

# CONSTITUTION OF PENN STATE CAPITAL ALLIANCE

## PREAMBLE

Despite claims to the contrary by the uninformed, a substantial and continually growing body of valid scientific evidence indicates that sexual orientation is not a choice. Individuals may choose, however, to act as heterosexual, homosexual, or bisexual, in accordance with society's dominant view of appropriate sexual identity. Consequently, many gay, lesbian, bisexual, and transgender people, under the influence of Pennsylvania law and repressive social attitudes, often find themselves in an environment in which they must "choose" to act as heterosexuals, in order to avoid the stigmatization associated with homosexuality and bisexuality. This effect at times blinds them from their true sexual identity, culture, and individual rights.

We, the members of Penn State Capital Alliance, shall seek to evoke positive change toward a society in which gay, lesbian, bisexual, and transgender people can participate free of negative stereotypes and as equal members of society in order to form a more effective association. We shall ensure a representative and orderly system of self-governance, establish internal justice, promote and defend those inalienable rights and pursuant responsibilities common to all persons. To pursue the fulfillment of the mission of this organization, we do hereby establish and ordain this constitution.

## ARTICLE I – NAME

Section 1. The name of the organization shall be Penn State Capital Alliance (more commonly and succinctly known as Capital Alliance).

## ARTICLE II – PURPOSE

- Section 1. Capital Alliance shall be established on three tenets: Scholarship, Support, and Service.
- Section 2. Capital Alliance shall be concerned with improving the visibility, strength, and support of The Pennsylvania State University lesbian, gay, bisexual, trans, queer, questioning, and allied (LGBTQA) communities in recognition of the marginalization and oppression they face as a result of the stigmatization of queer sexualities.
- Section 3. Capital Alliance shall seek to promote community awareness of the social, political, educational, and cultural issues surrounding LGBTQA identities and sexualities, and to empower individuals through various meetings, discussions, conferences, speaker events, and cultural exhibitions in various media.
- Section 4. Capital Alliance shall provide a supportive community environment for LGBTQA students at The Pennsylvania State University. The organization shall work for greater understanding and education within the University and its surrounding communities about LGBTQA people and the discrimination they face at and beyond The Pennsylvania State University.

Section 5. Because Capital Alliance is committed to the proposition that all persons are created equal and that discrimination is unjust, the organization shall work with the surrounding community to marginalize discrimination.

### **ARTICLE III – MEMBERSHIP**

Section 1. Inclusive General Membership

Membership in Capital Alliance shall be open to all students currently enrolled in The Pennsylvania State University, and shall comply with The Pennsylvania State University non-discrimination policy.

Clause 1: "Student" shall be defined as any full or part time individual currently registered and enrolled in certificate, associate, bachelor, master's, or doctoral degree programs of The Pennsylvania State University.

Section 2. Associate Membership

Associate Membership in Capital Alliance shall be open to any alumnus of The Pennsylvania State University, and current full-time faculty or staff member.

Section 3. General Membership shall be retained until the student severs relations with the University whether by graduation or otherwise. Membership shall be retained during vacations and recesses of the University.

### **ARTICLE IV – STRUCTURE OF THE EXECUTIVE BOARD**

Section 1. There are four (4) elected seats, which consist of the President, Vice President, Treasurer, and Secretary of Capital Alliance, herein referred to as the Executive Board.

Section 2. All officers shall be registered students of Penn State Harrisburg.

Section 3. The Executive Board shall strive to be representative of the general membership.

### **ARTICLE V – ADVISER(S)**

Section 1. The adviser(s) to Capital Alliance shall be one or more full-time faculty and/or staff members employed by Penn State Harrisburg. The adviser(s) shall be responsible for the adherence to this Constitution by all Capital Alliance members.

### **ARTICLE VI – DUTIES OF THE EXECUTIVE BOARD**

Section 1. The President shall:

Clause 1: Be a full-time student at Penn State Harrisburg;

Clause 2: Positively represent Capital Alliance at all times;

Clause 3: Maintain a high degree of confidentiality with regard to any and all information as a direct or indirect result of job responsibilities/job functions;

Clause 4: Attend and participate in all meetings, events, and activities;

- Clause 5: Not have a vote, except in case of a tie in meetings;
- Clause 6: Be the chief executive officer of Capital Alliance;
- Clause 7: Be the representative to the media and community for Capital Alliance;
- Clause 8: Have general supervision and control of activities and programs;
- Clause 9: Preside over and organize all meetings;
- Clause 10: Create weekly agendas;
- Clause 11: Approve, manage, and appoint all ad-hoc committees as deemed needed;
- Clause 12: Serve as the ex-officio member on all committees;
- Clause 13: Apprise all policies and directives to the Executive Board;
- Clause 14: Delegate responsibilities as necessary;
- Clause 15: Secure all appropriate facilities, such as for meetings and events;
- Clause 16: Communicate notice of Executive Board meetings;
- Clause 17: Participate in a shadowing process to acclimate the new President; and
- Clause 18: Meet with the Adviser(s) regularly.

Section 2. The Vice President shall:

- Clause 1: Be a student at Penn State Harrisburg;
- Clause 2: Positively represent Capital Alliance at all times;
- Clause 3: Maintain a high degree of confidentiality with regard to any and all information as a direct or indirect result of job responsibilities/job functions;
- Clause 4: Attend and participate in all meetings, events, and activities. If the Vice President will be absent, prior approval will be required from the President;
- Clause 5: Hold a voting seat;
- Clause 6: Perform all duties of the President in his/her absence;
- Clause 7: Assume the office of the President if that office should become vacant;
- Clause 8: Count and verify votes by the general membership;
- Clause 9: Be responsible for the elections process;
- Clause 10: Be responsible for organizing speaker events, panels, demonstrations, awareness-creating events, and other such activities that advance the aim of Capital Alliance to educate on various issues of concern to the LGBT community and The Pennsylvania State University community at large;

- Clause 11: Coordinate and establish the annual election of Executive Board members;
- Clause 12: Participate in a shadowing process to acclimate the new Vice President; and
- Clause 13: Perform all other appropriate duties as assigned by the President.

Section 3. The Treasurer shall:

- Clause 1: Be a student at Penn State Harrisburg;
- Clause 2: Positively represent Capital Alliance at all times;
- Clause 3: Maintain a high degree of confidentiality with regard to any and all information as a direct or indirect result of job responsibilities/job functions;
- Clause 4: Attend and participate in all meetings, events, and activities. If the Treasurer will be absent, prior approval will be required from the President;
- Clause 5: Hold a voting seat;
- Clause 6: Be charged with the financial affairs of Capital Alliance;
- Clause 7: Keep detailed and accurate records of these affairs;
- Clause 8: Bear full responsibility for the accuracy of all financial records;
- Clause 9: Produce a financial breakdown of all events funded by Capital Alliance;
- Clause 10: Coordinate all financial matters of Capital Alliance;
- Clause 11: Participate in a shadowing process to acclimate the new Treasurer; and
- Clause 12: Perform all other appropriate duties as assigned by the President.

Section 4. The Secretary shall:

- Clause 1: Be a student at Penn State Harrisburg;
- Clause 2: Positively represent Capital Alliance at all times;
- Clause 3: Maintain a high degree of confidentiality with regard to any and all information as a direct or indirect result of job responsibilities/job functions;
- Clause 4: Attend and participate in all meetings, events, and activities. If the Secretary will be absent, prior approval will be required from the President;
- Clause 5: Hold a voting seat;
- Clause 6: Provide a sign-in sheet at each meeting and event;
- Clause 7: Record and maintain all minutes of all Executive and community meetings;
- Clause 8: Compile, save, and distribute with the minutes a list of weekly officer tasks that the Executive Board shall create at its meetings;

Clause 9: Act as the organization's historian, therefore compiling photos, retaining distributed literature, and documenting event participation;

Clause 10: Participate in a shadowing process to acclimate the new Secretary; and

Clause 11: Perform all other appropriate duties as assigned by the President.

## **ARTICLE VII – DUTIES OF THE MEMBERSHIP AND ADVISER(S)**

Section 1. The General Membership shall:

Clause 1: Hold a voting seat; and

Clause 2: Have the right to state concerns, opinions, and other items of interest related to the purpose of Capital Alliance.

Section 2. The Associate Membership shall:

Clause 1: Not hold a voting seat; and

Clause 2: Have the right to state concerns, opinions, and other items of interest related to the purpose of Capital Alliance.

Section 3. The Adviser(s) shall:

Clause 1: Not hold a voting seat;

Clause 2: Positively represent Capital Alliance at all times;

Clause 3: Regularly attend Capital Alliance Executive Board and community meetings;

Clause 4: Attend and participate in the shadowing retreat at a time mutually agreeable to the adviser(s) and Executive Board members;

Clause 5: Ensure that all Capital Alliance tasks are completed;

Clause 6: Serve as a sounding board for ideas and standards; and

Clause 7: Help coordinate Capital Alliance functions with other activities on campus.

## **ARTICLE VIII – SELECTION OF EXECUTIVE BOARD OFFICERS**

Section 1. The Executive Board officers of Capital Alliance shall be elected annually by the general membership.

Section 2. The incoming Executive Board shall be sworn into office at the Passing of the Rainbow Ceremony, which shall be held at a time and place designated by the outgoing President prior to the last day of classes in the spring semester.

Section 3. Should the ceremony not take place, the Executive Board officers shall officially take office on the last day of the spring term; the term shall be terminated on the last day of the spring term of the following academic year.

#### Section 4. Executive Board Elections

- Clause 1: The President of Capital Alliance shall formally initiate the elections process by requesting the Vice President to establish nomination ballots.
- Clause 2: In the case that the Vice President is running for a Capital Alliance position, the Vice President shall abdicate his/her position to oversee the election. The President shall preside over the remaining elections process.
- Clause 3: Elections for the positions of President, Vice President, Treasurer, and Secretary shall be held during the month of April.
- Clause 4: Proper notice shall be given to the general membership of Capital Alliance that the elections process has begun including details about the availability of the nomination form, the requirements of candidacy, and date of voting.
- Clause 5: Capital Alliance Executive Board members shall be elected by popular vote of the general membership present via secret ballot.
- Clause 6: Any general member of Capital Alliance may be nominated for election. That member must meet all requirements listed herein for the position for which he/she is nominated.
- Clause 7: Nominations shall be filed with the Vice President beginning two weeks before the scheduled election and shall be taken through the day of the election.
- Clause 8: Nominators shall be held accountable for their nominations; furnishing false information will disqualify their nomination from further consideration.
- Clause 9: All general members shall have one vote.
- Clause 10: A simple majority of those present is required for a vote to take place for the election of an officer.
- Clause 11: In the event of a tie for an office, the vote is null and another election shall take place.
- Clause 12: Election results shall be announced by the President at the end of the community meeting, following the end of voting.
- Clause 13: The newly elected Executive Board must participate in a shadowing process, which will include a retreat specified during the elections, before officially taking office.

#### **ARTICLE IX – REMOVAL**

- Section 1. Any Executive Board member who fails to execute the duties of his/her position may be removed from office.

Section 2. In the occurrence of an Executive Board member who fails to execute the duties of his/her position, the President and Adviser(s) shall discuss all violations with the Executive Board member. After the meeting, a letter of warning shall be issued to confirm the discussion.

Section 3. Impeachment

Clause 1: Any member of the Executive Board or general membership may notify the President in writing of the perceived negligence of an individual to fulfill his/her responsibilities.

Clause 2: In the case that the negligent behavior is on the part of the President, any member of the Executive Board or general membership may notify the Vice President in writing of the perceived negligence of the President to fulfill his/her responsibilities. The Vice President shall then follow the process outlined below.

Clause 3: The President shall review the notification with the Adviser(s) and may, but is not required to, issue a letter of warning to the individual outlining the negligent behavior and expectations for improvement.

Clause 4: The President shall initiate the process for a hearing to request that the Executive Board member be removed from office at a regularly scheduled community meeting.

Clause 5: If a hearing is held, the President shall outline the negligent behavior, and the Executive Board member who allegedly is not fulfilling his/her responsibilities, shall be given the opportunity to present a response.

Clause 6: Following the hearing, a vote shall be taken to determine if the Executive Board member shall be removed from office. A two-thirds vote of the general membership present and Executive Board is required for removal.

Section 4. A letter of warning must be issued prior to pursuing the removal of any Executive Board member from office.

Section 5. Prior to initiating a hearing, an individual shall be given the option to resign from his/her position. If a resignation is submitted, the President shall notify the membership of the resignation and outline the allegations that were made, the response to the warning letter, and the reasoning for the decision by the individual to forego the hearing and submit a resignation.

## **ARTICLE X – RESIGNATION**

Section 1. Any Executive Board member who can no longer perform their duties may resign his/her seat at any time, in writing, by notifying the President. Such resignation shall take effect at the time therein specified.

## **ARTICLE XI – REPLACEMENTS**

- Section 1. Any vacant Executive Board seat shall be filled by Presidential appointment; and that appointment must be approved by a two-thirds vote of the Executive Board and the general membership during a community meeting.
- Section 2. The Vice President shall fill a vacant Presidential seat. At that time, the President shall appoint a new Vice President following the procedure outlined above.
- Section 3. All appointees must meet and adhere to criteria set forth in this Constitution regarding elections.

## **ARTICLE XII – MEETINGS**

- Section 1. Community meetings shall occur on a weekly basis during the fall and spring semesters when classes are in session.
- Section 2. The Executive Board shall meet at least once per month to provide planning and leadership for Capital Alliance.
- Section 3. A simple majority of Executive Board members constitutes a quorum in an Executive Board meeting.
- Section 4. No quorum is necessary to conduct a community meeting.
- Section 5. The President shall facilitate Executive Board meetings.
- Section 6. In the absence of the President, the Vice President shall conduct the meeting.
- Section 7. Only the general membership shall vote on issues.

## **ARTICLE XIII – AMENDMENTS**

- Section 1. Any general member of Capital Alliance may propose an amendment to this Constitution at a community meeting.
- Clause 1: After an initial review and upon majority vote of the general membership at a community meeting, the proposed change shall be submitted to the Executive Board for further consideration.
- Clause 2: The proposed amendment shall be reviewed by the Executive Board.
- Clause 3: A majority vote of the Executive Board shall be required for the amendment to be submitted to the general membership for final review and vote.
- Clause 4: After a review and discussion, a two-thirds vote of the Executive Board and general membership shall be required for the amendment to pass.

## **ARTICLE XIV – RATIFICATION**

This constitution shall be binding upon ratification by the student population in attendance. The Student Court of Penn State Harrisburg determines final confirmation of this constitution. The student population vote shall require a two-thirds vote of those present in favor of ratification.

***Ascribed:***            *October 8, 2007, KMA*

***Ratified:***            *October 25, 2007, 2007*

***Recognized:***        *November 12, 2007*

***First Revision:***    *April 22, 2009*