Amendment of Constitutional General Assembly Procedures

Graduate and Professional Student Assembly

of the

University of Pennsylvania

GA/44/RES/12
A/Const/44/Amend.3
EB/BYL/44/Amend.2
GA/44/BILL/13/R.3

Adopted February 15, 2023
Abstract

The *ad hoc* Committee on Constitutional Revisions was constituted by the GAPSA General Assembly on October 12, 2022 to review the GAPSA Constitution and recommend amendments.

These amendments clarify the procedures for non-voting members, set default limit on speeches in debate to three (3) minutes, tune the General Assembly schedule to minimize coincidence with holidays, implement a process of two Readings for Bills before the General Assembly, allow a single member to order a roll call vote, and simplify and reorganize the rules for elections, reducing overlap and conflicts between the Constitution and Executive Board Bylaws.

They add, in net, less than a page to the Constitution and take away over three (3) pages from the Executive Board Bylaws.

Contents

1. Qualifications of General Assembly Representatives 3
2. Non-voting Members 3
3. Default Limit on Debate 3
4. General Assembly Schedule 3
5. Readings 4
6. Ordering a Roll Call Vote 5
7. Election Procedures 5
8. Enactment 8
RESOLVED, by the Graduate and Professional Student Assembly of the University of Pennsylvania,

Section 1. That the amendments in this instrument are applied sequentially and take effect simultaneously, even if this instrument is divided and voted on in separate questions at the same meeting; all punctuation included quotes is literal and interpreted as the content of the quote, not as part of the enacting sentence;

1 Qualifications of General Assembly Representatives

Section 2. That Article II(B)(1) is amended by inserting “To be qualified to be selected to and continue to hold their seats, professional student representatives must be professional students, research student representatives must be research students, school representatives must be students of the school they represent, and all representatives must be required by the student government of their appointing organization to regularly attend its meetings. The General Assembly is the final judge of the elections, appointments, and qualifications of its members and of the recognition of the student governments of school appointing organizations.” at the end of the paragraph;

2 Non-voting Members

Section 3. That Article II(F)(1) is amended by striking out “add non-voting seats” and inserting “appoint non-voting members”;

Section 4. That Article II(F)(1) is amended by inserting “Executive Board members are ex officio non-voting members of the General Assembly. All other non-voting members are dismissed at the end of the academic year and may be individually dismissed by majority vote. The rights of any non-voting member may be abridged by the same vote.” at the end of the paragraph;

3 Default Limit on Debate

Section 5. That Article II(D)(3) is amended by inserting “Unless the General Assembly votes to limit or extend limits of debate as to the duration or number of speeches, speeches in debate before the General Assembly shall be limited to three (3) minutes per speech and, as in Robert’s Rules, two (2) speeches per member per question per day.” before “The Executive Board may appoint”;

4 General Assembly Schedule

Section 6. That Article II(D)(1) and its subparagraph are substituted by “The first meeting of the General Assembly shall be, in the fall term, the first Wednesday after the second
Monday in September and, in the spring term, on the Wednesday seven (7) weeks before the week of spring term break. The General Assembly shall meet every two (2) weeks thereafter until the end of classes in each term. Should a meeting date specified by this scheme fall on a university holiday, less than one week before final exams, or another day where low attendance is expected, the meeting shall be held on the prior Wednesday instead. A special meeting may be called by the President or by petition of one-quarter of General Assembly Representatives, provided at least three (3) days notice is given of the time and place. The General Assembly may modify its meeting schedule.” as Article II(D)(1), provided, however, that this amendment takes effect for the 2023–2024 academic year.;

Section 7. That Article II(D)(7) is substituted by “The Vice President for Operations shall, by the final adjournment of the General Assembly of each academic year, give notice to the entire General Assembly and Presidents’ Advisory Council of all scheduled meeting dates for the following academic year.”;

5 Readings

Section 8. That Article II(D)(9) (as amended in Bill 11) is substituted by the following subdivisions:

“(9) Every Bill shall be reported in its full text on two separate meeting days before the General Assembly may approve it; each such report is called a Reading.

“(a) Generally, a Bill is a main motion that brings substantive business. Specifically, any draft resolution, original main motion, motion which includes spending proposals, or motion which includes an enactment of or amendments to the Constitution, Bylaws, Special Rules of Order, Budget, or Standing Rules, is a Bill, whether made orally or in writing. Incidental main motions not covered by the preceding (e.g., ones that relate to procedure or business already entered into) are not Bills.

“(b) First Reading is an opportunity to ask questions and otherwise consider the Bill after which it should ordinarily be referred to committee(s) for further consideration and/or amendment (but may also be rejected outright by a motion to postpone indefinitely).

“(c) Second Reading is a further opportunity for consideration at the end of which a final vote may be held. The Bill may be amended before adoption without requiring any further Readings, provided amendments are germane to the Bill as first Read.

“(d) Bills that are created as recommendations adopted by majority vote of all appropriate Division(s) or Committee(s) of the General Assembly are exempt from the requirement for two Readings and are considered as if on Second Reading the day they are introduced.

“(e) For uncontroversial Bills or where urgent action is advisable, the General Assembly may suspend the requirement for two Readings by three-fourths vote after
debate on and thirty-six (36) hours previous notice of both the suspension and the Bill’s full text (however, it may not suspend other requirements for previous notice that may apply to a particular Bill), and advance to Second Reading the day a Bill is first introduced.

6 Ordering a Roll Call Vote

Section 9. That Article II(E)(9) is substituted by “Any General Assembly Representative has the right to insist that the final vote on any Bill be done by call of the roll, where the vote of each member is taken and identified separately in the minutes.”;

7 Election Procedures

Section 10. That Article 8 of the Executive Board Bylaws (and all its subdivisions) is substituted (renaming it “Election Procedures”) by the following subdivisions:

“(8.1) This Article specifies the detailed procedures for elections of officers, in accordance with Article IV of the GAPSA Constitution.

“(8.2) Candidate Speeches. Following the close of nominations for each office, each candidate for the office shall, in alphabetical order by surname, give a three (3) minute speech to the General Assembly. During candidate speeches for an office, all candidates for the office shall remain in the room.

“(8.3) Questions and Answers

“(8.3.1) Following candidate speeches, candidates shall answer questions from the General Assembly and GAPSA members at large. All candidates shall remain in the room during questions and answers.

“(8.3.2) First, General Assembly members may ask questions for a period of fifteen (15) minutes in total. Following this, all members of GAPSA may ask questions for a period of fifteen (15) minutes in total. These times may be extended or limited by three-fourths vote. For uncontested elections, the questions and answers periods are five (5) minutes each, which can be extended to fifteen (15) minutes by majority vote and further extended or limited by three-fourths vote.

“(8.3.3) Each candidate for an office may answer any question asked. The answer time for each question is one (1) minute per candidate, with candidates rotating the first response in alphabetical order. The first candidate to answer to a question shall have a further thirty (30) seconds for a response after the last candidate’s answer.

“(8.4) Deliberations

“(8.4.1) Following speeches and questions and answers, the General Assembly shall deliberate each election before casting ballots.
“(8.4.2) Candidates shall remain in the room during deliberations unless the General Assembly votes to move to closed session by three-fourths vote, in which case, candidates and all non-members of the General Assembly shall be escorted from the room, and all deliberations shall be protected by the secrecy of the closed session. No mention of the discussion from the closed session deliberations shall be shared with any persons not present at the time.

“(8.4.3) Deliberations shall be limited to twenty (20) minutes for each election which may be extended by majority vote or further limited by three-fourths vote.

“(8.4.4) During deliberations, individual speeches of members are limited to one (1) minute, a time which cannot be extended. Two repeated violations of this time limit, in the eyes of the chair, shall result in a termination of speaking rights for the member during the remainder of the deliberation.

“(8.4.5) Members may speak multiple times as long as no one speaks twice while there are some who haven’t had a chance to speak once. The chair shall recognize members in turn, rotating speaking opportunities between one member each speaking in support of every candidate, one member making counterpoints to previous members’ speeches, and one member raising questions for consideration or making general comments.

Section 11. That Article IV(A) (and all its subdivisions) is substituted (keeping the same name) by the following:

“(1) Timing and Communication of Elections

“(a) The annual elections of the GAPSA President and Vice Presidents by the General Assembly shall take place at the antepenultimate regular meeting of the spring term.

“(b) The regular annual elections date should be announced to the General Assembly by the first meeting of the spring term. Special elections must be announced to the General Assembly with at least fourteen (14) days notice.

“(c) All elections (regular and special) must be announced, in digital or paper form, to the full GAPSA membership with at least ten (10) days notice.

“(2) Election Order. The elections shall be done in the order: (1) President, (2), Executive Vice President, (3) Vice President for Finance, (4) Vice President for Operations, (5) Vice President for Programming, and (6) Vice President for Advocacy.

“(3) Chair of Elections

“(a) The President and Vice Presidents may select, with consent of the member so selected, an Elections Chair who should be a member free of conflicts of interest and generally perceived as impartial and fair. The President is the default choice for Elections Chair. The chair of elections shall be ineligible to be elected at the
meeting they chair or be appointed to any position by the affirmative vote (not counting unanimous consent) of any officers during their term elected at the same.

“(b) Whosoever chairs the election process or serves as a teller may not express an opinion either opposing or endorsing any candidate.

“(c) The identity and contact information of the Elections Chair should be announced alongside the announcement of the election date.

“(d) The Elections Chair shall appoint at least two and at most four tellers to assist in the collection and counting of ballots.

“(4) Nominations. Nominations shall be opened beginning at least ten (10) days before the election. Nominations may be made by electronic mail or in-person to the Elections Chair by any GAPSA member and may be made anonymously. Just before the election for a position is held, the Elections Chair shall ask three (3) times for further nominations, after which nominations are closed. Self-nominations are acceptable. Nominations need not be seconded, but they must be accepted by the person nominated. Nominees must be eligible for the position for which they run.

“(5) The Executive Board Bylaws shall specify the detailed procedures for at least (1) Candidate Speeches, (2) Questions and Answers, and (3) Deliberations. Changes to these rules must be ratified and announced at least ten (10) days before the election for which the changes may apply. In these procedures, candidates shall be guaranteed equal opportunity of speaking and of responding to questions.

“(6) Voting

“(a) To be eligible to vote in an election (regular or special), all representatives must be certified as in Article II, section B, paragraph 3 no later than ten (10) days before the election and must be non-interim representatives. Members eligible to vote in the election may appoint a proxy for the election subject to the rules for appointing proxies in ordinary meetings.

“(b) Every elected position must be filled by a secret ballot vote, even if uncontested. All ballots must be handed directly to the Elections Chair or one of the tellers, who shall count the ballots. Ballots shall be counterfeit resistant and particular to each election.

“(c) If there is one candidate, that candidate is elected if they receive more votes than half of members present or represented.

“(d) If there are two candidates, the candidate with the majority of votes indicating some preference is the winner.

“(e) If there are three or more candidates, then the voting procedure shall be by the instant runoff method. Voters shall rank the candidates in the order in which they prefer. The Elections Chair shall first credit each ballot to the highest-ranked eligible candidate on the ballot. The candidate with the least votes after this counting is eliminated and their votes are credited to the next-highest ranked candidate on each ballot. This process of elimination is continued until only two remain. The candidate credited with a majority of votes credited is the winner.
“(f) If the vote is tied, the General Assembly returns to deliberations for a further ten (10) minutes which can be extended or limited by three-fourths vote, before balloting again on all candidates. This process of deliberation and balloting on all candidates repeats until one candidate has a majority.

“(g) Every ballot shall have an “Abstain” option. If abstentions are the majority of ballots cast, then the election is automatically delayed to the next General Assembly meeting. Before voting, members may also move to postpone the election to the next meeting, a motion which requires a majority vote.

“(h) The complete tellers’ report is secret to the tellers and Elections Chair only and may not be shared to any other persons in perpetuity. The Elections Chair only announces the number of ballots cast; and, if there is one, the winning candidate, or, if a majority of ballots were abstentions, that the election is postponed, or, if the vote was tied, that the vote was tied (without announcing the top two candidates) and needs to be repeated as explained above.

“(i) The deadline to request a recount or otherwise challenge the result of the balloted election is ten (10) minutes after the result is announced, after which the ballots and any records whatsoever of the complete tellers report are destroyed.

“(7) Amendments to Article IV, section A of the Constitution may only take effect at the next meeting at least one week following the one at which they are adopted. The chair has a duty to present the process described by this section to the General Assembly at the meeting prior to the elections.

8 Enactment

Section 12. That measures previously passed in accordance with the Constitution at the time of passage that conflict with the Constitution as amended by this instrument shall remain in effect for the remainder of the academic year in which this instrument is adopted;

Section 13. That the official abstract of these amendments is “These amendments clarify the procedures for non-voting members, set default limit on speeches in debate to three (3) minutes, tune the General Assembly schedule to minimize coincidence with holidays, implement a process of two Readings for Bills before the General Assembly, allow a single member to order a roll call vote, and simplify and reorganize the rules for elections, reducing overlap and conflicts between the Constitution and Executive Board Bylaws.”;