



Constitution

2017-2018

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College of the Ouachitas

Student Government Association

Constitution

Preamble

We, the students of the College of the Ouachitas, in order to promote good relationships and understanding among the students, administration, faculty, staff, and trustees; to unify the student body in the development of self-government and good citizenship; and to get a high level of standards for our school through responsible conduct, do hereby establish this constitution for the government of students of College of the Ouachitas.

ARTICLE I. Name of the Organization

This organization shall be known as the College of the Ouachitas Student Government Association referred to hereafter in this document as Student Government Association.

ARTICLE II. Purpose

The purpose of this organization shall be to represent the interests, provide a form of government for the overseeing of student activities, and improve the cultural, social, and physical welfare of the student body. Foremost, fostering the recognition of rights and responsibilities to the school, community and humanity by striving to bring excellence in order to achieve excellence. This constitution shall be the basis of the Student Government.

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ARTICLE III. Membership

All full- and part-time students who pay student activity fees shall become members of the Student Government Association and participate in College of the Ouachitas Student Government Association activities, subject to conditions and limitations stipulated in the constitution and the Code of Student Rights and Responsibilities.

A. **Participation:** All members of the Student Government Association may participate in public meetings and may vote in elections and referendums of the Student Government Association.

B. **Honor Code:** All students are bound by the Honor Code and shall be held accountable to it. College of the Ouachitas Student Government Association Honor Code states:

We, the members of the College of the Ouachitas Student Government Association, pledge to hold ourselves and our peers to the highest standard of honesty and integrity.

ARTICLE IV. Powers of Student Government

- A. **Accountability:** The Student Government Association may require any officer or senator to account for his/her activities, whether through regular scheduled reports or special hearings/meetings. It may depend on the basis of such accounting or reports, to give appropriate guidance or direction to the officer or senator concerned.
- B. **Rights Guarantee:** Every student is guaranteed certain rights under the Constitution of the United States and State of Arkansas. Student Government Association recognizes these rights. In addition, the Student Government Association is guaranteed the right to submit the initiatives and referendums for ratification by the electorate, the right to recall and remove Student Government Association officers and the right to address its student body officials.
- C. **Association By-Laws:** The Student Government Association may enact such by-laws consistent with this constitution, as it considers advisable. When enacted, by-laws shall be recorded in the appropriate handbook of standard operating procedures.
- D. **Appropriation of Funds:** The Student Government Association shall have the ability to appropriate Student Activities Fees as allowed by state law.
- E. **Travel Expenses:** The Student Government Association shall appropriate funds in advance for travel arrangements to and from any activity, conference or venue that said organization attends. This is to include any per diem, hotel costs and fees associated with any activity, conference or venue.
- F. **Organization Oversight:** The Student Government Association shall have the power to approve and revoke the charters of campus clubs and organizations. Charters shall be granted by simple majority vote and revoked by two-thirds (2/3) majority vote.
- G. **Communication Responsibilities:** The Student Government Association will initiate consideration of student problems and communicate action on recommendation through the Student Government Association advisor to the proper college authorities.
- H. **Activities Responsibilities:** The Student Government Association will assist in supervision and coordination of activities and promote social activities. These activities include but are not limited to:

- Welcome Week
- Finals Week
- College of the Ouachitas Graduations/Commencement Ceremony receptions
- Awards Ceremony
- FYI Night
- New Student Orientation
- Student Government Association meetings
- College of the Ouachitas Presidential requests
- SGA Scholarships
- Academic Showcase

I. Fund Allocation Authorization: The Student Government Association will allocate funding for the activities listed under "H" above at the first regularly scheduled SGA meeting of each fall semester. In addition, \$500 will be allocated to each club/organization recognized by the Student Government Association and the administration of the college. These club/organization funds shall be issued in two payments of \$250 payable *at the end of the fall and spring semesters* provided the senator/representative has attended and participated in at least *75% of all meetings and activities* during the semester. New student clubs/organizations that are established during the semester shall receive a \$250 payment at the beginning of the semester in which they are created but will not receive a payment at the end of that semester. If all requirements are met during the second semester, they will then receive the same end-of-semester payment as all other clubs and organizations.

J. Advisor Clause: The expenditure of funds requires the approval of a Student Government Association advisor. Advisors may overrule student body vote in order to maintain the integrity of the Student Government Association and College of the Ouachitas.

ARTICLE V. Student Government Association Organization

A. General Provisions:

1. All students in the current term at COTO shall be a member of the SGA and have equal voice and vote to that of his or her fellow students
2. Student government is the governing organization and representative of the Student Body; its actions, not otherwise limited by the constitution, supersede those of all other student organizations.

B. Branches of Government: The powers of the SGA of COTO shall be divided into Executive, Legislative and Electoral branches and consist of:

1. Executive Composition (Executive Council):

- a. Student Body President
- b. Student Body Vice-President
- c. Student Body Secretary
- d. Student Body Treasurer
- e. Student Body Public Relations
- f. Student Body Parliamentarian

2. Legislative Composition (Senate):

- a. Academic Senators
- b. At-Large Senators
- c. Student Organization Senators

3. Electoral (Student Body):

- a. Full-Time Students
- b. Part-Time Students

C. Discrimination Prohibited: SGA shall not discriminate on the basis of race, color, creed, sexual orientation, gender identity, ethnicity, sex, national origin, age, religion, disability, or any other classification as defined by law.

D. High School Enrolled Students: High school students shall be permitted to participate.

ARTICLE VI: Vacated Offices

- A. The SGA shall declare an elective office vacant when:
 - 1. The elected officer/incumbent submits a written resignation to the Advisor.
 - 2. The elected officer fails to maintain a grade point average of 2.5.
 - 3. The elected senator fails to maintain a grade point average of 2.5.
 - 4. An impeachment proceeding results in the decision to remove the person from office.
 - 5. The elected officer vacates or abandons their office.
- B. **Right of Succession:** If the office of the President falls vacant, the Vice President shall become President, and the Vice President position shall fall vacant.
- C. **Near End of Term Vacancies:** Vacancies occurring in offices other than that of President, and including that of the Senate, have between 7-31 calendar days to be filled before the first day of a regularly scheduled election, or this office shall be filled in an election by the Student Government Association at the regularly scheduled election.
- D. **Vacancies Appointment:** Vacancies in any executive office other than that of President at all other times shall be filled by an interim officer appointed by the remaining members of the Executive Counsel provide that the nominee meets the requirements of the office, and with the approval of the Student Government Association Advisor/s. The advisors can appoint new officers if needed. Persons so appointed shall serve until a special election can be held by the Senate to elect a permanent officer from properly nominated candidates.
- E. **Special Vacancy Election:** If both offices of the President and Vice President become vacant at the same time, a special election will be held among the Student Government Association representatives to elect a new president from among them, with the approval of the Student Government Association advisor/s.

ARTICLE VII. Officers: Qualifications and Duties

- A. **Qualifications and Governing Rules of Office:**
 - 1. All officers must pay the student activity fee and be in good standing with the college.
 - 2. An officer must have and maintain a 2.5 or higher Grade Point Average during each semester, which will be monitored by the Advisors and Vice President of Student Affairs.
 - 3. Should his/her average GPA fall below a 2.5, he/she shall be placed on probation for one full semester (16 weeks).
 - 4. No officer should hold more than one office stated in Section 1, Subsection a of the Branches of Government section of this constitution.
 - 5. Accepting a new office will automatically result in the resignation of a former office.
 - 6. This section shall not prohibit any person having a position within student government from being a member of a constitutional revision committee or legislative entity having only advisement powers.
- B. **President:**
 - 1. This position shall be held by a second year student.
 - 2. He/she shall preside at all meetings of the Association or Senate.
 - 3. Shall be an ex-officio member of all appointed Association committees.
 - 4. Shall represent the school on all occasions, functions, and relations connected with

other Student Government Association area conferences.

5. He/she shall issue, read and discuss the copy of the Student Government Association Constitution to all new Senate members.
 6. Shall preside over general meetings.
 7. Shall in association with Executive Branch develop a tentative yearly calendar of activities for his/her term in office. This calendar of activities must be approved first by the Advisors and Vice President of Student Affairs and then approved by a quorum vote by Student Government Association representatives.
 8. **Must spend a minimum of five (5) hours weekly and one evening every other week for one (1) hour in the Student Government Association office working on Student Government Association business and available for questions.**
 9. Must actively participate in ALL Student Government Association activities.
 10. To assist in appointing new officers to fill the vacancies created by the resignation/removal of any of the officers of the Student Government Association, subject to approval by the Advisors and by two-thirds (2/3) majority of the Student Government Association, (President's office excluded)
 11. To conduct all meetings of the Student Government Association, according to Robert's Rules of Order (Newly Revised Edition).
 12. Serve as Student Representative at meetings held for student interest as well as with faculty, administration, officials and the community.
 13. Veto any bill that does not follow the scope of the constitution within three (3) class days of passage. The Senate may override any such veto by a two-thirds (2/3) majority vote within five (5) class days of the veto.
 14. Notify members of any special meetings at least three (3) class days prior.
 15. Verify all money usage by the Treasurer and/or Secretary.
 16. Prepare an annual and monthly written report recording Student Government Association activities to be presented to the Vice President of Student Affairs.
 17. Meet weekly with the Student Government Association Advisor to discuss the effectiveness and concerns of the Student Government Body.
 18. The outgoing President is responsible for training the new incoming President before leaving office.
- C. **Vice President:**
1. This position shall be held by a first or second year student.
 2. He/She shall assume all duties of the President in his/her absence.
 3. Shall assist the President in planning the agenda for each Student Government Association meeting. He/she shall issue a copy of the agenda to the Advisors, all Senators, and Officers.
 4. **Shall maintain a minimum of three (3) hours weekly in the Student Government Association office working on Student Government Association business and available for questions.**
 5. He/she shall assist the President in any way required by the President or Advisors.
 6. To fulfill the duties of the President in the case of illness or absence of the President.
 7. He/she is responsible for overseeing the creation and approval of all advertisement done on the behalf of the Student Government Association. Actual creation and

production of the advertising is to be done by the Public Relations Officer.

8. Determine along with advisors whether a Senate absence is excused or unexcused.
9. Shall participate in all Student Government Association activities.
10. Meet weekly with the Student Government Association Advisor/s to discuss the effectiveness and concerns of the Student Government Body.
11. He/she is responsible for training the incoming Vice-President before leaving.

D. Secretary:

1. This position shall be held by a first or second year student.
2. He/she shall keep minutes of all Association and Senate meetings and place these in a permanent Student Government Association file. He/she shall issue a copy of these minutes to all the Senators and Officers upon request and post these minutes on the Student Government Association bulletin board for all students to review.
3. Shall be responsible for Association correspondence.
4. Shall keep an accurate record of all Association correspondence and business.
5. Shall assist the President and Vice President in planning the agenda for each Student Government Association meeting. He/she shall issue a copy of the agenda of the Advisors, all Senators and Officers.
6. **Shall maintain three (3) hours weekly in the Student Government Association office working on Student Government Association business and available for questions.**
7. Appoint a designee to record notes in the event of their absence and notify the Advisor/s of his/her selection.
8. Shall maintain and post agendas and records and maintain minutes of the meetings of the Senate.
9. Compile and transmit all necessary documents to the Senate.
10. He/she shall participate in all Student Government Association activities.
11. Shall be responsible for training the incoming Secretary before leaving office.
12. The Secretary shall be able to assist in the Treasurers role if and when needed in the Treasurers absence. This is to include all duties regarding purchase requests for signatures.

E. Treasurer:

1. Shall keep an accurate record of all finances and financial transactions of the Association and place these records in a permanent file as well as maintain a copy of all receipts and disbursements and prepare a copy for the Advisors and Vice President of Student Affairs.
2. He/she shall present a monthly financial report at each meeting and semester financial report to the Advisors and Vice President of Student Affairs.
3. **Shall maintain a minimum of three (3) hours weekly in the Student Government Association office working on Student Government Association business and available for questions.**
4. Serve as Chief Financial Officer of the Student Government Association funds consisting of the student activity fees and budget. He/she shall sign purchase requisitions for Student Government Association funds on order of the Executive Counsel, Senate and Advisor. Also, refuse purchase requisition for unreasonable expenditures upon confirmation with Advisors and authorities in chain-of-command.
5. Sign and submit all Purchase Requisition Forms to the proper school authorities

(Advisors) for approval of funds and expenditures no less than one week prior to any event. Exceptions to this are perishable items or additional items deemed necessary by the Advisor(s). Such items might include but are not limited to food, drinks, items that must be refrigerated, or last minute purchases needed for an activity.

6. He/she is responsible for prompt payment of bills, transfers involving funds and all other financial proceedings associated with the Student Government Association.
7. Meet weekly with the Student Government Association Advisor to discuss the financial matters of the Student Government.
8. He/she shall participate in all Student Government Association activities.
9. Shall be responsible for training the incoming Treasurer before leaving office.
10. The Treasurer shall assist in the duties of the Secretary when needed in the absence of the Secretary.

F. Public Relations

1. This position shall be held by a first or second year student.
2. He/she shall be responsible for coordinating information with all parties within the faculty, Administration, Advisors and Student Body.
3. Is responsible for contacting the area newspapers about scheduled events once they have been approved by the Advisors and Public Relations/Advertising Department of College of the Ouachitas.
4. Shall be responsible for publicizing functions at the school well in advance of upcoming events.
5. **Shall maintain a minimum of two (2) hours weekly in the Student Government Association office working on Student Government Association business and available for questions.**
6. Maintain Student Government scrapbook by taking pictures at all Student Government Association activities and all or any activities on campus in which Student Government Association takes part in.
7. Is responsible for any and all other duties assigned by the Executive Branch, Advisors, and/or the Vice President of Student Affairs.
8. He/she is responsible for the removal of posters and/or Advertisements on or prior to the due date for removal.
9. Shall participate in all Student Government Association activities.
10. Shall be responsible for the creation, production and approval of all advertising done on the behalf of the Student Government Association. Any and all advertising, posters, notices, or other media to be posted, shall be the responsibility of the Public Relations Officer and approval will be obtained prior to production.
11. He/she shall be responsible for training the incoming Public Relations Officer before leaving office.

G. Parliamentarian

1. Should sit next to the presiding officer during meetings.
2. Speaks to the assembly only when requested.
3. Gives advice to the President and members during meetings.
4. Informs the President of errors in parliamentary procedure if they affect the basic rights of members.

5. Gives advice to members during times when meetings are not in progress.

ARTICLE VIII. Senate Qualifications and Duties

A. Qualifications and Requirements

1. All senators must maintain a cumulative G.P.A. of 2.5 during the semester. Each Senator that is elected will serve one (1) academic year and will be permitted one (1) vote per legislative item during senate sessions.
2. Absent members who fail to notify an Executive Board member or the Advisors prior to any Senate session are considered "unexcused", unless deemed "excused" by the Vice President of the Student Government Association. Any member who enters the Senate session after the Calling of Order is considered late. Three (3) incidences of lateness constitute one (1) unexcused absence.
3. The length of term for all Senators elected in the spring semester in the Student Senate who have been elected by the chartered organization is according to its respective by-laws. If the organizations by-laws do not specify the term length then it shall be one (1) year.
4. The Student Senate shall apportion itself once per year during the fall academic term to be effective for the following fiscal election year.
5. During the summer term the Student Government Association Student Senate shall have the same authority as it does during the fall and spring term.
6. During each semester the President or, in the absence of the President, Vice President is the Presiding Officer over Student Government Association Senate sessions.

B. Senate Composition:

1. **Academic Senators-** There shall be one Academic Senator representing the Student Body per division as chosen by the department Dean.
2. **At-Large Senators-** There shall be one At-Large Senator for every 250 students to represent the Student Body. They must be nominated; seconded, and voted with a majority of the Student Government Body present.
3. **Student Organization Senators-** Each organization chartered by the Student Government Association is required to have one but no more than two voting representatives present in the Student Senate who has been elected by the chartered organization according to its respective by-laws.

C. Powers of the Student Senate

1. Determine rules and procedures
2. Compel the attendance of members
3. Censure or expel a member by two-thirds vote, provided the member has been provided prior written notice.
4. Determine the time and place of its meetings, provided it meets every two weeks.
5. Be the sole judge of the validity of the election results.
6. Decide all tie elections at its first meeting following validation.
7. Provide for the replacement of its members upon a vacancy of office.
8. Provide for the control and disbursement of Student Senate funds if allocated funds.
9. Require information and appearance from and Student Government Association Official or officer of any organization receiving funds from Student Government

10. Enact all laws necessary and proper for the general well-being of the Student Government Body.
11. Exercise any other powers, law or duty provided for in the Student Body constitution.

D. Prohibition:

1. Enact any law that abridges its powers delegated by the Constitution
2. Appropriate funds for a period of more than one year.
3. Infringe the secrecy of the ballot in Student Government Elections
4. Deny speaking privileges in the Student Senate to any officer on the executive council, or any college administrative officer.
5. Meet in Closed sessions.
6. Conduct any voting by secret ballot.
7. Change the dates of the Student Government Election 5 weeks before the scheduled election.
8. Change election laws 3 weeks prior to election
9. Enact any law embracing more than one subject and matter properly connected to that subject.

E. Legislation of the Student Government shall only be classified a(n)

1. Bill of Law which is subject to veto;
2. Primary or subsidiary budgets, of which all budgets shall be considered bills of law and subject to veto, as described in this section;
3. Special request authorization- an appropriation from special request funds requiring two-thirds vote or enactment subject to veto as stated in this section;
4. Authorization- a directive requiring two-thirds vote for enactment that advises, orders, or prescribes the method for an officer to fulfill a duty provided for in the constitution.
5. Resolution- an expression of the sentiment of the Student Government Senate body requiring two-thirds vote for passage and not subject to veto.

F. Elections

1. **Qualifications to vote:** The Student Government body shall comprise of the Electorate. Each member of the Electorate shall be entitled to vote in the Student Body Elections.
2. **Spring General Election:** The spring general election shall be the first week in April using an instant run-off process. All ballots cast for any person other than the authorized candidates shall be disqualified.
3. **Validation of the election:** The Student Senate shall validate the elections no later than ten (10) days after the last day of election.
4. **Time of assuming office:** Senators and officers elected in the spring general election will be required to take office immediately following acceptance of office as **officers elect**. The current outgoing SGA officers must fulfill their duties throughout the completed spring semester. This is to ensure all financials are satisfied before the Spring COTO graduation. If in the case that the Treasurer or Secretary's offices are vacant for any reason, ie; Graduated, none elected, or vacated, The SGA advisor or advisors will allocate the funds with the approval of the Vice President of Student Affairs. This is to ensure the integrity of the Student Government Association with in the community. (See Article IV Letter J Advisor Clause.) (See COTO purchase requests rules and guidelines.)

5. **Incoming Officers: Officers Elect:** Will become independent without the help from outgoing Student Government Officers after the College of the Ouachitas yearend graduation. A meeting of the new officers must occur within the month of May to start their new leadership roles.
6. **Incoming Senators:** The out At-Large Senators shall assume office following validation by the Student Senate.
7. **Qualification for Office:** Must be registered and enrolled during entire term of office and at time of election. Incoming freshman (those who have not previously attended a post-secondary academic institution or have no existing College of the Ouachitas GPA) shall be exempt from the following qualifications requirement during the first academic semester in office or until a cumulative College of the Ouachitas GPA has been established.
 - i. Unless a more restrictive standard is stated in this constitution, to be eligible for a Student Government Association leadership position within Student Government, a student must have and maintain a 2.5 cumulative College of the Ouachitas Grade Point Average if applying for a Senate office or Executive Council office on all work attempted at College of the Ouachitas.
 - ii. Unless a more restrictive standard is stated in this constitution, to be eligible for a Student Government leadership team position, a student must be available during the summer and enrolled in a minimum of 6 credit hours and completing no less than 9 credit hours in the fall and spring semesters.
 - iii. Unless a more restrictive standard is stated in this constitution, to be eligible for any Student Government Association position, a student must adhere to the Student Code of Conduct as outlined in the Student Handbook. Should a Student Government Association member receive a college sanction for violations of policies or guidelines set by College of the Ouachitas during their term of office and their appeal denied, they shall be administratively removed from office and their Student Government Association position filled. The Sanctioned member will be given five (5) business days to submit a written request of appeal and Student Authorization Form to the Student Government Advisor for a judicial review as outlined by law. If the appeal is granted, the officer will remain with the Student Government Association and will be placed on probation for a 16 week period.

ARTICLE IX. Impeachment

- A. **Persons who may be impeached:** The Student Government Association President, Vice President, Secretary, Treasurer, and Public Relations Officer may be impeached for misfeasance, malfeasance, and nonfeasance, abuse of power, or conviction of a criminal offense while in office.
- B. **Filing of Impeachment Resolution:** The Student Government Senate shall provide in its rules of procedure the definition of filing date of an impeachment resolution, providing that a minimum of one student senator must co-file the impeachment resolution and that the affected person must receive a true copy of the impeachment resolution.
- C. **Impeachment body:** The Student Senate will make up the body, which will hear the impeachment proceedings. Executive Council designee shall preside over the impeachment

proceedings. A two-thirds vote of the impeachment body shall be required in order to impeach. From this point the body must vote to convict the impeached executive officer or student senator. A three-fourths vote of the impeachment body shall be required for conviction. Impeachment proceedings may not be conducted during suspended Quorum.

- D. **Effect of Conviction:** Judgement of conviction in cases of impeachment shall remove the effective executive board member or student senator, and may include disqualification from ever holding elected or appointed Student Government Association office in the future. Conviction or acquittal shall not affect the civil or criminal responsibility of the person.

ARTICLE X. Amendments

- A. **Amending the Constitution:** Proposed amendments shall be submitted in writing at a regular meeting of the Student Government Senate body, provided that a minimum of one student senator must co-file the amendment. Copies of proposed amendment(s) shall be made to all voting senators. Action of the proposed amendment(s) may not be taken until the following meeting of the Student Government Senate Body and provide the Student Government Association President has taken appropriate steps to alert the Student Government Electorate (General Student Voter population) of proposed changes.
- B. **Requirements for ratification:** Eighty-five percent (85%) majority vote of the Student Government Senate Body is required for final ratification. Unless otherwise noted in the amendment, the amendment will be effective upon ratification. Constitutional changes may not be ratified during suspended quorum.
- C. **Prior Office Clause:** Any amendment(s) in this constitution that add(s) or eliminate(s) offices shall not cause any student holding the office to lose either office due to this section.
- D. **Construction:**
1. **Rules of construction:** Unless otherwise qualified in this text, the following rules of construction shall apply to the constitution:
 - a. "of the membership" means the total number of authorized seats in the body.
 - b. "Student Body Officials" means a person who holds a position within Student Government Association
 - c. "Student Government Leadership" means the Student Government officer: President, Vice President, Secretary, and Treasurer.
 - d. "student in the term" includes all student enrolled in an AA, AS and/or AAS degree of programs, or those enrolled in a certificate program, continuing education, and/or dual-enrollment; this does not include individuals only registered for community and/or adult education.
 2. **Laws Hierarchy-** The provisions of the Student Government Association Body constitutional documents are governed by and subordinate to the constitution of the State of Arkansas, as well as, the policies and procedures of the Board of Directors/Trustees over College of the Ouachitas.

Typed: February 13, 2017

Amended: February 13, 2017

Amended: August 9, 2017

This constitution must be re-ratified within the first three weeks of the Fall semester every year henceforth.