CONSTITUTION

REVISED SPRING 2015
Student Government Association
Constitution

Preamble

We the student body of Georgia State University, believe that we have the right and collective authority of self-governance and to an enhanced education. In order to preserve and further these aims; to promote understanding and involvement among all the members of the University community; to represent, advocate, and legislate the interest of the student body; to serve as partners in the administrative processes of the University; to protect our right to govern ourselves and accept responsibility for the quality of student life; to be the official voice of students in academic, institutional and campus affairs; we do hereby establish this Constitution for the Georgia State University Student Government Association (SGA).

RATIONALE FOR REVISIONS: We, the elected members of the 2014-15 Student Government Association embarked upon this revisions process to update the existing framework to ensure that the constitution of this body fully reflected the actual and current functions of the body.
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Article 1 - Name and Membership

Section 1: This Constitution establishes, under the laws of the State of Georgia, a representative student government that shall be known as the Student Government Association of Georgia State University, abbreviated hereafter as SGA.

Section 2: All currently enrolled students at Georgia State University, hereinafter referred to as the University, shall automatically be members of the SGA, and subject to this Constitution, its Amendments, and Bylaws, and the Student Code of Conduct and Policies (available at http://codeofconduct.gsu.edu).

Section 3: All members of the SGA who are elected or appointed to positions provided for in this Constitution, its Amendments and Bylaws shall be considered officers of the SGA. These officers must be in good academic standing with the University and meet any other qualifications specified in this Constitution of the SGA, its Amendments, and Bylaws, and the Student Code of Conduct.

Section 4: Members of this organization shall be entitled to vote in SGA elections.

Section 5: In SGA senator elections, members may vote only for candidates from the school or college in which they are enrolled.

Article 2 - Bill of Rights

Section 1: As a component of Georgia State University, a public educational institution of the State of Georgia, the SGA shall take no action abridging the rights, immunities and privileges granted to students under the Constitution of the United States of America, the Constitution of the State of Georgia, U.S. federal law or under the laws of the State of Georgia. Nothing in this Constitution shall be construed to deny or abridge these rights, immunities and privileges.

Section 2: No student shall be deprived of the right to vote in an election of the SGA, nor shall any student be deprived of the right to vote on any measure put before the student body by the SGA.

Section 3: Recognizing that a free press is an essential element of any free and representative government, no member of the press shall be denied access to any meeting of SGA. In addition, no member of the press shall be denied access to legislation, minutes, or any other business record of the SGA.

Section 4: All students of Georgia State University shall enjoy equal protection under the laws of the SGA, without regard to race, color, sex, religion, creed, age, sexual orientation, gender, disability, national origin, or veteran status.

Article 3 - Structure of Government

Section 1: The SGA shall consist of three separate branches of government: a legislature, an executive branch and a judiciary.

Section 2: No student shall simultaneously hold office in more than one branch of government.

Section 3: To protect the separation of powers of each branch of government, no person
holding office in one branch of government shall be accountable to a person holding office in a separate branch of government, except as provided by this Constitution.

**Article 4 - Legislative Branch**

The authority of the legislative branch of the SGA shall be vested in the SGA Senate, hereinafter referred to as the Senate.

**Section 1: Membership**

Clause 1: The members of the Senate shall be those students duly elected or appointed to the Senate according to the Constitution and the SGA Bylaws.

Clause 2: Any Senator who changes majors, resulting in a change of college will be removed from their position, but remains eligible for future elections, or applying for vacancies.

**Section 2: Composition**

Clause 1: The Executive Vice President is the Speaker of the Senate. He or she is the presiding officer of the Senate, but only votes in the case of a tie.

Clause 2: The President Pro Tempore fulfills the Senate responsibility of the Speaker of the Senate until the return or replacement of the Executive Vice President.

Clause 3: The Senate is composed of one Senator for each one thousand students within each college, with a minimum of two Senators per college. The number of Senate seats is based on the previous fall semester enrollment and is rounded to the nearest thousand.

Clause 4: The Vice President of Academic Affairs, Vice President of Budget and Finance, Vice President of Public Relations, Vice President of Student Life, Vice President of Student Services are non-voting members of the senate responsible for attending all scheduled meetings and serving as chair to the perspective committees.

Clause 5: Freshman and Transfer Liaisons are non-voting members of the senate responsible for attending all scheduled meetings and are encouraged to attend the standing committee meetings of the SGA. There are six freshman liaison positions and three transfer liaison positions. The President Pro-Tem chairs a committee of at least two senators who review and interview select applicants to make nominations for appointment to the Liaison positions to the Senate. The nomination requires a majority affirmative vote of the Senate members present and voting and takes effect immediately upon approval.

Clause 6: The Senate Clerk is a non-voting member of the Senate responsible for tracking attendance, recording minutes and agendas of the Senate meetings, and distributing any supportive materials to the Senate. The Senate meeting minutes must be distributed at least three calendar days prior to the next scheduled Senate meeting. The Executive Vice President appoints an individual outside of the Senate to serve as the Senate Clerk. The Senate Clerk will serve at the pleasure of the Executive Vice President.

Clause 7: The Parliamentarian is non-voting member of the Senate responsible for maintaining
decorum and ensuring Senate procedures are conducted in accordance with the current edition of Robert’s Rules of Order. The Executive Vice President appoints an individual outside of the Senate to serve as the Parliamentarian. The Parliamentarian will serve at the pleasure of the Executive Vice President. The Parliamentarian is a member of SGA that shall not serve as an officer in either the Executive, Legislative, or Judicial branches. The Parliamentarian will have the following duties: ensuring Senate procedures are conducted in accordance with the current edition of Robert’s Rules of Order; removing unruly members and observers at the request of the Speaker of the Senate; shall carry out the actions of enforcement of appropriate conduct at meetings and the Bylaws of the SGA.

Clause 8: The SJB Liaison is an ex-officio member of the Senate providing the Senate updates on SJB activities and ensuring legislation and activities of the Senate are in compliance with the SGA Constitution.

Clause 9: The President Pro Tempore is a voting member of the Senate.

Section 3: Elections

Clause 1: Elections for Senate positions shall be held in the Spring semester of each academic year.

Clause 2: The President pro tempore of the Senate shall be elected from the Senate by the Senate members present and voting. The election will take place by the third Senate meeting. The President pro tempore shall take office only in the absence of the Speaker of the Senate, and shall preside over the Senate, having all the powers of that position, until the return of the Speaker of the Senate.

Section 4: Term

Clause 1: Senators elected in the Spring shall serve one-year terms commencing with the call to order of the first Senate meeting in April and terminating at the call to order of the first Senate meeting of the following April or at such time as a duly elected Senator involved in a disputed election is eligible to serve.

Clause 2: All officers of the Senate shall take the following oath before beginning their respective duties of office:

“I, (name) do solemnly swear (or affirm) that I will faithfully execute the duties and responsibilities entrusted to me by virtue of office and will to the best of my ability preserve, protect and enforce the Constitution of the SGA of Georgia State University.”

The oath of office shall be administered by the Chief Justice at the Inauguration Ceremony for officers elected in the Spring and by the Student Judicial Liaison during regularly scheduled Senate meetings after vacancies have been filled.

Section 5: Authority and Responsibilities

Clause 1: The Senate shall have general legislative powers, including the following:

A. To approve and/or amend the budget of the SGA;

B. To approve committees, commissions or boards as are needed to perform the functions of this Association;
C. To make laws which shall be necessary and proper for carrying into execution the foregoing powers and all powers vested by this Constitution in the SGA.

D. The Senate shall have the authority to remove SGA Officers following the procedures outlined in the Constitution and By-Laws.

Clause 2: The Senate shall have the following responsibilities

A. Provide a voice for the student body in the academic and institutional affairs of the University.
B. Seek student feedback and recommend solutions to student issues.
C. Approve the establishment of ad hoc committees as needed to perform the functions of the SGA.
D. Establish rules and bylaws for internal operation.
E. Propose legislation on behalf of the student body.
F. Advocate for student rights.
G. Approve appointments to fill SGA vacancies.
H. Review the expenditures and balance sheet of the SGA.
I. Review reports from each Senate Standing Committee and University Senate Standing Committee.
J. To be consulted in proposed stipend increases before their submission to the Student Activity Fee Committee.
K. To call when necessary a special meeting of the Senate upon written petition signed by at least fifty percent plus one (50% +1) of the members of the Senate.

Section 6: Vacancies

Clause 1: Nomination Process

Unless otherwise specified in this Constitution and Bylaws, the process for fulfilling Senate vacancies is as follows:

A. Vacancies in the SGA must be advertised and applications for positions available for at least five business days before nominations are made.

B. Completed applications must be turned in to the President.

C. The President has five business days after the publicity of a vacant position has expired to recommend a nomination to the Senate. If the nomination time requirement is not met by the President, the Executive Board will nominate a candidate.

Clause 2: President Pro Tempore

Senators can nominate a Senator or self-nominate themselves to fill the vacant President Pro Tempore position. The Senate should vote on the nominations by the second Senate meeting following the day the position is vacated, or two weeks, whichever is longer. The Senator who receives the most votes will become the President Pro Tempore.

Clause 3: Senate Vacancy

The President nominates candidates to fill vacancies in the Senate following the nomination
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process. The nomination requires a majority affirmative vote of the Senate members present and voting and takes effect immediately upon approval.

Clause 4: University Senate Vacancy
The President appoints candidates to fill vacancies in the University Senate and University Senate Committees. The President has five business days after the publicity of a vacant position has expired to make the appointment. If the appointment time requirement is not met by the President, the Executive Committee will appoint a candidate.

Clause 5: Senate Clerk Vacancy
The Executive Vice President appoints an individual outside of the Senate to serve as the Senate Clerk. The Senate Clerk will serve at the pleasure of the Executive Vice President.

Clause 6: Parliamentarian Vacancy
The Executive Vice President appoints an individual outside of the Senate to serve as the Parliamentarian. The Parliamentarian will serve at the pleasure of the Executive Vice President.

Clause 7: Students appointed to fill senate vacancies shall complete the terms of the positions to which they are appointed.

Clause 8: If a Senate vacancy shall remain open beyond two consecutive regular meetings of the Senate, and the President fails to nominate an eligible candidate for the vacant position, the Senate shall have the power to fill the position through procedures defined in the bylaws. Rejection of a President’s nominee, within the given time period, shall reset the time allocated in this clause.

Section 7: Speaker of the Senate
Clause 1: The SGA Executive Vice President serves as the Speaker of the Senate and is the presiding officer of the Senate.

Clause 2: The Speaker shall be a member of the Senate, but only votes in the case of a tie.

Clause 3: The Executive Vice President/Speaker of the Senate, while in office, shall receive a compensation for his or her duties.

Section 8: Meetings
Clause 1: The Senate shall convene at least biweekly while classes are in session. These meetings shall take place on Thursdays at 7:15 pm unless otherwise provided by law.

Clause 2: All Senate meetings shall be open to all members of the University community.

Clause 3: The Senate shall keep minutes of its meetings current and available to the public on its website.

Section 9: Legislation
Clause 1: Legislation pursuant to a fundamental policy or principle of the SGA which shall,
before it becomes law, shall be presented by the Speaker of the Senate within five (5) class days to the President of the SGA.

A. If he or she approves the legislation, he or she shall sign it and it shall become law.
B. If he or she disapproves the legislation, he or she shall return it to the Senate along with his or her written objections which shall be entered into the Senate Journal. The Senate shall then proceed to reconsider the legislation. If after such reconsideration, two-thirds (2/3) of the Senate present and voting shall agree to pass the legislation, it shall become law.
C. If no action is taken by the President of the SGA within fifteen (15) class days, the legislation shall automatically become law without his or her signature.

Clause 2: Legislation involving action by areas or departments within the university, other than the SGA, which shall have passed the Senate shall, before it becomes law, be presented to the President of the SGA and/or the President of the University.

A. Action by the SGA President
   1. If the President of the SGA approves the legislation, he or she shall sign it and present it to the President of the University.
   2. If the President of the SGA disapproves the legislation, he or she shall return it to the Senate along with his or her written objections which shall be entered into the Senate Journal.
   3. The Senate shall then proceed to reconsider the legislation. If after such reconsideration, two-thirds (2/3) of the Senate present and voting shall agree to pass the legislation, it shall be presented to the President of the University.
   4. If no action is taken by the President of the SGA within fifteen (15) class days, the legislation shall automatically be presented without his or her signature to the President of the University.

B. Action by the President of the University
   1. If the President of the University approves the legislation, he or she shall sign it and it shall become law.
   2. If the President of the University disapproves the legislation, he or she shall return it to the Senate along with his or her written objections which shall be entered into the Senate Journal.

Article 5 - Executive Branch

The authority of the executive branch of the SGA shall be vested in the Executive Committee.

Section 1: Composition - The Executive Committee shall be composed of the President, Executive Vice President, and the Vice Presidents of the SGA Standing Committees as outlined in the Constitution and Bylaws.

Section 2: Election - The President, Executive Vice President and the Vice Presidents of the SGA Standing Committees of the SGA shall be elected by a majority of the members of the SGA. Presidential candidates shall name an Executive Vice Presidential candidate on their election application with whom they shall run for office jointly. Election ballots shall require members of
the SGA to vote for an executive ticket consisting of a Presidential and Executive Vice-Presidential candidate. The President and Executive Vice President shall serve a concurrent one-year term commencing on the first day of May and terminating on the last day of the following April or at such time as a duly elected President and Executive Vice President involved in a disputed election are eligible to serve.

**Section 3: Compensation** - The President, Executive Vice President and Vice Presidents shall at stipulated times receive a compensation for their services.

**Section 4: Authority and Responsibilities**

The Executive Committee shall:

A. Be the central coordinating committee for the Senate and SGA Committees.
B. Perform any additional duties and reasonable functions to continue the essential business of the SGA as may be specified in this Constitution, its Amendments and Bylaws.
C. Shall submit to the Senate for approval nominations for vacancies on the Executive Committee and Senate in the event the president fails to make nominations during the time allotted.
D. Shall submit to the Senate for approval nominations for the University Senate, University Senate Committees, and SGA Committees in the event the president fails to make nominations during the time allotted.

**Section 5: Succession and Vacancies**

Clause 1: In the case of the removal of the President from office by death, resignation, impeachment, or inability to discharge powers and duties, the President’s office shall devolve on the Executive Vice President.

Clause 2: The President nominates candidates to fill vacancies on the Executive Board following the nomination process. The Executive Vice President shall be informed of the chosen candidate. The Executive Vice President, the President Pro Tempore, and two Senators chosen by the President Pro Tempore form a Senate confirmation committee to interview the candidate prior to the candidate being introduced to the Senate for a confirmation vote.

Clause 3: If the vacancy is the Executive Vice President position, the President Pro Tempore shall be informed of the chosen candidate and the same procedure is followed, but with three Senators chosen by the President Pro Tempore. The nomination requires a two-thirds affirmative vote of the Senate members present and voting and takes effect immediately upon approval.

Clause 4: The President has five (5) business days after the publicity of a vacant position has expired to recommend a nomination to the Senate. If the nomination time requirement is not met by the President, the Executive Board will nominate a candidate.

**Article 6 - Judicial Branch**

The authority of the judicial branch of the SGA shall be vested in the Student Judicial Board, hereinafter referred to as the SJB.
Section 1: Composition

A. The Student Judicial Board shall consist of a Chief Justice and fifteen (15) members.
B. The hearing panel shall consist of no less than three (3) justices.
C. The SJB Executive Board shall consist of the Chief Justice and two (2) Assistant Chief Justices.
D. A selection Committee shall screen applicants who are seeking membership to the SJB.
   The Committee shall be composed of the Student Judicial Board.
E. To be eligible to serve as a Justice, a student must:
   • have completed thirty (30) semester hours to be eligible for appointment and once in office shall serve until he/she graduates, unless he/she resigns or is removed. They must have a 2.5 GPA or higher
   • be enrolled with a minimum of 6 credits as an undergraduate
   • have good standing, academically and judicially, with the University
F. No student may hold office concurrently on the SJB and any other branch of the SGA.
G. The SJB shall hold regular meetings.
H. The SJB shall adopt appropriate rules and procedures for the hearing of cases within its jurisdiction, including rules respecting pleadings, hearing procedures and rights of parties and witnesses.

Section 2: Authority and Responsibilities of the SJB

A. The SJB shall have the responsibility of reviewing all violations of the Georgia State University Student Code of Conduct when appealed by the alleged student, student organization, or student fee-funded organization.
B. The SJB shall also have the authority to interpret this Constitution and the Bylaws of the SGA.
C. The SJB shall recommend solution to the Dean of Students in case of disputes between student organizations.
D. The SJB shall recommend solution to the Dean of Students in case of disputes between a student fee-funded organization and students not members of said organization.
E. The SJB shall hear all appeals of Elections Commission decisions and to affirm or reverse such decisions.

Section 3: Chief Justice

The Chief Justice may remain on the Student Judicial Board as a justice following the expiration of his/her term as Chief Justice. A Chief Justice may serve more than one term.

Chief Justice’s Authorities and Responsibilities

A. Serve as spokesperson for the SJB.
B. Organize regular meetings of SJB members.
C. Organize campus wide recruiting process for new SJB members.
D. Preside over the impeachment hearings of the SGA Senate.
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E. Shall appoint an Executive Board.
F. Shall serve an ex-officio member of the SGA Executive Board.

Article 7. Elections

Section 1. Candidate Qualifications
A. Candidates for election must be enrolled at Georgia State University, have at least one semester of college credit resulting in a grade point average, and be in good standing with the University.
B. Candidates running for President and Executive Vice President must have a cumulative GPA of 3.0 or higher at the time of election. Candidates running for a Vice President position or President Pro Tempore must have a cumulative GPA of 2.7 or higher at the time of election. Candidates running for Senator must have a cumulative GPA of 2.5 or higher at the time of election.

Section 2. Candidates for President and Executive Vice President
Candidates running for President and Executive Vice President must run in pairs on a single ticket. Voters will cast a single vote for their decided ticket during the election period.

Section 3. President Pro Tempore
Candidates for President Pro Tempore are Senators who are nominated or self-nominated following the election period. Elections to fill the position are conducted by the Senate and take place by the third regularly scheduled Senate meeting of the term.

Section 4. Election Commission
The Commission will consist of a Chairperson and at least four other members, all of whom are chosen by the Student Judicial Board through an application process. The Commission supervises and regulates all SGA elections in accordance with the SGA Bylaws.

Article 8 - Amendments

Section 1: Proposal Procedure
Amendments to this Constitution may be proposed by any member of the Senate at an official Senate meeting or SGA conference and approved for discussion by a simple majority of the Senate members present and voting.

Section 2: Ratification of the Constitution
Amendments to the Constitution require a two-thirds affirmative vote of the Senate members present and voting. The amendments approved by the Senate are voted on by the student body in a duly-authorized referendum. Approved amendments shall become part of the Constitution when ratified by a majority of the students voting in the duly-authorized referendum. The amendments are effective immediately upon ratification.
Section 3: Editorial Changes

Editorial changes such as grammar, formatting, and non-substantive re-wording may be proposed by any member of the Senate at an official Senate meeting or SGA conference and are approved and ratified by a two-thirds affirmative vote of the Senate members present and voting.

Article 9 - Bylaws

Section 1: General Information

The SGA Bylaws are subsidiary rules used to supplement this Constitution. Bylaws cannot alter or contradict the Constitution. Such actions would require an amendment to the Constitution as outlined in Article VIII.

Section 2: Procedures to Create or Amend Bylaws

Proposed bylaws or amendments to the SGA bylaws must be submitted no later than three business days prior to a regularly scheduled Senate meeting to the Executive Vice President and the Senate Clerk, who will then make the proposed bylaws or amendments available to the Senate members at least two business days prior to the scheduled Senate meeting. The bylaw or amendment requires a title, the text of the proposal, what bylaw is to be amended or an explanation of where the new bylaw should be added, and rationale for the proposal. New or amended bylaws are approved for discussion by a simple majority of the Senate members present and voting. The proposed changes are approved by a two-thirds affirmative vote of the Senate members present and voting and take effect immediately upon approval.