section 6 for procedures in case a Government member refuses to execute their duty.
3. Uphold standards of transparency and openness;
4. Refrain from misappropriation of funds, fraud, deception of the student body, or breach of confidentiality;
5. Not accept gifts or favours of any kind, including sexual, monetary, etc. in exchange for influence on a Government decision;
6. Not accept ostentatious or expensive gifts in their capacity as a Government member or as an entire Government;
7. Maintain confidentiality with regard to:
  - a. Information disclosed to Government members by members of the student body or other Government members,
  - b. Matters which the administration shares exclusively with specific Government members,
  - c. Security information obtained in the line of Government work, including passwords, access to the Government website, etc,
  - d. Information decided upon by the Government as confidential,
  - e. Personal details about students, faculty, and staff;
8. Make it known to the relevant parties if information will be shared publicly;
9. Report otherwise confidential information to relevant authorities in case of threat of self-harm, harm to others' life, or violation of property;
10. Upon taking office, promise to maintain the confidentiality of information to which they were privy when they were Government members, even after they have left office;
11. Not make any statement in an official capacity or on behalf of the Government, including speaking to the press or posting online, without first informing the External Communications Director and obtaining

approval from the President. The only online information which will be considered official shall come directly from a Government online platform;

12. Explicitly state when they are making any statement on behalf of the Government;
13. Upon taking office, disclose in writing potential conflicts of interest. Government members do not have to disclose the reasons for these conflicts of interest. Conflicts of interest will be publicised to the student body by the Director of External Communications.

## **ARTICLE VIII: Removal from Office, Resignation, and Dissolution**

### **Section 1: Purpose**

The purpose of this article is to outline methods of removal from office, including impeachment, dismissal, and resignation.

### **Section 2: Grounds for Impeachment**

Grounds for impeachment include:

1. Unacceptable absence from more than  $\frac{1}{3}$  of Government meetings. Acceptable absences include:
  - a. Incapacitating injury,
  - b. Mental illness or sustained extreme mental duress,
  - c. Academic duress,
  - d. University-approved leave of absence,
  - e. Any other compelling reason;
2. Misappropriation of funds;
3. Breach of agreed-upon confidentiality;
4. Intentional deception of the student body;
5. Conviction of breaking Singaporean law during their term in office;
6. Falling below a cumulative CAP of 2.0;
7. Breach of this Constitution;
8. Acceptance of unacceptable gifts or bribes as outlined in the Code of Conduct, Article VII, Section 5 and 6.

### **Section 3: Impeachment of Council members**

1. The Judiciary shall summon a Council member for a review of their actions upon receiving:
  - a. A letter in writing requesting the removal of the named member signed by a majority of the Council members,
  - b. A letter requesting the removal of the named member signed by the President,
  - c. A petition, as defined in Article X, Section 3, requesting the removal of the particular member signed by the student body;
2. After conducting a review of the Council member's actions, the Judiciary shall decide whether there are sufficient grounds to proceed to an Impeachment Hearing;
3. The named member will be tried by members of the judiciary in council assembled.

### **Section 4: Impeachment of Judiciary members**

1. The Judiciary shall summon one or more of their number to an impeachment hearing upon receiving:
  - a. A letter in writing requesting the removal of the named member(s) signed by a majority of the Council members,
  - b. A petition requesting the removal of the particular member signed by the student body;
2. The President shall summon the Chief Justice to an impeachment hearing upon receiving:
  - a. A letter in writing requesting the removal of the named member(s) signed by a majority of Council members,
  - b. A letter in writing requesting the removal of the named member(s) signed by a majority of Judiciary members,
  - c. A petition requesting the removal of the particular member signed by the student body;
3. For the purposes of trying a Judicial member, as per Article IV, Section 4, an Appeals Committee will be formed for purposes of the hearing, comprising the following persons:



- a. The President,
  - b. The Vice President,
  - c. The Chief Justice,
  - d. The Speaker;
4. In the case that the Chief Justice is impeached, the Judiciary shall nominate one of their number to sit on the Appeals Committee in the place of the Chief Justice.

### **Section 5: Impeachment Hearing Procedures**

1. The Impeachment process shall occur in an adversarial manner, where the judicial body shall serve as an objective arbiter between prosecution and the defense;
2. The judicial body shall consider decisions made in previous impeachment hearings when passing a verdict;
3. The defendant will be considered innocent until proven guilty of an offence amounting to impeachment. The burden of proof is on the prosecution to prove beyond reasonable doubt that the defendant has committed an offence deserving of impeachment;
4. The party that has initiated the impeachment process against the defendant will act as the prosecution for purposes of the hearing. They will be allowed to have a member of the student body conduct the prosecution on their behalf;
5. The following procedures will govern public access to impeachment proceedings and information brought forth therein:
  - a. Impeachment proceedings shall be open to the public, except at the request of the defendant. The Judiciary shall honour requests for a closed hearing,
  - b. The Judiciary shall keep minutes of impeachment proceedings, which will be released to the public following the proceedings, except in cases involving sensitive information relating to the personal health or academic standing of the defendant, where the Judiciary may elect to seal the minutes. If sealed, minutes are be considered confidential information shall be protected accordingly,
  - c. Notwithstanding (a), a closed session of the hearing may also be held when material which is otherwise confidential is brought forth as testimony. Notwithstanding (b), material which is otherwise confidential may be redacted from testimony when published as minutes,
  - d. Regardless of circumstance, the Judiciary shall publish the rationale for any redactions or sealing of minutes;
6. The defendant will be granted the following rights:
  - a. The right to a fair and speedy trial,
  - b. The right to be defended by a fellow member of the student body,
  - c. The right to remain silent when cross-examined,
  - d. The right to confront their accusers and related witnesses,
  - e. The right not to be punished twice for the same offense;
7. No member of the student body will be allowed to take payment in cash or kind in return for representing their peers at a trial;
8. Prior to the trial, all parties shall take an oath to tell the truth, the whole truth, and nothing but the truth. Any individual guilty of lying under oath may be charged with perjury and have sanctions brought against them;
9. The procedures of trials shall be as followed:
  - a. Both prosecution and defense will be given the opportunity to make an opening statement, with prosecution going before defense,
  - b. Both prosecution and defense will then have the opportunity to summon witnesses to testify on their behalf based on the following stipulations:
    - i. Both parties shall give notice as to the identity and particulars of their witnesses prior to the trial,
    - ii. Prosecution will present their witnesses before the defense,
    - iii. After every testimony, the opposing party will be allowed to cross-examine witnesses,
    - iv. Witnesses are not allowed to be harassed or intimidated during cross examination,
    - v. Should there be doubts as to the integrity of a witness, the opposing party may attempt to impeach the witness if they can prove beyond reasonable doubt that the witness is lying to the judicial body,

- c. Having examined all witnesses, both prosecution and defense will be allowed to make a closing statement,
  - d. The judicial body shall then deliberate upon the guilt of the defendant. The opinion of a majority of the judicial body will prevail,
  - e. The decision of the judicial body will be communicated both verbally and in writing to both parties,
  - f. If the defendant is found not guilty, they shall be free to leave without sanction,
  - g. If the defendant is found guilty, the judicial body shall formally order their impeachment;
10. All verdicts by the judicial body are final.

### **Section 6: Resignation**

Any member of the Government may resign by submitting a letter of resignation in writing to the President, but the resignation will not be official until it receives approval from the President. If the resignation is not approved, the member may not resign from the Government, but may appeal to the Judiciary. It is possible to resign from a position, such as Director or President, and become a Government member without an official position.

### **Section 7: Expression of No Confidence in the President**

A successful expression of no confidence in the President will automatically remove the President from office. This shall be accomplished through:

1. A vote by  $\frac{2}{3}$  of the Student Council in support of a motion of no confidence in the President leading to removal of the President from office;
2. A petition by 50% of the student body calling for the removal of the President from office.

### **Section 8: Dissolution**

The Council shall declare its dissolution under the following conditions:

1. Two weeks after the election of a new Government;
2. A motion of no confidence in the Council passed by  $\frac{2}{3}$  or more of its members;
3. A motion of no confidence in the Council initiated by any member of the student body and passed by at least 50% of the student body;
4. Termination of Yale-NUS College operations;
5. Significant irregularities in the elections process or the electoral committee that severely prejudices the smooth running and legitimacy of the council, including but not limited to:
  - a. Vote-stuffing,
  - b. Large-scale voter intimidation,
  - c. Large-scale voter bribery,
  - d. Corruption in the Elections Committee.

## **ARTICLE IX: PROCEDURES**

### **Section 1: Purpose**

This article describes processes involving interactions within the Government, between the Government and other students, and the mechanisms and parameters through which the Government may proceed.

### **Section 2: Student Opinion**

1. Any student may submit a petition:
  - a. Any student who wishes to have their motion considered must obtain the signatures of agreeing students;
2. Upon receiving a submitted motion, the Council shall confirm the consent of all the signatories of this petition by randomly selecting signatories of the motion and verifying that they are aware of and agree with the terms of the proposed motion;
3. Any student may submit motions through offline and online platforms:
  - a. Motions with signatories may be submitted as a paper or digital document:

- i. Upon receiving submitted motions signed by 10% of the student body, the Council shall consider the proposed motion and use it to guide government decisions,
  - ii. Upon receiving submitted motions signed by 50% of the student body, the Council shall enact the proposed motion,
- b. Motions may be proposed online and voted on by the student body:
  - i. If the motion receives 10% of the student body within 7 days of submission, the Council shall consider the proposed motion and use it to guide Government decisions,
  - ii. If the motion receives 50% of the student body within 7 days of submission, the Council shall enact the proposed motion.

### **Section 3: Amendment Procedures**

There are three ways the Constitution may be amended:

1. Amendment by Council:
  - a. Representatives of the Council may amend the Constitution when there is a  $\frac{4}{5}$  majority vote amongst Council members for amendment. The President may not veto a Constitutional amendment,
    - i. The Government shall notify students (through both the online platform and other mediums) of any such amendments and the rationale behind such amendments,
    - ii. The Judiciary shall evaluate the practical and ethical implications of the amendment and publicise this evaluation,
    - iii. Any student may call for reconsideration and/or overturn such an amendment at any time through the Student Opinion procedure provided in Article IX, Section 2;
2. Amendment by Students:
  - a. Any student may call for an amendment to the Constitution at any time through the Student Opinion procedure provided in Article IX, Section 2;
3. Sunset Clause Amendment:
  - a. Students may call, via petition of the student body, as defined in Article IX, Section 2, for a 'Sunset Period' organised by the incumbent Council:
    - i. During this period students shall review the Constitution as a whole and re-ratify each article,
    - ii. Any article which is not re-ratified shall be revised and ratified, or removed.

### **Section 4: Ratification Procedures**

This section describes the mechanisms through which articles in the Constitution may be ratified in the event of a sunset clause amendment or a passed motion to review articles of the Constitution.

1. The quorum for ratification will be 50% of the student body;
2. A  $\frac{2}{3}$  majority vote is required to ratify any article of the Constitution;
3. If a 'Sunset Period' is instituted or a re-ratification of articles in the Constitution is voted upon, the Student Council is responsible for the formation of the Ratification Committee;
4. The Ratification Committee:
  - a. Will comprise members randomly chosen from a pool of volunteers, and then controlled for demographics, as per Article X, Section 3,
  - b. Shall hold, coordinate, and facilitate the student body's ratification of the amended or new Constitution in a clear, fair, transparent, and efficient manner by considering and implementing parameters such as but not limited to the following:
    - i. Timing and duration of ratification process,
    - ii. Publicity for, and dissemination of, minutes and results,
    - iii. Process of ratifications,
    - iv. Reservation of physical spaces,
    - v. Presence of witnesses (that are not members of the current Government, former Government nor current nor former Constitution Review Committee members),
    - vi. Tabulation of online votes;
5. Votes for ratification shall be obtained in the following manner:
  - a. Students studying on campus will vote via closed, secured computer stations,
  - b. Students studying abroad will email their vote to the Ratification Committee using their school-provided email.

## **Section 5: Council Meeting and Voting procedures**

This section describes the requirements that must be fulfilled in order for meetings and voting procedures and results to be legitimate.

1. The Speaker or the temporary Deputy Speaker shall be present in order for a meeting to be legitimate;
2. Open meetings:
  - a. All Council members shall have the right to be recognised to speak at some point during meetings,
  - b. All Council members shall have the right to propose agendas or any item of business to the Council,
  - c. All members shall have the right to hold the President and directors to accountable through questions, ministerial statements, and/or any other appropriate means of doing so,
  - d. The Council shall uphold the principle of openness and transparency, particularly through:
    - i. Making all weekly meetings open to the public,
    - ii. Publicising of minutes of proceedings;
3. Closed-door meetings:
  - a. The Council may only hold closed-door meetings without publicised minutes under the following circumstances:
    - i. The prescribed agenda of the meeting discusses issues that the Yale-NUS College, Yale University, and/or the NUS administration has requested to be kept confidential,
    - ii. The prescribed agenda discusses issues compromising the right to confidentiality of any member of the college community,
    - iii. Justification is publicised prior to the closed-door meeting,
  - b. In the event of a closed-door meeting, the Council shall keep confidential minutes of the proceedings of these meetings to be declassified during the term of office of the Council:
    - i. Supporting documents that justify a closed-door meeting shall be attached to these minutes,
    - ii. Minutes shall stipulate a clear declassification date which may be modified no more than once by the Judiciary,
    - iii. Upon reaching the date of declassification, the Council shall release all minutes of the closed-door meeting for public inspection. The Council may decide that certain information in the minutes remain confidential, such as but not limited to, supporting justification documents and the names of participants and stakeholders,
    - iv. In the case that the Council cannot decide on what information will remain confidential, or the Council itself is not privy to confidential information, the President shall decide contentious matters regarding confidentiality,
    - v. If the President's decision is contested by  $\frac{2}{3}$  of the Council, members shall defer to the Judiciary to settle contentious matters of confidentiality,
    - vi. Only parties at the level of the faculty and administration, and above may demand for the fully declassified minutes of closed-door meetings at any given time upon legal grounds;
4. Virtual participation in meetings via video and/or audio participation is permitted;
5. Voting:
  - a. Motions may only be voted upon if a 50% quorum is fulfilled during the meeting,
  - b. Motions are passed if it is voted upon by  $\frac{2}{3}$  of the participants of the meeting,
  - c. Only participants of the meeting may vote upon motions proposed in the meeting.

## **Section 6: Procedures in Case of Refusal to Fulfil Duty**

1. If the President, Vice President, a Director, co-Director, or Deputy Director objects to executing a Council decision on any grounds, they will submit a letter to the Council within a week, explaining why the Council member believes the decision is wrong;
2. If the Council still disagrees, then a petition initiated by students can decide whether the Government member shall execute this decision;
3. If the student body concludes that the Council member shall execute this decision, and the member still objects, they may resign from their post. They may resign from their position without resigning their role as a Council member in general.

### **Section 7: Transition Period**

1. The transition period between the election of the new government and its official incumbency will be two weeks long. During this transition period:
  - a. The preceding Council is incumbent, but the newly-elected Council will be the main acting body,
  - b. Members of the preceding Council shall impart as far as is possible all of its knowledge accumulated during its term of office to the newly-elected Council,
  - c. The President of the preceding Council shall release an end-of-term official statement which:
    - i. Summarises and evaluates the performance of the preceding Council,
    - ii. Suggests considerations for the newly-elected Council;
2. In the event that the newly-elected Council cannot be sworn in, the Election Committee has a transition period of one month to elect a new Council. The Election Committee may make temporary amendments to the provisions of the election procedure under Article VI. These temporary amendments may only be effective during this extraordinary scenario;
3. In the event that the Election Committee fails to elect a new council in the aforementioned one-month period, the Election Committee shall form a new, temporary constitutional process of election and solicit the necessary personnel for its execution.

### **Section 8: Roberts' Rules of Order**

1. Where this Constitution does not provide for proper procedure, Roberts' Rules of Order, Newly Revised, as defined in Article X, Section 3, will serve as the parliamentary authority over the Government.

## **ARTICLE X: Definitions**

### **Section 1: Purpose**

This article provides the strict meanings of key terms used in this Constitution.

### **Section 2: Interpretation**

Where further interpretation is needed beyond the definitions provided by this article, the final authority lies with the Judiciary of the Government.

### **Section 3: List of Definitions**

The following List of Definitions provides the meanings of terms used in this Constitution. The terms are arranged in alphabetical order.

#### **administration**

Refers to a body of personnel hired full-time by Yale-NUS College that lead and support the development and implementation of policies, programs and initiatives that are consistent with the mission and values of Yale-NUS College. This includes the following but not limited to: the Dean of Students Office, Dean of Faculty Office, Rector's Offices, and Admissions & Financial Aid Office.

#### **abstention**

An instance of declining to vote for or against a motion.

#### **amendment**

A change to the Constitution that has been passed by the Council or ratified by the student body.

#### **confidential, confidential information**

Information which is subject to special conditions or limited public availability, as stipulated in Article IX, Section 5, Clause 3, because it is either sensitive personal information about a student, such as academic records and health information, or information disclosed to the Student Government on the condition that it not be made public.

**conflict of interest**

A conflict of interest is where a member of Government is a meaningful participant in a non-Government party to a Government decision. Meaningful participant means, in the context of Yale-NUS College, that the member of Government is in a leadership capacity of a student group, has a vested financial interest in the outcome of a Government decision, or has a vested personal interest in the outcome of a decision as it pertains to them in a non-government capacity, or if any of the above applies to a significant other of the Government member.

**Constitution**

Refers to the ratified document that delineates the duties, responsibilities, and powers of the Student Government.

**controlled for demographics**

Used in the random selection of members for certain committees or bodies of the Government. It refers to the requirement for such a process to randomly draw from a pool of volunteers until the committee or body in question has, as far as possible, at least one member from each Class and Residential College.

**defendants**

The party who has a dispute or petition of impeachment brought against them before a judicial body.

**electoral term**

A period of time during which a Government with the authority of the Constitution holds office.

**faculty**

Refers to personnel hired by Yale-NUS College who teach students and/or perform research affiliated with the college.

**General Assembly**

A public event held by the Council to gather student feedback in a manner that facilitates maximal participation.

**impeachment**

Refers to the forced removal of a representative from a position, with its related duties and powers.

**involuntary circumstances**

A lack of capacity by the individual to control or change their current situation. This includes but is not limited to serious illness or a death in the family.

**Judicial Body**

A body that arbitrates disputes and/or hears impeachment trials. May refer to the Judiciary or the Appeals Committee in the case of impeachment trials involving the Chief Justice.

**Kemeny-Young**

This algorithm makes sure that voter preferences of any kind, including any combination of ties, are permitted (non-imposition). If there is a candidate that wins all direct head-to-head contest against all other candidates, that candidate wins. If a majority of voters strictly prefer a candidate to every other candidate, that candidate is identified as the most popular. Any head-to-head preference order results in the voter's preferred candidate being ranked higher than their less preferred candidate. There is never a case where ranking your more preferred candidate below a less preferred candidate will be advantageous to a voter. If all the ballots were divided into separate contests and the overall ranking for those separate contests was the same, the final ranking would be the same. This method will also have reverse symmetry, meaning that if all ranks were inverted the most preferred candidate would become the least preferred candidate.

**legal**

This refers to decisions or actions permitted by and within the scope of the Constitution.

**participation**

Physical or virtual (through audio or video media) presence and contribution in a meeting

**petition**

A motion initiated by a member of the student body to enact or overturn Government action.

**plaintiff**

The party who brings a dispute or petition of impeachment before a judicial body.

**portfolio**

A specific area of Government headed by a Director who oversees the duties in that respective area.

**public representative**

A member of the student body that is not also a member of Government participating in standing or select committees.

**public witness**

A member of the student body who is not also a member of Government who sees and verifies that an event is taking place.

**quorum**

The minimum number of members of a body that must be present at any of its meetings to make the voted-upon decisions of that meeting valid.

**ratification**

The process through which the student body gives formal consent to the effecting of the Constitution or part thereof, thereby making it officially valid.

**Residential College Advisory Committee (RCAC)**

Bodies of students recognised by the Rector's Offices who expressly serve to assist the Rectors in the activities of their respective residential colleges.

**resignation**

Refers to the voluntary relinquishment of representatives' position, and its accompanying duties and powers.

**Roberts' Rules of Order, Newly Revised**

Rules of order widely used as parliamentary authority in deliberative assemblies.

**runoff voting method**

An electoral system used to elect a defined number of candidates  $n$ , from a field of more than  $n$  candidates, where voters rank their candidates.

**sequester**

Procedure that entails the physical confinement of the Council members until a substantive decision is arrived at.

**serious illness**

Medical conditions that significantly compromise the ability of representatives to fulfill their duties and responsibilities.

**signature**

A signature signifies a student's agreement with a motion. It will comprise either:

- 1) The student's name and matriculation identification number, if conducted in an online platform accessed behind a student account number password-protected system, or
- 2) If conducted physically (as opposed to online), the student's name, matriculation number, and some mark identifying and certifying the veracity of their information and agreement with the motion.

**student body, students, matriculated students**

Refers to all individuals currently enrolled at Yale-NUS College. This includes individuals who are not physically present on campus but excludes exchange individuals enrolled in other academic institutions.

**Student Council**

The body, also referred to as the Council, which comprises elected members of the student body, who, empowered by the Constitution, act as their representatives and protect their interests.

**Student Government**

The body, also referred to as the Government, which comprises the Student Council and the Judiciary.

**student organization**

Any body of students who are recognised by the Student Government as having fulfilled the requirements to receive budgeting.

**unconstitutional**

Not in accordance with the Constitution or with procedural rules.

**week**

Refers to a week according to the Yale-NUS academic calendar.

**veto**

A power accorded to the President for the unilateral rejection of a motion passed by the Student Council. This power is separate from the President's vote as a member of the Council.

**vote**

Refers to the formalised expression of support or opposition to a motion by an individual.

**Vote of No-Confidence**

Is a statement of discontent indicating that a person or persons in a position of responsibility is no longer deemed fit to hold that position.

**Yale-NUS College**

The autonomous liberal arts residential college for undergraduates within the National University of Singapore (NUS) founded by Yale University and NUS located in Singapore.

## SCHEDULES

**First Schedule: Bylaws**

The following bylaws have been set by the Constitution Committee, to be effective upon ratification of the attached Constitution:

1. In Academic Year 2015-2016, Semester 2 only, the existing budget committee will remain in place until the end of the financial year.
2. This Constitution shall be effective following the Council elections of January 2015, with the exception of Sections 1-4 of Article VI (Elections), which shall take effect immediately upon ratification of this Constitution. Such Article shall be interpreted with respect to its context within this Constitution, and shall not be construed to refer to any portion of the previous constitution.
3. The previous constitution shall be null and defunct following the Council elections of January 2015, with the exception of the entire Elections article, which shall become null and defunct immediately upon ratification of this Constitution.
4. The members of the outgoing government shall meet with members of the incoming government following the Council elections of January 2015, to transfer knowledge gained over the course of their



term of service. Each member of the outgoing government shall meet with those members of the incoming government who possess similar roles and duties, if possible.

5. If this Constitution is ratified, members of the newly formed Government may approach any member of the Constitution Review Committee for any clarification on the Constitution. The guidance given by the Committee is not a binding interpretation of the Constitution, but will serve as a useful aid indicating the original intentions of its drafters.

### **Second Schedule: Oaths of Office**

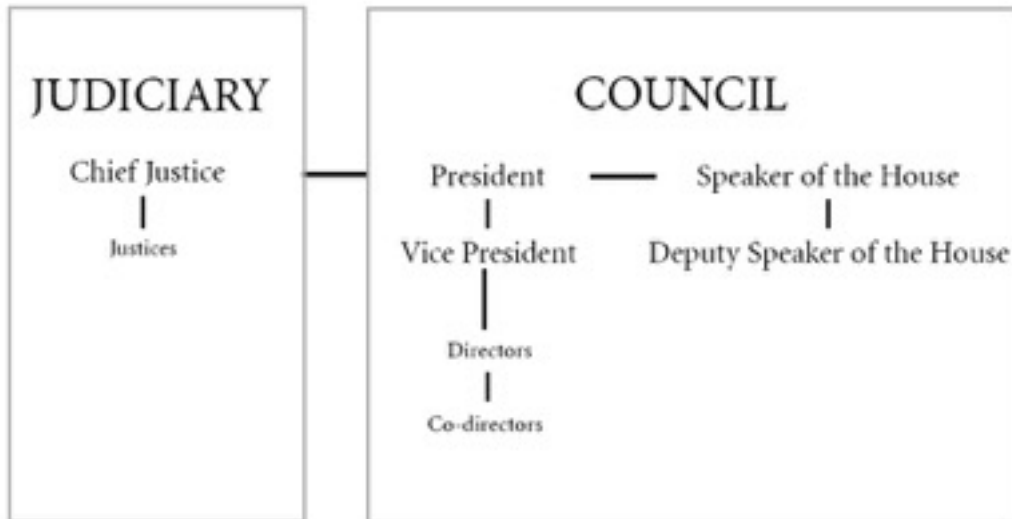
1. Divine Invocations:
  - a. Divine Invocations are optional for all members-elect and may vary according to their personal beliefs. No member shall be deprived of their position for their unwillingness to make a divine invocation. If members-elect wish to swear upon a religious text, they should provide these themselves.
2. Oath for President/Directors
  - a. I, \_\_\_\_\_, having been elected to the position of President of the Student Council/ Director of \_\_\_\_\_, do solemnly swear to bear true faith and allegiance to the students of Yale-NUS College, to preserve, protect and defend the Yale-NUS College Student Government Constitution, and to faithfully discharge my duties without fear, favour or ill-will to the best of my ability. (Optional: So help me God etc.)
3. Oath for Judiciary Members
  - a. I, \_\_\_\_\_, having been appointed a member of the Yale-NUS College Judiciary, do solemnly swear to preserve, protect and defend the Yale-NUS College Student Government Constitution, and to rule on all matters without fear, favour or ill-will to the best of my ability. (Optional: So help me God etc.)
4. Oath for Council Speaker
  - a. I, \_\_\_\_\_, having been appointed Speaker of the Yale-NUS College Council, do solemnly swear to preserve, protect and defend the Yale-NUS College Student Government Constitution and the standing orders of this chamber, and to rule on all matters without fear, favour or ill-will to the best of my ability. (Optional: So help me God etc.)
5. Oath for Council Members
  - a. I, \_\_\_\_\_, having been elected as a member of the Yale-NUS College Student Council, do solemnly swear to bear true faith and allegiance to the students of Yale-NUS College, to preserve, protect and defend the Yale-NUS College Student Government Constitution, and to faithfully discharge my duties to the best of my ability. (Optional: So help me God etc.)

### **Third Schedule: Important Numbers Summary**

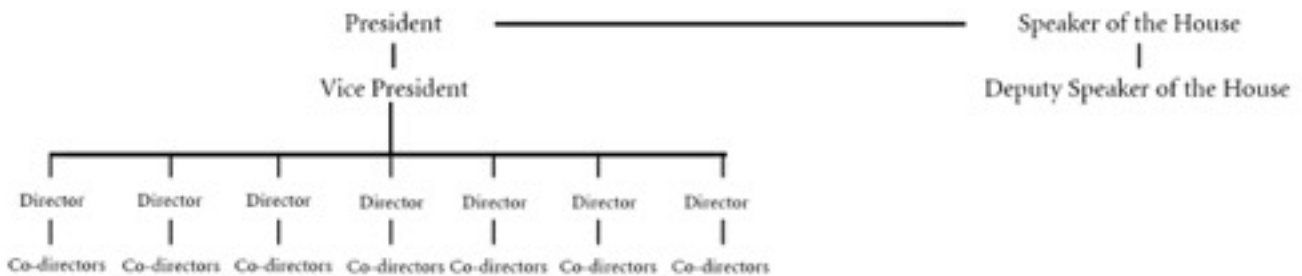
1. Council votes.
  - a. A  $\frac{2}{3}$  majority vote shall be required to pass any motion, excluding veto override. This includes when the Council:
    - i. Ratifies President's Director appointments.
    - ii. Appoint Liaisons.
    - iii. Passes a motion of no-confidence in the President.
    - iv. Passes a motion of no-confidence in the Council.
  - b. A  $\frac{4}{5}$  majority vote will be required in order for the Council to override the President's veto.
2. Judiciary votes: A  $\frac{2}{3}$  majority vote shall be required to pass all motions.
3. Petition/Student Opinion:
  - a. A normal petition shall be signed by 10% of student body.
  - b. The following circumstances are exceptions wherein a petition must be signed. by 50% of the student body:
    - i. Impeachment.
    - ii. Pardon Director for not fulfilling their duty.
    - iii. Vote of No-Confidence.
    - iv. Enact a motion.

Fourth Schedule: Structures of the Government (Diagram)

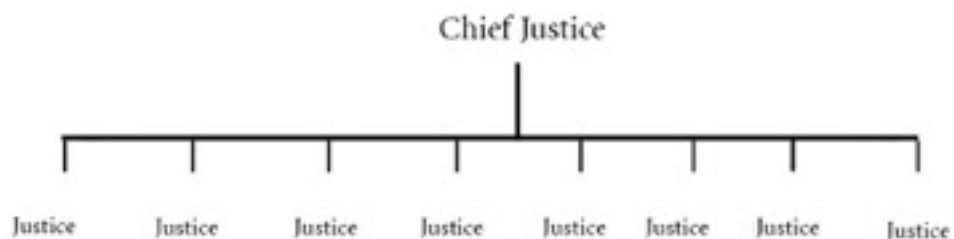
# GOVERNMENT



# COUNCIL



# JUDICIARY



# CONSTITUTION REVIEW AMENDMENT SUGGESTION FORM

Please fill up this form **only** if you wish to submit a **specific amendment** to the draft Constitution for consideration. This includes the addition of new articles, removal of entire articles, and the modification or replacement of existing articles (this includes the correction of any spelling or grammar errors). General concerns or suggestions that are not specific amendments should be directed to the Convener or a member of the Constitution Review Committee. After you have completed the form, please pass it to any member of the Committee, or drop it off at the Constitution information tables at meal times during the public comment period. Please see overleaf for the Committee's procedure on incorporating amendments.

**1. PERSONAL DETAILS** (Optional section. Your personal information will not be distributed without your permission. We will only contact you if we need to clarify your submission.)

Name: \_\_\_\_\_ Class: 2017 / 2018 / 2019 \*

Email: \_\_\_\_\_ RC: Saga / Elm / Cendana \*

*\* Please circle where appropriate*

**2. SPECIFIC AREA** (Please indicate the specific part of the Constitution in as many fields as are applicable to your suggested amendment. If your amendment does not pertain to a specific article, leave this section blank.)

Article: \_\_\_\_\_ (e.g. VII) Section: \_\_\_\_\_ (e.g. 3) Clause: \_\_\_\_\_ (e.g. 1) Sub-clause: \_\_\_\_\_ (e.g. a.iv)

**3. AMENDMENT** (If suggesting a new article or part thereof, or a replacement to an existing article, write out exactly how you would want the addition to appear in the Constitution proper. Be as specific and succinct as possible.)

**4. RATIONALE** (With reference to your suggested amendment, please state the reason you decided to suggest the amendment, including prime considerations and principles.)

## PROCEDURE FOR THE CONSIDERATION OF AMENDMENTS

1. Every submitted amendment will be considered and voted on by the Constitution Review Committee. The Committee will hold meetings for this purpose after the public comment period ends on 20 November 2015 and produce a finalised Constitution by 23 November 2015.
2. The Committee identifies four main kinds of amendments: modification, removal, addition, and replacement:
  - a. “modification” refers to changes to existing parts of the Constitution not including complete removal or replacement.
  - b. “removal” refers to the complete removal of or any part of the Constitution, without replacement.
  - c. “addition” refers to inserting a completely new article, section or clause that does not currently exist in the Constitution.
  - d. “replacement” refers to complete removal of or any part of the Constitution in order to insert a completely new article, section or clause.
3. The Committee will first categorise submitted amendments by the Article with which each amendment is concerned. Submissions which do not identify an Article of concern (e.g. additions) will be grouped together as “Miscellaneous”.
4. The Committee will consider amendments under the Miscellaneous section first. Thereafter, it will consider amendments categorised under each Article in ascending numerical order.
5. The Committee will then discuss and debate each amendment in the order stated. The Committee’s considerations will include, but are not limited to:
  - a. The practical effects of the amendment in force, in the context of Yale-NUS College, its students, administration, and its future.
  - b. Implications for the rest of the Constitution.
  - c. The rationale, principles, and justification behind the amendment.
6. For each amendment, the Committee will vote, following debate, to either accept in principle or reject the amendment. If an amendment is accepted in principle, minor changes may still be made to it while keeping in line with its original stated rationale. The final amendment is voted on again before it is included in the Constitution.
7. In the event where amendments conflict with one another (e.g. a call for removal clashes with a call for modification):
  - a. The Committee will first vote on all concerned amendments separately.
  - b. If all amendments pass the initial vote, the Committee will vote on which of the concerned amendments to recommend as the final amendment.
  - c. The final amendment will then be voted on again.
8. As with all meetings, the Committee’s meetings to consider amendments will be made open and public, and the minutes of said meetings will be available through the current Student Government website.