

# ***Student Government Association Constitution***

## **PREAMBLE:**

We, the students of Elon University, realizing the need for justice and progress of scholarship, leadership, and the arts in a model of fair representation, do hereby ordain and adopt this constitution of the Student Government Association of Elon University.

## **ARTICLE I. NAME**

The name of the government herein established shall be The Student Government Association of Elon University (SGA).

## **ARTICLE II. PURPOSE**

The purpose of the Student Government Association, authorized by the Elon University Administration, shall be to represent the rights and opinions of the student body in a manner consistent with the mission of Elon University, to provide for appropriate student activities, and to join with the faculty and administrators of the University in building a stronger, more effective educational community.

## **ARTICLE III. MEMBERSHIP**

The membership of the Student Government Association herein established shall consist of all individuals elected by the student body as outlined in Article IX and individuals appointed by the process outlined in Article V, Section B, subsection a, clause ii.

- A. Members of the Student Government Association must:
  - a. Be enrolled as a full time undergraduate student of Elon University or a part-time second semester senior.
  - b. Have paid student activity fees.
  - c. Be in overall good standing with the institution.
  - d. Hold a cumulative 2.5GPA.
- B. Members of the Student Government Association must meet these requirements upon election or appointment and for the duration of their term in office.

## **ARTICLE IV. LEGISLATIVE BRANCH**

All legislative powers herein granted by the Elon University Administration shall be vested in the Senate.

- A. Membership

- a. The Senate shall be composed of members chosen annually who are either appointed as outlined in Article V, Section B, subsection a, clause ii, or who are elected by the students who have paid their student activities fees, by means of campus-wide elections or through campus organizations.
  - b. There shall be three councils:
    - i. At-Large Council - This council shall represent the academic classes of Elon University.
    - ii. Organization Council - This council shall represent the recognized organizations and campus programs of Elon University.
    - iii. Academic Council - This council shall represent the academic divisions of Elon University
- B. At-Large Council
- a. Classes and Officers:
    - i. The academic class organizations shall be as follows: senior, junior, sophomore, and freshman.
    - ii. Each class shall elect a President, Vice President, Secretary and Treasurer.
    - iii. Sophomore, Junior, and Senior Classes shall each elect two (2) Class Senators.
    - iv. The Freshman Class shall elect five (5) Class Senators.
  - b. Liaison of the At-Large Council
    - i. The members of the At-Large Council shall select one of their members to serve as their Liaison.
    - ii. The Liaison shall be responsible for communication between the Executive Council and the At-Large Council.
- C. Organization Council
- a. Representation
    - i. The Organization Council shall consist of representatives from the student organizations and/or programs of Elon University.
    - ii. The organizations and/or programs represented shall be specified in the Senate Bylaws each year.
    - iii. The amount of representatives for each organization and/or program shall be specified in the Senate Bylaws each year.
  - b. Representatives
    - i. Each organization cluster or program, as defined annually in the Senate Bylaws, shall select its respective representative.
    - ii. Each organization or program shall set its own process of selection, but shall follow, at least, the following standards:
      - 1. Representatives shall be selected to the SGA in a timely manner as specified in the Election Rules.
      - 2. All candidates must follow the university posting policy.
  - c. Liaison of the Organization Council

- i. The members of the Organization Council shall select one of their members to serve as their Liaison.
- ii. The Liaison shall be responsible for communication between the Executive Council and the Organization Council.

#### D. Academic Council

- a. Representation
  - i. The Academic Council shall consist of representatives from the academic divisions of Elon University.
  - ii. The academic divisions represented shall be specified in the Bylaws of each year.
  - iii. The number of representatives for each academic division shall be specified in the Bylaws of each year.
- b. Liaison of the Academic Council
  - i. The members of the Academic Council shall select one of their members to serve as their Liaison.
  - ii. The Liaison shall be responsible for communication between the Executive Council and the Academic Council.

#### E. Senators

- a. Definition
  - i. The members of the At-Large, Organization, and Academic Councils shall form the voting Senate of the SGA.
  - ii. Only senators who have taken the Oath of Office may participate in Senate voting procedures.
- b. Duties and Responsibilities
  - i. Each Senator shall be a member of at least one standing committee.
  - ii. Each Senator shall be responsible for all SGA meetings required by office, Senate, Council, Committee, special or otherwise. In addition each Senator has an obligation to be informed of the location and time of the meetings.
  - iii. Each Senator shall be responsible for the minimum office hours as required by the Senate Rules.

#### F. Meetings

- a. The Vice President of the SGA shall be speaker of the Senate. As speaker, the Vice President shall have no vote, except in the case of a tie.
- b. A simple majority of the total membership of the Senate shall constitute a quorum.
- c. The meetings shall be conducted under the Senate Rules for the respective legislative year. Members are required to attend Senate meetings as mandated by the Senate Rules.
- d. Senators not in attendance are subject to the senatorial conduct process as outlined in Article XI of the SGA Constitution.
- e. Each council, committee and class shall hold meetings of its representatives in accordance with the Senate by-laws.

#### G. Vacancies

- a. In the absence of the Speaker of the Senate, responsibilities will be assumed by a Speaker Pro Tempore.
- b. Should a vacancy occur within the class office of President, the class Vice President shall assume the duties of President. In the case that the Vice President, Secretary, Treasurer, or a class senate position become vacant, the process of filling the vacancy shall be in accordance with Article V, Section B, Subsection I, clause b of the Student Government Constitution.

#### H. Records

- a. The Senate shall keep records of its senate, committee, class, council or other proceedings.
- b. The Senate records shall be made available to students upon request.

#### I. Legislation

##### a. Definition

- i. The Senate shall have the authority to draft and consider legislation in the form of Bills and Resolutions.
- ii. Bills
  - 1. A bill shall be defined as legislation with which the senate takes an action on a matter.
- iii. Resolutions
  - 1. A resolution shall be defined as legislation, which expresses the will of the senate, but takes no action.
- iv. Proclamations
  - 1. A proclamation shall highlight or recognize events that are deemed to be important for the Senate to address through recognition but no formal action is taken.

##### b. Eligibility

- i. All Senators shall be eligible to present legislation to the senate for consideration.

##### c. Passage

- i. Legislation shall pass by a simple majority of all Senators present.

#### J. Veto

- a. A Senate-approved bill shall be presented to the President of the SGA, who upon approval shall sign it immediately.
- b. Should the President of the SGA not approve the bill, the President has veto power over any bill, but must return the bill in its entirety with objections.
- c. Vetoed Bills
  - i. The Senate has the power to override a presidential veto with two-thirds majority of those present. This override must take place within two consecutive meetings of the bill being returned to the Senate.
  - ii. A vetoed bill may also be amended and presented to the Senate for a re-vote.

- d. Any bill presented to the President of the SGA must be signed or vetoed within two weeks time. Failure to do so renders the bill effective immediately.

## **ARTICLE V. EXECUTIVE BRANCH**

### **A. Definition**

- a. The Executive powers herein granted shall be vested in the President, Vice President, Secretary, and Treasurer of the SGA.
- b. The Executive Officers shall be elected by the student body in a general election to serve concurrent terms of one (1) year.
- c. No person other than a full-time student of Elon University shall be eligible to be elected to or hold the office of President, Vice President, Secretary, or Treasurer of the SGA.
- d. The President, Vice President, Secretary and Treasurer of the SGA shall receive, for services rendered, a stipend, which shall neither be increased nor decreased during their term of office. A joint committee consisting of members from the Judicial and Budget committees every legislative year shall review the amount of the stipend and the manner of distribution.
- e. Before entering office, the President, Vice President, Secretary and Treasurer shall take an oath of office, which shall be administered by the outgoing SGA President.
- f. During their terms of office, the Executive Officers of the SGA shall not be appointed or elected to any other office in the SGA, except in the event to fill a vacancy as legislated by Article V Section C of the SGA Constitution.
- g. At the time of election, candidates for the office of the President and Vice President of the SGA shall be members of the rising Junior Class or the rising Senior Class.
- h. At the time of election, candidates for the office of the Secretary and Treasurer shall be a rising member of the sophomore, junior, or senior class.
- i. To be eligible for stipends, each Executive must hold a minimum amount of office hours in the SGA Office, which is to be outlined in the Senate Rules for the respective Legislative year.

### **B. Offices**

- a. President:
  - i. The President of the SGA shall call and preside over any regular or special meetings of the student body.
  - ii. Nominations for Senate approval of appointed positions to joint faculty-student committees and all vacant positions of the SGA are the responsibility of the President. This excludes any appointment specifically made by the Vice President.

- iii. Nominations for all vacant positions of the SGA are the responsibility of the President. This excludes any committee appointment made specifically by the Vice President.
  - iv. The President shall be empowered to appoint persons to temporary positions deemed necessary to aid in the duties of the office.
  - v. In all official dealings with the students of other colleges or universities, and in all dealings with the faculty and administration, the President of the SGA shall represent the student body.
- b. Vice President:
- i. The Vice President of the SGA shall serve as the Speaker of the Senate and is empowered to call any special meetings of the Senate.
  - ii. The appointment of Senate members to Senate committees shall be the responsibility of the Vice President, who may also appoint committee chairs.
  - iii. The notification of legislation that directly affects any individual or organization shall be the responsibility of the Vice President.
  - iv. The Vice President shall be responsible for drafting the Senate Rules to govern the Senate during the legislative year. The rules shall be submitted to the Senate for any amendment, and approval by two-thirds majority is required at the first meeting of each legislative year.
  - v. The Executive Vice President shall serve as the Judicial Committee Chair.
- c. Secretary:
- i. The Secretary of the SGA shall be responsible for keeping all legislative records.
  - ii. The Secretary shall maintain all legislative correspondence.
  - iii. All appropriate notices to members of the Senate concerning regular and special meetings shall come from the Secretary.
  - iv. All other clerical work in connection with the Senate is the duty of the Secretary.
  - v. The Secretary shall chair the Homecoming Committee.
- d. Treasurer:
- i. The Treasurer of the SGA shall submit a proposed budget for Senate approval at the end of the legislative year for the ensuing legislative year.
  - ii. At the first meeting of each month, the Treasurer shall report the State of the Treasury to the Senate.
  - iii. The Treasurer shall be empowered to administer all student activities fees from full-time students and all other SGA monies.

- iv. Permanent records of all receipts and expenditures of the SGA and all monies allocated by the SGA shall be kept by the Treasurer.
- v. The Treasurer shall propose the Treasurer's Manual for Senate approval at the final meeting of the academic year.
- vi. The Treasurer has the duty to follow and maintain the Treasurer's Manual.
- vii. The Treasurer has the duty and responsibility to administer and oversee the SGA Student Loan Program.
- viii. The Executive Treasurer shall serve as the Finance Committee Chair.

### C. Vacancies

- a. Removal of the President.
  - i. In the case that the president is removed from the office due to resignation or judicial action, the Vice President shall immediately assume the office and duties of President.
  - ii. In the case that the President is unable or unfit to carry out the duties and powers of office, the Vice President shall immediately assume the office and duties of the President.
  - iii. An inability to carry out the duties and powers of the President shall be brought to the floor by any member of the SGA, but shall be determined by a  $\frac{3}{4}$  vote of the Senate membership.
- b. Removal of the Vice President.
  - i. In the case that the Vice President is removed from the office due to resignation or judicial action, the Speaker Pro Tempore shall immediately assume the office and duties of the Vice President.
  - ii. In the case that the Vice President is unable or unfit to carry out the duties and powers of office, the Speaker Pro Tempore shall immediately assume the office and duties of the Vice President.
  - iii. An inability to carry out the duties and powers of the Vice President shall be brought to the floor by any member of the SGA, but shall be determined by a  $\frac{3}{4}$  vote of the Senate membership.
- c. Removal of the Treasurer.
  - i. In the case that the Treasurer is removed from the office due to resignation or judicial action, the Assistant Treasurer will serve as the new Executive Treasurer, with subsequent approval of the Senate.
  - ii. In the case that the Treasurer is unable or unfit to carry out the duties and powers of office, the Assistant Treasurer will serve as the new Executive Treasurer, with subsequent approval of the Senate.

- iii. An inability to carry out the duties and powers of the Treasurer shall be brought to the floor by any member of the SGA, but shall be determined by a  $\frac{3}{4}$  vote of the Senate membership.
- d. Removal of the Secretary
  - i. In the case that the Secretary is removed from the office due to resignation or judicial action, the Executive Officers shall elect a member of the Senate to the position, with subsequent approval of the Senate.
  - ii. In the case that the Secretary is unable or unfit to carry out the duties and powers of office, the Executive officers shall elect a member of the Senate to the position, with subsequent approval of the Senate.
  - iii. An inability to carry out the duties and powers of the Secretary shall be brought to the floor by any member of the SGA, but shall be determined by a  $\frac{3}{4}$  vote of the Senate membership.

## **ARTICLE VI. EXECUTIVE COUNCIL**

### **A. Purpose**

- a. The Executive Council shall be delegated responsibilities in respect to their position from the Executive Officers.

### **B. Definition**

- a. The Executive Council shall consist of the Chief of Staff, the Speaker Pro Tempore, and the Assistant Treasurer.
- b. The Executive Council shall be selected by various methods.
  - i. The Chief of Staff shall be both a member of the Senate and selected by the Executive President with subsequent approval from the Senate.
  - ii. The Speaker Pro Tempore shall be both a member of the Senate and selected by the Executive Vice President with subsequent approval from the Senate.
  - iii. The Assistant Treasurer shall be both a member of the Senate and selected by the Executive Treasurer with subsequent approval from the Senate.
- c. The Executive Council members shall serve concurrent terms of one (1) year.
  - i. No person other than a full-time student and elected or appointed member of the Senate may serve on the Executive Council.
  - ii. Before taking office, all members of the Executive Council shall be administered the Oath of Office by the Executive President.
  - iii. Members of the Executive Council may either a member of the sophomore, junior, or senior class, and either a member

of the At-Large, Organization, or Academic Council, respectively.

C. Offices

a. The Chief of Staff

- i. Shall meet with the Executive President as mandated in the Senate Bylaws each year.
- ii. Shall serve as the contact for all appointments made by the Executive President to special, standing, and advisory faculty/staff committees.
- iii. Shall plan and execute a training session for all student representatives appointed to campus committees by the Executive President.
- iv. Shall serve as a liaison between the Senate body and the Executive Officers.
- v. Shall assist the Executive President in promoting SGA interaction with other student governments, including contacting peer institutions in order to discuss policies and maintaining databases of those institutions' constitutions and bylaws.
- vi. Shall assist the Special Events Chair in planning internal Senate activities outside of regular meetings.
- vii. Shall not be assigned to a standing, ad hoc, or a joint committee during the one (1) year concurrent term.

b. The Speaker Pro Tempore

- i. Shall meet with the Executive Vice President as mandated in the Senate Bylaws each year.
- ii. In the absence of the Executive Vice President, the Speaker Pro Tempore shall assume the responsibilities of the Senate.
- iii. Shall be responsible for ensuring the Senate adheres to any dress code set in the Senate Bylaws each year.
- iv. Shall assist the Executive Vice President in maintaining proper parliamentary procedure during Senate meetings.
- v. Shall conduct a parliamentary procedure workshop during the Senate retreat in the fall and once during the following semester.

c. The Assistant Treasurer

- i. Shall meet with the Executive Treasurer as mandated in the Senate Bylaws each year.
- ii. Shall be the Assistant Manager of the SGA Student Loan Program.
- iii. Shall serve as the Assistant Chair of the Finance Committee.
- iv. Shall give the State of the SGA Budget by the second meeting of each month.

D. Vacancies

a. Removal

- i. In the case that a member of the Executive Council is removed due to resignation or judicial action, the appropriate Executive Officer shall appoint another elected or appointed member of the Senate.
- ii. The Senate must approve the newly appointed Senator within two weeks of the vacancy.

## **ARTICLE VII. STANDING, AD HOC, AND JOINT COMMITTEES**

- A. There shall be standing committees in the Senate, to which the Speaker may appoint chairpersons.
- B. All committees shall meet as specified in the Senate Rules.
- C. The Speaker shall designate the number of members of which each committee shall consist.
- D. The SGA standing committees shall be the following:
  - a. Finance Committee: This committee shall oversee the budgeting of the student activities fees and all financial appropriations to student organizations.
    - i. The Executive Treasurer of the SGA shall serve as chair of the committee.
    - ii. The committee shall consist of all Class Treasurers of SGA.
    - iii. The committee shall conduct budget hearings, as described in the Treasurer's Manual, in addition to the following:
      1. The voting members of the budget hearings shall consist of the four (4) Class Treasurers, the SGA Executive President, and the Executive President and Treasurer elects. The SGA Advisor shall be a non-voting member of the committee.
      2. The Assistant Treasurer shall serve as assistant chair of the Budget Hearings Committee.
      3. The budget hearings shall be open.
      4. The deliberations shall be closed, but all records of the votes shall be entered into the Senate Records.
      5. The SGA reserves the right to allocate all other fees with regards to the Treasurer's Manual in a proper manner as the Senate sees fit.
      6. The Budget Hearings Committee shall submit the proposed budget to the Senate, which shall require a simple majority vote to pass.
  - b. Judicial Committee: This five-member committee shall be responsible for overseeing and administering the Senatorial Conduct process outlined in Article XI.
    - i. This committee shall have the power to conduct Initial Meetings when formal charges against any SGA Senator(s) or Executive(s) are brought before them, and to determine if

- a Formal Hearing before the Hearing Body on the charges presented is necessary.
  - ii. In the event that a Formal Hearing is deemed necessary, this committee shall be responsible for conducting the question and answer session of the Formal Hearing before the Hearing Body.
  - iii. This committee shall be responsible for submitting a formal written statement detailing the Formal Hearing proceedings and decisions to the SGA Senate Archives within one week of the conclusion of the Formal Hearing.
- c. Homecoming Committee: This committee shall be responsible for the planning and execution of all Homecoming Week activities.
- i. The Secretary of the SGA shall serve as the chair of the Homecoming committee and is a non-voting member of the Committee.
  - ii. The Homecoming Committee shall be responsible for the presentation of the Homecoming packet by the first meeting of the academic year.
- d. Elections Committee: This committee will manage all elections conducted by the SGA.
- i. This committee shall rewrite the Election Rules as needed, to be approved by the senate.
  - ii. This committee will produce the election packets with the election rules.
  - iii. This committee may be chaired by a senior member of the SGA who is not a candidate in a current election.
- e. Public Relations Committee: This committee will be responsible for disseminating information from the Student Government Association to the student body.
- i. The Secretary of Public Relations shall serve as chair of the Public Relations Committee.
  - ii. The committee will be responsible for maintaining the website of the Student Government Association.
  - iii. The committee will assist the Senate with publicity for Student Government Association events, programs, and legislation.
- f. Student Issues Committee: This committee shall work with the school administration and other organizations to address the concerns of the student body.
- i. The Secretary of Student Services shall serve as chair of the Student Issues Committee.
  - ii. The committee will investigate concerns that are brought to the Senate that effect the student body.
  - iii. The committee will be responsible for conducting research into aspects of the University as they relate to the student body.

- g. Special Events Committee: This committee will be responsible for planning and coordinating events on behalf of the Student Government Association.
    - i. The committee may be chaired by any member of the Senate.
  - h. Acorn Committee: This committee will be responsible for all fundraising and administrative actions in relation to the Acorn Society.
    - i. The At-Large Council Liason shall serve as chair of the Acorn Committee.
    - ii. This committee will look at ways of raising money for the Acorn Society.
    - iii. This committee will be responsible for deciding who will receive the scholarships from the fundraising.
- E. Ad Hoc Committees
- a. These are temporary committees.
  - b. They shall be appointed by the SGA president when deemed necessary.
- F. Joint Faculty/Administration and Student Committees:
- a. Students shall be appointed to these committees by the SGA President with approval of the Senate.
  - b. These committees are external to the Senate.

## **ARTICLE VIII. ORGANIZATIONS**

- A. All organizations confirmed by the Student Life Committee, a joint faculty-student committee, must be confirmed by the SGA.
- B. The President of the SGA, serving on the Student Life Committee, will formally introduce new organizations to the Senate, for that organization to be confirmed.
- C. An organization must be confirmed by the SGA to be eligible to receive funds.
- D. All confirmed organizations may be reviewed by the Senate in the following manner:
  - a. A Senator may recommend the review of any campus organization to the Judicial Committee for failure to adhere to self-governing bylaws.
  - b. The Judicial Committee must contact the organization and conduct a hearing to investigate whether or not the organization is functioning properly.
  - c. The Judicial Committee will then report its findings to the Senate at which time the organization will be given the opportunity to speak in its behalf.
  - d. The Senate may recommend a review of the organization by the Elon University Student Life Committee.

## ARTICLE IX. ELECTIONS

- A. The Elections Committee shall propose the election rules before eight weeks of an upcoming election.
- B. Qualifications of Balloting:
  - a. Only members of the Elon University Student Body, who have paid their student activities fees, shall be entitled to vote in any SGA election or poll.
- C. Process of Filing for Candidacy shall be in the Election Rules and will include the following:
  - a. To be eligible for ballot, all candidates must sign the Election Rules verifying knowledge of the rules and their adherence.
  - b. To be eligible for the ballot, all candidates running for an Executive Office must receive student signatures from the whole of the student body. The number of signatures shall be specified in the Election Rules.
  - c. To be eligible for the ballot, all candidates running for At Large Council positions must receive signatures from members of their respective classes. The number of signatures shall be specified in the Election Rules.
  - d. To be eligible for the ballot, all candidates running for Academic Council positions must receive signatures from members of their respective divisions. The number of signatures shall be specified in the Election Rules.
- D. Election Rules
  - a. The Election Committee shall propose the Election Rules at the beginning of the Legislative Year, which shall be subject to the approval of the Senate by a two-thirds majority.
  - b. The Election Rules shall, at least, consist of the following:
    - i. All candidates must follow the posting policies in the Elon University Student Handbook.
    - ii. Candidates may campaign door to door in the residence halls only with written permission from the Director of Residence Life.
    - iii. Any violation of the Election Rules may result in loss of candidacy. If a violation of the Election Rules occurs the following procedures will be followed:
      - 1. If there is a Senate meeting before the time of elections the Elections Committee will report the violation to the senate. The Senate will then decide whether the candidate will be disqualified. A two-thirds majority is needed to disqualify a candidate.
      - 2. If there is not a Senate meeting before the time of elections the Elections Committee will decide whether or not the candidate will be disqualified.

- iv. The Election Rules must have the location and time of the SGA Senate meetings.
- v. The Election Rules must include the location and phone number of the SGA office.

E. Voting

- a. All candidates for Executive positions must win by a majority vote of the votes cast in a campus wide election.
- b. All candidates for any elected position, excluding Executive positions, must win by a plurality of the votes cast in a campus wide election.

F. Oath of Office

- a. All elected members of SGA shall take the SGA Oath of Office prior to assuming their positions in SGA.
- b. The SGA Oath of Office is as follows:
  - "I, (name), Hereby pledge my faith and honor that I will uphold the honor, integrity, and reputation of Elon University and that I will fulfill, to the best of my ability, all duties incumbent upon me as an elected member of the Student Government Association of Elon University, (optional, so help me God.)"

## **ARTICLE X. BYLAWS**

- A. The Bylaws of the SGA shall consist of the following:
  - a. The Senate Rules
  - b. The Treasurer's Manual
  - c. The Senate Dialogue
- B. The Bylaws shall be a supplement to the SGA Constitution and shall at all times be in agreement with the constitution.
- C. The Bylaws shall be amended by a two-thirds majority vote of the Senate.

## **ARTICLE XI. STUDENT ACTIVITIES FEES**

- A. Amount
  - a. The SGA reserves the right to recommend to the Board of Trustees the amount of its Student Activities fees.
- B. Collection
  - a. The University shall collect the Student Activities fees from each student at the time of registration for classes. This shall be done only if the Board of Trustees has approved the amount of fees to be collected.

## **ARTICLE XII. JUDICIAL BRANCH**

- A. Powers
  - a. The SGA senate shall have the authority to take any disciplinary action that it deems necessary, up to and including removal from

office against any senator or executive officer following the due process procedures outlined in this article.

#### B. Charging and Notification

- a. An Accusation of Wrongdoing or Neglect of Senatorial or Executive Duties shall begin with a formal statement of charges presented to the Chair of the SGA Judicial Committee by any Elon University:
  1. Faculty
  2. Staff member
  3. Student in good standing.
- b. The statement of charges shall identify the senator or executive officer being accused, and shall give a brief explanation of the charges being brought against the accused.
  - i. This notification shall come through:
    1. Elon e-mail
    2. Through a letter to the accused campus box
- c. The chair of the SGA Judicial Committee shall present a written Notification of Charges no later than four academic days after the chair has been notified.
  - i. This notification of charges shall be signed by the accused, however failure to sign the charges shall have no bearing on their validity.
  - ii. The minimum standard by which to notify the accused shall be notification by on-campus mail, and notification through their e-mail address on file with the Executive Secretary of the SGA.
- d. The SGA Judicial Committee shall inform the Senate body of the charges being brought at the first Senate meeting following the receipt of the Notification of Charges by the Chair of the SGA Judicial Committee.

#### C. Preliminary Hearing

- a. For the Preliminary Hearing the Senate body shall elect a Senator with no vested interest to serve as the Charging Advocate and one to serve as defending advocate for the pending proceedings.
  - i. The Charging Advocate shall present the charges at the Preliminary Hearing, and if necessary the Formal Hearing.
  - ii. The Accused may select a member of the Senate Body as a Defending Advocate for the Preliminary Hearing.
  - iii. The Defending Advocate must be appointed before the Preliminary Hearing, and must be recognized by the Judicial Committee of the SGA.
  - iv. If the Accused fails to appoint a defending advocate by the Preliminary Hearing, the Accused loses his or her right to a Defending Advocate for the remainder of the proceedings.
- b. Members of the Judicial Committee or Executive Officers may not serve as either the Charging Advocate or Defending Advocate.

- c. The SGA Judicial Committee will conduct a Preliminary Hearing within one week of the presentation of the notification of charges to the senate body.
- d. At this Preliminary Hearing, the Judicial Committee will hear a presentation of the charges and a rebuttal of the charges by the Accused, at a place and time to be determined by the SGA Judicial Committee.
- e. The purpose of the Preliminary Hearing shall be to determine if a formal hearing is necessary, and if warranted, dismiss an accusation of wrongdoing or neglect by issuing a letter of reprimand to be given to the Accused and the executive secretary of the SGA.
  - i. The Executive Secretary will be responsible for the custody of the letter of reprimand, (and will forward it to the chair of the Judicial Committee of the SGA).
- f. If the Judicial Committee deems a formal hearing necessary, a place and time for said hearing is to be determined by the Judicial Committee chair.
  - i. The formal hearing shall be held no later than two weeks from the date of the Preliminary Hearing.
- g. The Chair of the Judicial Committee of the SGA shall be responsible for posting the place and time of the Formal Hearing to the Senate Body no less than three academic days prior to the hearing

#### D. Formal Hearing

- a. A quorum of the Senate body membership shall be present in order for the Formal Hearing to proceed.
  - i. If a quorum of the Senate body is not present, the Formal Hearing must be rescheduled for a date within a two-week period of the original Formal Hearing date.
- b. The Formal Hearing Body is comprised of the entire Senate body, the Judicial Committee, the Accused, the Charging Advocate, and the Defending Advocate, with the Executive Officers as Ex-Officio Members, and shall be chaired by the Chair of the SGA Judicial Committee.
- c. The Formal Hearing shall be held in closed session, and will not be opened to any other members of the community without unanimous approval of the Formal Hearing Body, including the Accused and the Judicial Committee of the SGA.
- d. The Formal Hearing shall begin with the presentation of the Notification of Charges by the Charging Advocate.
- e. A rebuttal by the Accused and the defending advocate shall follow.
- f. Both parties may receive and present letters of support or opposition for the Accused to the Chair of the Formal Hearing, who will then decide whether they may or may not be considered by the Formal Hearing Body.

- g. The Judicial Committee of the SGA shall then conduct a question and answer session before the Formal Hearing Body.
  - i. Any member of the Formal Hearing Body may ask or answer questions in this session.
- h. The Accused, the Defending Advocate and the Charging Advocate shall leave the room as the Hearing Body adjourns for closed discussion.
  - i. A two-thirds majority vote of Senators shall be required to find the Accused responsible of the charges presented.
  - ii. Furthermore, a two-thirds majority vote of those Senators present and voting shall be required to implement any disciplinary action against the accused, including, but not limited to, dismissal from their position with the Student Government Association.
- i. The Chair of the Judicial Committee shall be responsible for any and all issues relating to voting, quorum, and parliamentary procedure during the Preliminary Hearing and the Formal Hearing.
- j. The opinion offered by the Formal Hearing Body shall be considered binding and official.
- k. The Judicial Committee shall then submit to the SGA Senate Archives a formal written statement detailing the Formal Hearing proceedings and decisions rendered to the SGA Executive Secretary within one week of the conclusion of the Formal Hearing.
- l. In the event that the Judicial Committee Chair is the Accused, the SGA Vice President shall appoint a member of the Judicial Committee to serve as Chair.
  - i. The Accused Chair shall step down from that office for the duration of the Hearings and is subject to the final decision of the Hearing Body.
  - ii. In the event that a member of the Judicial Committee is the Accused, the Judicial Committee Chair shall appoint a member of the SGA to fill any vacancies on the Judicial Committee left by the Accused.

## **ARTICLE XII. AMENDMENTS**

### **A. Manner**

- a. The Constitution of the Student Government Association shall become amended when:
  - i. Amendments have been approved by a two-thirds majority of the Senate
  - ii. A minimum two-week informative period has passed, then;
  - iii. The student body passes the amendment by a simple majority of those voting in a campus-wide vote.
- b. The informative period must include display of the proposed amendments via the following media:

- i. Student Newspaper
- ii. SGA Website
- iii. Campus Center Poster
- iv. Other campus media

B. Presidential Veto

- a. The SGA Executive President shall have veto power over constitutional amendments. This power must be exercised within two meetings after the amendments are passed by the Senate.
- b. Veto power over amendments shall be identical to that of Bills, as outlined in Article IV.