



Preamble

We the students of Georgia State University, a multi-campus institution within the University System of Georgia, in order to preserve and defend the rights and privileges of student self-governance, serve as the official voice of students in academic, institutional and community affairs. We will promote understanding and involvement among all the members of the University community; represent, advocate, and legislate the interests of the student body; to serve as partners in the administrative process of the University; assume the responsibility to provide a means of expression for students, and encourage individual responsibility. We assume the fullest responsibility and power of self-governance consistent with the Constitution, policies of Georgia State University, and the laws of the State of Georgia. We do hereby establish this Constitution for a Student Government Association that advocates for the student body of Georgia State University.

Authority

It is recognized that the University is governed by the University System of Georgia Board of Regents that may delegate governing powers to the students. The Student Government Association is the official voice of the student body, and shall work with faculty, staff, and administration in efforts of serving the students of Georgia State University. The Student Government Association has the authority and responsibility in participating in the recommendation of Mandatory Fee allocations, appointing student representatives to campus and university-wide committees, maintaining self-governance, and working to resolve institutional student issues and concerns.

Ratified on August 13, 2016 by the University-Wide Senate of SGA and revised by constitutional amendment on the Spring ballot of 2018.

Georgia State University Student Government Association Constitution

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Article 1 – Name and Membership

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 hereinafter as SGA.

All currently enrolled students at Georgia State University, hereinafter referred to as the University, who have paid their respective student activity fees, shall automatically be members of the SGA, and are subject to this Constitution, its Amendments, Bylaws, and the Student Code of Conduct and Policies (available at <http://codeofconduct.gsu.edu>).

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.

Article 2 – Bill of Rights

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, United States federal law, or under the law of the State of Georgia.

Nothing in this Constitution, its Amendments or Bylaws shall be construed to deny or abridge these rights, immunities and privileges.

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.

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

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

Article 3 – Organization

The SGA shall consist of three separate branches of government: the legislative branch, the executive branch and the judicial branch.

No student shall simultaneously hold office in more than one branch of SGA.

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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 – Code of Ethics

All members of the SGA, including but not limited to all appointed or elected officials of the legislative, executive and judicial branch, should keep the Code of Ethics at the forefront of their actions and always be prepared to give account of their actions and words.

Members of the SGA shall represent their constituencies first by expressing their interests and concerns within the SGA, and second by being a good example of conduct in the execution of their duties.

Section 4.1: Purpose

- A. The purpose of the Code of Ethics is to establish a standard of conduct for members of the SGA.
- B. Elected and appointed members of the SGA hold positions of trust and are expected to act in the best interest of Georgia State University and its students.
- C. SGA members shall fulfill that trust by adhering to general principles of ethical conduct as well as specific standards detailed in this code and the Student Code of Conduct.
- D. The Code of Ethics provides guidance for elected and appointed SGA officials when faced with certain situations or particular circumstances.
- E. The Code will also encourage an ethical future for the members of SGA upon graduation.
- F. The Code will instill trust and confidence as SGA officials demonstrate their commitment by exercising their core values and standing by The Code of Ethics.

Section 4.2: Definitions

- A. *Conflict of Interest* shall be defined as a situation in which an SGA officer participates in an action(s) that has the potential to benefit:
 - a. The officer,
 - b. The officer's immediate family, spouse, partner, parents, children, siblings, or significant other,
 - c. An organization to which the officer belongs (other than the SGA) including political parties, campaign committees or other structure, etc...
 - d. The officer's employer.
- B. *Recusal* shall be defined as the act of removing one's self from discussion, deliberation, or actions concerning an issue.

Section 4.3: Code of Ethics

SGA elected and appointed officials are tasked with enacting the following:

- I will think in terms of putting students first.
- I will act in a trustful manner and will honor agreements and promises.
- I will serve as a liaison between the students and administration.
- I will work to promote a positive image of the SGA, encouraging unity and cooperation.
- I will conduct myself at all times in a manner that shall reflect positively on the SGA of Georgia

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State University.

- I will uphold the Oath of Office, Constitution, bylaws and all governing documents of the SGA in addition to the Georgia State University Code of Conduct.
- I will respect all members of the Georgia State University and Atlanta communities regardless of race, color, sex, religion, creed, age, sexual orientation, gender, disability, national origin, or veteran status which is in compliance with Georgia State University's non-discrimination policy.
- I am prohibited from using their office or SGA funds for private gain, other than payments or reimbursements authorized by the SGA Advisor Committee on the Student Fee;
- I will act impartially and not give preferential treatment to any private organization, public organization, or individual;
- I will strive to avoid actions which would create the appearance of a conflict of interest or preferential treatment;
- I shall not accept gifts exceeding \$5.00 in value from individuals or organizations (except SGA) for performing my official SGA duties;
- If I become aware that a conflict of interest exists or appears to exist, I must immediately disclose the nature of the conflict in writing to the SGA Advisor on my campus.
- If I become aware that I have a conflict of interest during an SGA meeting, whether formal or informal, I must immediately inform those present and recuse myself from the relevant issue.

Article 5 – 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 5.1 Composition

- A. The members of the Senate shall be those students duly elected or appointed to the Senate according to this Constitution, its Amendments and Bylaws.
- B. For the purpose of legislating at each of the campuses, there is a Campus Senate (presided over by the respective Speaker of the Senate) and a University-Wide Senate (presided over by the President of the SGA).
- C. The presiding officers of the Campus Senates and University-Wide Senate only vote in the case of a tie.
- D. If the SGA President is temporarily unable to preside over the University-Wide Senate, the President shall appoint a current Executive Vice President from the current existing Executive Vice Presidents to do so.
- E. In the absence of the Speaker of the Senate, the Speaker Pro Tempore shall forfeit their voting privileges to facilitate the Campus Senate meeting. The Speaker Pro Tempore fulfills the Campus Senate responsibility of the Speaker of the Senate until the return or replacement of the Speaker of the Senate.
- F. The Senate Speaker Pro Tempore shall be a Senator appointed and confirmed by a simple majority vote of the Senate and is a voting member of the Senate.
- G. All Senators shall have equal authority and equal vote as members of the Senate, with the exception of the Speaker or Speaker Pro Tempore, who shall vote only in the case of a tie.

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- H. The University-Wide Senate has 46 seats which are apportioned to the campuses, colleges and schools based on the previous fall enrollment, with each campus, college or school having at least two senators.
- I. Each campus will designate the appropriate number of senators, based on the previous fall's enrollment, to serve on the University-Wide Senate. A senate position at the campus level does not guarantee a position on the University-Wide Senate.
- J. The Atlanta Campus Senate is comprised of the elected senators, senate clerk and appointed liaisons currently enrolled at the Atlanta campus.
 - a. Freshman and Transfer Liaisons are non-voting members of the Senate. They are responsible for attending all scheduled meetings and are encouraged to attend the standing committee meetings of the SGA.
 - b. The Speaker Pro Tempore chairs a committee of at least two senators who will review and interview select applicants in order to make nominations for appointment to the Liaison positions to the Senate. The nominations require a two-thirds ($\frac{2}{3}$) affirmative vote of the Senate members present and takes effect immediately upon approval.
 - c. The Atlanta Campus Senate Clerk is an individual outside of the Senate appointed by the Speaker of the Senate as a non-voting member.
- K. The Perimeter Campus Senates are comprised of the elected Senators currently enrolled at the Perimeter Campuses and consist of the following members on each campus:
 - a. The elected Speaker of the Senate and six elected/appointed Senators who will serve as the representatives of all students of their respective campuses.
 - b. There shall be no more than seven voting representatives on the Senate.
- L. The Communications Director on each campus is an individual appointed by each Executive Vice President to serve as a non-voting member of their respective Senates. The Communications Director will serve at the pleasure of the respective campus' Executive Vice President.
 - a. For the Perimeter Campuses Senates, the Communications Director is responsible for tracking attendance, recording minutes and agendas of the Senate meetings, distributing any supportive materials to the Campus Senate and producing the Campus Senate Journal to be published on the SGA's website.
 - b. For the Atlanta Campus, the Communications Director oversees the public relations and marketing efforts of the Atlanta campus and University-Wide SGA and also reports to the President.
- M. The Finance Director is an individual appointed by each Executive Vice President to serve as a non-voting member of the Senate, who is responsible for attending all scheduled meetings and providing budget updates to the Senate. The Finance Director will serve at the pleasure of the respective campus' Executive Vice President.
- N. The Parliamentarian is responsible for ensuring Senate procedures are conducted in accordance with the current edition of Robert's Rules of Order; maintaining decorum by removing unruly members and observers at the request of the Speaker of the Senate; carrying out the actions of enforcement of appropriate conduct at meetings and the Bylaws of the SGA.
 - a. The Parliamentarian is a non-voting member of the Senate and will serve at the pleasure of the Chief Justice.

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- b. For the Perimeter College Senates, the Finance Director will also serve as the Parliamentarian, a non-voting member of the Senate.
- c. For the Atlanta Campus and University-Wide Senates, the Atlanta Campus Student Judicial Board (SJB) Liaisons, who are appointed by the Chief Justice, will serve as the Parliamentarian and shall provide the Senate updates on SJB activities and vice versa.

Section 5.2 Authority and Responsibilities

- A. The University-Wide Senate shall have the following powers:
 - a. 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.
 - b. To approve University-Wide committees, commissions or boards as are needed to perform the functions of this SGA.
 - 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 from the University-Wide Executive Committee following the procedures outlined in the Constitution and Bylaws.
- B. The University-Wide Senate shall have the following responsibilities:
 - a. Provide a voice for the student body in the academic, and institutional, and community affairs of the University.
 - b. Seek student feedback and recommend solutions to student issues.
 - c. Approve the establishment of university-wide 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 University-Wide student body.
 - f. Advocate for student rights.
 - g. Approve appointments to fill University-Wide appointments.
 - h. Review reports from each University-Wide Senate Standing Committee and University Senate Standing Committee.
 - i. To call when necessary a special meeting of the University-Wide Senate upon written petition signed by a simple majority of the members of the University-Wide Senate.
- C. The Perimeter College Senates shall have the following powers:
 - a. To make laws specific to their campus which shall be necessary and proper for carrying into execution the foregoing powers and all powers vested by this Constitution in the SGA.
 - b. The authority to remove SGA Officers from the Campus Executive Committee following the procedures outlined in the Constitution and Bylaws.
 - c. To appoint its own Speaker Pro Tempore.
 - d. To discipline its own members by appropriate legislation.
 - e. To appoint members to all Perimeter College activity fee committees.
 - f. To review and recommend modifications to the Student Activity Fee Codes.

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- g. To confirm all appointments made by the Executive Vice President by a simple majority vote of members present. This includes, but is not limited to, Student Judicial Board positions and any other non-elected positions of the Executive Committee.
- D. The Perimeter College Senates shall have the following responsibilities:
- a. Provide a voice for the student body of the campus where they are located.
 - 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 SGA.
 - d. Propose legislation on behalf of the student body at their campus.
 - e. Advocate for student rights.
 - f. Approve appointments to fill campus vacancies.
 - g. Review reports from each Senate Standing Committee on their campus and the University Senate Standing Committee.
 - h. Review the expenditures and balance sheet of their Campus SGA.
 - i. To call, when necessary, a special meeting of the Senate upon written petition signed by a simple majority of the members of the campus Senate.
 - j. To be consulted in proposed stipend increases before their submission to the Student Activity Fee Committee.
- E. The Atlanta Senate shall have the following powers:
- a. To make laws specific to their campus which shall be necessary and proper for carrying into execution the foregoing powers and all powers vested by this Constitution in the SGA.
 - b. To approve and/or amend the budget of the SGA for their campus;
 - c. To approve committees, commissions or boards as are needed to perform the functions of SGA;
 - d. The authority to remove SGA officers following the procedures outlined in the Constitution and Bylaws.
- F. The Atlanta Senate shall have the following responsibilities:
- a. Provide a voice for the Atlanta Campus student body.
 - 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 SGA.
 - d. Propose legislation on behalf of the student body.
 - e. Advocate for student rights.
 - f. Approve appointments to fill Atlanta Campus vacancies.
 - g. Review the expenditures and balance sheet of the Atlanta Campus SGA.
 - h. Review reports from each Atlanta Senate Standing Committee and the University Senate Standing Committee.
 - i. To be consulted in proposed stipend increases before their submission to the Student Activity Fee Committee.
 - j. To call, when necessary, a special meeting of the Atlanta Senate upon written petition signed by a simple majority of the members of the Senate.

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Section 5.3 Legislation

The Senate shall serve as a legislative body within the SGA. The Senate shall represent the student body in the creation of legislation regarding policies, regulations, or services pertinent to student life at Georgia State University. The procedures for the introduction and passage of legislation is outlined in Article 11 of SGA's Bylaws.

Article 6 – Executive Branch

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

Section 6.1 Composition

- A. The University-Wide Executive Committee (UEC) shall be composed of the President, the Executive Vice Presidents for each campus (six), and the Atlanta Communications Director (non-voting) as outlined in the Constitution and Bylaws.
- B. The Campus Executive Committees (CEC) shall be composed of Executive Vice President, the Communication and Finance Directors, Speaker and the Speaker Pro Tempore (as a non-voting member), as outlined in the Constitution and Bylaws.
 - a. The Communications Director is an individual appointed by each Executive Vice President to serve as a voting member of the Executive Committee. The communications director will serve at the pleasure of the respective campus' Executive Vice President.
 - b. The Finance Director is an individual appointed by each Executive Vice President to serve as a non-voting member of the Senate, who is responsible for attending all scheduled meetings and providing budget updates to the Senate. The Finance Director will serve at the pleasure of the respective campus' Executive Vice President.
- C. For the Atlanta campus, the Senate Standing Committee Chairs also serve on the CEC as non-voting members.

Section 6.2 Authority and Responsibilities

- A. The University-Wide Executive Committee shall:
 - a. Set the agenda for the University-Wide Senate Meeting.
 - b. Submit to the University-Wide Senate for approval nominations for the University-Wide Senate, University Senate Committees, and SGA Committees in the event the President fails to make nominations during the time allotted.
- B. The Campus Executive Committee shall:
 - a. 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.
 - b. Submit to the Campus Senate for approval nominations for vacancies on the Campus Executive Committee and Senate in the event the Executive Vice President fails to make nominations during the time allotted.

Article 7 – 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. The SJB will adhere to confidentiality as it pertains to the Federal Education

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Rights and Privacy Act (FERPA) regarding all student conduct matters. All procedures, rules, and regulations pertaining to the student conduct process and operation of the SJB which are not contained directly herein shall be incorporated in the SJB Bylaws, Student Handbook, the Student Code of Conduct (the Code) and other University policies.

Article 8 – Elections

Section 8.1 General

- A. The winners of the races for executive positions (President, Executive Vice President, and Speaker) shall be determined by plurality vote of the votes cast for each position.
- B. A candidate must receive a vote count of at least fifteen percent more than the other candidates to be declared the winner of that race.
- C. If one of the candidates does not receive 51 percent of the vote but they do achieve a plurality vote with a margin of at least fifteen percent, they are declared the winner of that race."
- D. In the case that a candidate does not receive a fifteen percent margin from the other candidates, or there is a tie, a runoff election will be held consisting of the two candidates with the highest number of votes in the general election."

Section 8.2 Election Commission

- A. There will be a University-Wide Election Commission with a representative from each of the campuses to supervise the Presidential Election in accordance with the SGA Bylaws.
- B. Each campus will have its own Election Commission to supervise and regulate their campus-specific elections in accordance with the SGA Constitutional Amendments and Bylaws.
- C. The University-Wide Election Commission is responsible for creating and updating the Election Code.

Section 8.3 Election Code

- A. Every person who files for an office elected under the authority of the Student Government Constitution, its Amendments and Bylaws shall have access to a copy of the Election Code at the time of filing.
- B. All candidates and their staff, along with all volunteers, shall be responsible for knowing and abiding by the contents of the Election Code. Any questions concerning this document shall be addressed directly to the Election Commission.

Article 9 – Constitutional Review

Section 9.1 Amendments

Amendments to this Constitution may be initiated in one of the following ways:

- A. A two-thirds (2/3) affirmative vote of a Campus Senate.
- B. A petition signed by ten percent of the student body, to be defined as ten percent of the number enrolled during the fall term.
- C. After one of the two preceding steps has been completed, the following process must occur in specified order:
 - a. Amendments to the Constitution require a two-thirds (2/3) affirmative vote of the University-Wide Senate members present and voting.

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- b. After passage by the University-Wide Senate, the text of the proposed changes and the original text shall be published on the spring semester ballot.
- c. The proposed amendment(s) shall be presented to the student body in a referendum no less than fourteen days and no more than twenty-one days after publication in the student newspaper.
- d. A simple majority of at least 51 percent of votes cast must be affirmative to pass the amendment(s).
- e. Copies of the amendment(s) shall be available for review upon request at each polling location, and for at least seven days prior to the election, in the SGA office.
- f. 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 9.2 Editorial Changes

Editorial changes such as grammar, formatting, and non-substantive rewording may be proposed by any member of the Senate at an official Senate meeting and are then approved and ratified by a two-thirds (2/3) affirmative vote of the Senate members present.

Article 10 – Constitutional Authority

Upon ratification, this Constitution and its associated codes shall supersede all previous governing documents, which shall be deemed null and void.

Article 11 – Recall and Referendum

Section 11.1 Recall

- A. A recall election for any office may be called by a petition signed by at least ten percent of the electing body. For the Senators, Speaker of the Senate and Executive Vice President at the Perimeter College Campuses, the electing body is the campus that they represent.
- B. For the Atlanta Campus Senators, the electing body is the college or school they represent
- C. For the President, it is the University-Wide student body.
- D. Only one recall election per Senator or Officer per term of office shall be held.

Section 11.2 Referendum

- A. A referendum on any question to a specific campus may be called by a petition by at least ten percent of that campus's student body or by two-thirds (2/3) of that campus's senate.
- B. A referendum on any University-Wide question may be called by a petition by at least ten percent of the entire student body or by two-thirds of the University-Wide Senate.
- C. The Executive Vice President shall set the date of a Campus-Specific referendum and the President shall set the date of the University-Wide referendum.
- D. In both cases, the question shall be submitted to the respective senates for amendments and approval.

Article 12 – Oath of Office

All elected and appointed officials of the SGA shall be installed by the Chief Justice of the Student Judicial Board or their designee, who shall administer the following oath:

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

Article 13 – Advisors

- A. Shall be appointed by the Vice President for Student Affairs and serve as an advisor to their campus' SGA.
- B. Shall ensure that all SGA business is conducted in compliance with Federal, State and University policies, regulations and procedures.
- C. Shall serve as advocates for the SGA within the Administration of the University.
- D. Shall assist in providing continuity and transition from one SGA administration to the next.
- E. Shall process all expenditures approved by the Campus Senates and signed by the Finance Directors in a timely manner.

Article 14 – Bylaws

Section 1: General Information

- A. The SGA Bylaws are subsidiary rules used to supplement this Constitution and any Amendments. Bylaws cannot alter or contradict the Constitution.
- B. Such actions would require an amendment to the Constitution as outlined in Article 9.

Section 2: Procedures to Create or Amend Bylaws

- A. Proposed Bylaws or amendments to the Bylaws must be submitted no later than five days prior to a regularly scheduled University-Wide Senate meeting to the President and the Senate Clerk, who will then make the proposed Bylaws or Amendments available to the University-Wide Senate members at least two business days prior to the scheduled Senate meeting.
- B. The Bylaw or Amendment proposed requires a title, the text of the proposal, which Bylaw is to be amended or an explanation of where the new bylaw should be added and the rationale for the proposal. New or amended Bylaws are approved for discussion by a simple majority of at least 51 percent of the Senate members present.
- C. If the proposed bylaws or amendments are University-Wide the proposed changes shall be approved by a two-thirds (2/3) affirmative vote of the University-Wide Senate members present and take effect immediately upon approval.
- D. The proposed Amendments or Bylaws changes shall be approved by a two-thirds (2/3) affirmative vote of the Senators from either the Atlanta Campus or one of the Perimeter Campuses, depending on which campus the proposed Bylaws or Amendments will be enacted.