THE CONSTITUTION OF STUDENT GOVERNMENT ASSOCIATION
EASTERN KENTUCKY UNIVERSITY

RATIFIED BY THE STUDENT GOVERNMENT ASSOCIATION: September, 2014
Approved By THE BOARD OF REGENTS: October, 2014

Craig Turner
Chair of the Board of Regents

Kyle Nicholas
Student Body President

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Secretary to the Board of Regents
PREAMBLE

We the students of Eastern Kentucky University in order to form a more perfect association, to provide for a representative body, to promote student self-governance, to participate in the policy and decision-making processes of the University community, to foster an environment which will promote academic growth, to promote communications and understanding within the University community and beyond, and to encourage awareness of and participation in a democratic society, do hereby establish this Constitution for the Eastern Kentucky University Student Government Association.

ARTICLE I
General Matters

Section A. In the spirit of shared governance, the Student Government Association is recognized as an official representative body by the approval of the Board of Regents. The Association is afforded a maximum aggregate of self-governance in its operations and to represent students in University affairs as provided in this Constitution or its Bylaws.

Section B. Each student enrolled for credit at Eastern Kentucky University shall be a member of the Association.

Section C. Each member shall have the right to vote in elections, to debate in open session (as opposed to executive session) Association meetings, and to participate in all activities of the Association except as provided otherwise in this Constitution or its Bylaws.

Section D. The Student Government Association does not discriminate on the basis of age (40 and over), race, color, religion, sex, sexual orientation, gender identity, disability, national origin, veteran status, or genetic information in the admission to, or participation in, its membership, or any program or activity which it conducts, or in any policy or practice.

Section E. All elected and appointed members of Student Government Association must maintain a minimum 2.5 (on a 4.0 scale) cumulative grade point average. The specific grade point average would not apply during the first semester of one’s freshman year.

Section F. Fall elections shall be held on third Tuesday of class, and spring elections shall be held on the fourth Tuesday in March, unless that day falls on Spring Break, in which case the spring elections shall be held on the third Tuesday in March. The place and manner of the elections shall be prescribed by the SGA bylaws.

Section G. The SGA Constitution shall preempt all Bylaws or other SGA documents.

ARTICLE II
Legislative Branch

Section A. The advocative and legislative body of the Student Government Association shall be the Student Senate.

Section B. Representation

1. It shall consist of Senators elected on an at-large basis. The at-large Senators shall consist of one Senator per 600 students as determined by spring enrollment numbers at the time of the election. Members of the Student Senate shall be members of the Student Government Association as defined in Article I, Section B.
2. Extended campuses shall have representation by the chairman of each SGA extended campus council, according to the SGA bylaws.

Section C. Authority and Duties

1. The Student Senate shall have the authority to pass acts and resolutions consistent with the SGA bylaws. Upon passing the Student Senate, the legislation shall be presented to the Student Body President for his or her approval.

2. The Senate may override a veto of the President of the Student Government Association by a simple 2/3 vote of the total voting membership.

3. The Senate may establish Special Committees needed for the performance of its duties.

4. The duties of the Senate shall include addressing student rights issues, academic affairs issues, and any other issues that affect the student body as well as carrying out the student organizational funding process.

5. The Executive Vice President shall temporarily become the acting President upon determination by the President or three-fourths majority vote of the Senate membership that the President is temporarily unable to serve.

Section D. Fifty percent plus one of the total membership of the Senate shall constitute a quorum.

Section E. "Robert's Rules of Order Newly Revised" shall govern the proceedings of the Senate except where in conflict with this Constitution or Special Rules of Order established by the Senate.

Section F. All members must serve on a Standing Committee of the Student Senate.

ARTICLE III
Executive Branch

Section A. The Executive Officers shall be the Student Body President, Executive Vice President, and the Vice President for Student Activities.

Section B. The Student Body President

1. Qualifications
   a. The President shall be a member of the Association, have and maintain at least a 2.5 (on a 4.0 scale) cumulative GPA, and be a full-time student. These requirements must also be met at the time of elections.
   b. The President shall be at least a second-semester sophomore (completion of 45 academic hrs.) at the time he/she is elected. The last 12 hours earned must have been earned at EKU.
   c. The President shall not be employed by Eastern Kentucky University in any capacity.

2. Authorities and Duties
   a. Executive authority shall be vested in the President of the Student Government Association.
b. The President shall have the authority to veto or sign action of the Senate and Student Activities Council (SAC) provided that he/she exercises such authority within ten business days following passage by the appropriate body.

   i. A veto may be overridden by a 2/3 vote of the members present and voting of the appropriate body.
   ii. Failure to sign or veto an action within ten class days following passage by the appropriate branch constitutes approval.

c. The President shall prepare annually a proposed budget for the expenditures of the Association.

d. The President shall appoint a Chief of Staff, a Treasurer, and an Executive Secretary within 10 days of his/her inauguration. The President shall also appoint Directors as needed.

e. The President may appoint such Ad Hoc Committees of the Association as he/she deems appropriate.

f. The President or his/her designee shall represent the Association at all functions where the Association is expected to be represented officially.

g. The President shall uphold and follow his/her obligations as set forth in the procedures and processes of Student Organizational funding.

h. The President or his/her designee shall attend regularly and report to the Student Senate, SAC, and Student Court.

i. The President shall have the authority to call a joint session of all branches with a one week notice.

j. The President shall be responsible for appointing the Inspector General position in accordance with the guidelines set forth in Article V of this Constitution.

k. The President shall maintain a minimum of 10 office hours per week.

l. The President shall have the authority to appoint student members to University committees.

m. Upon permanent vacancy in the office of the President, and in the case that the Executive Vice President and the Committee on Committees Chair are unable to fill the vacancy, an election shall be conducted by the Elections Committee, in accordance with the election by laws to fill the executive slate the Association.

n. The President shall be responsible for filling the Chief Justice position in accordance with the guidelines set forth in this Constitution.

Section C. The Executive Vice President

1. The qualifications of the Executive Vice President shall be the same as those specified for the President.

2. Authority and Duties
a. The Executive Vice President shall preside over the Senate. Upon vacancy in the office of the President, the Executive Vice President shall become President of the Student Government Association for the unexpired term.

b. Upon vacancy in the office of the Executive Vice President, the Committee on Committees Chair shall become Executive Vice President for the unexpired term.

c. The Executive Vice President shall serve as Interim Chief Justice in accordance with the SGA bylaws.

d. The Executive Vice President shall oversee all formulation of committees of the Student Senate and shall advise the President in the nominations and appointments to all University Committees.

e. The Executive Vice President shall serve as administrator of all extended campus councils.

f. The Executive Vice President shall appoint the Chairpersons of the Student Senate Committees, and submit these appointments for approval to the Student Senate.

g. The Executive Vice President shall maintain a minimum of 10 office hours.

h. Shall receive complaints concerning the misconduct of the Inspector General and may secure an appropriate remedy in accordance with the SGA bylaws.

Section D. The Vice President for Student Activities

1. The qualifications of the Vice President for Student Activities shall be the same as those specified for the President.
   a. The Vice President for Student Activities Council cannot be employed by Student Affairs in any capacity. This is including but not limited student worker, graduate assistant, paid internship, and unpaid internship.

2. Authority and Duties
   a. The Vice President for Student Activities shall preside over the Student Activities Council.
   b. Upon the vacancy in the office of the Vice President for Student Activities, the Vice Chair of the Student Activities Council shall become Vice President for the unexpired term.
   c. The Vice President for Student Activities shall prepare, in consultation with the President and Treasurer, an annual programming budget to be approved by the Student Activities Council.
   d. The Vice President for Student Activities shall appoint the Chairpersons of all Student Activities Council Standing Committees, and submit these appointments for approval to the Student Activities Council.
   e. The Vice President for Student Activities shall maintain a minimum of 10 office hours per week.

Section E. The Executive Officers shall serve as long as eligible according to University regulations and until relieved by the inauguration of their successors, or removal from office as specified in the SGA bylaws.

1. The outgoing Executive Officers must remove their personal items from the Association office within 5 class days of relinquishing their duties.
2. The outgoing Executive Officers must meet with the incoming Executive Officer in a transitional meeting in which the outgoing officer shall discuss all matters concerning the office in which they shall vacate. The time, date, and location shall be determined by both the outgoing and incoming officers.

Section F. The Executive Cabinet

1. The Student Body President, Executive Vice President, Vice President for Student Activities, Chief of Staff, Treasurer, and Secretary shall constitute the Executive Cabinet.

2. The Executive Cabinet will serve in an advisory-only capacity to the President.

3. Non-Elected Members of the Executive Cabinet must be enrolled students with at least (12) completed undergraduate hours or three (3) graduate hours.
   a. The Chief of Staff will serve at the pleasure of the President. The Chief of Staff shall serve as the head of the Board of Directors, and may serve as an advisor to Senate or SAC. The Chief of Staff shall be administratively responsible for all Directors in fulfilling the requirements of their offices and carrying out the goals of the Student Body President and the Student Government Association.
   b. The Treasurer will serve the Association by maintaining fiscal responsibility for all of its branches. The Treasurer shall keep accounts, deposit the Association’s funds, and make expenditures in a manner approved by the Student Government Association Financial Advisor. The Treasurer shall assist the President to formulate the SGA Operational budget, and shall oversee the execution of all financial affairs of the Association.
   c. The Secretary will serve the Association by maintaining administrative responsibility for the Executive Cabinet. The Secretary shall be responsible for all records, including minutes, agendas, and proposals of Executive Cabinet meetings.

Section G. The Board of Directors

1. The Board of Directors shall consist of any Directors the President deems necessary, and all Director appointments shall be approved by a simple majority of the Senators present and voting.

2. Directors must be enrolled for credit at Eastern Kentucky University.

3. The Board of Directors shall report to the Chief of Staff.

4. Directors will lead specific areas and projects as determined by the President.

Section H. Student Activities Council

1. The programming body of the Student Government Association shall be the Student Activities Council.

2. Composition
   a. Members of the Student Activities Council shall be members of the Student Government Association as defined in Article I Section 3.
   b. The SAC selection committee shall appoint At-large members in a manner consistent with the SGA bylaws.
   c. At-large members of the Student Activities Council must serve on one of the Standing Committees of the Council.

3. Fifty percent plus one of the voting members of the Council shall constitute a quorum.

ARTICLE IV
Advisors and The Advisory Board

Section A. Advisors
1. The Student Government Association shall have one advisor serving each of the following bodies: Student Senate, SAC, Executive Cabinet and Student Court.

2. The Executive Cabinet can select an advisor for the Student Government Association or any of its branches with a simple majority vote. The Executive Cabinet will choose from a list provided by the appropriate SGA Vice President or Chief Justice. The new advisor will assume responsibility immediately upon approval. The former advisor will be relieved of his or her duty at that point. Both the outgoing and incoming advisor shall be informed in writing of their status in a timely manner.

3. Advisors shall provide advice and insight to the branch or individual seeking advice. Advisors do not have the authority to spend money unless specified by the Student Government Association legislative protocol.

4. The branch advisors shall be responsible for attending their respective branch's meetings.

5. The advisors shall attend Advisory Board meetings.

6. The Chair of each body shall be responsible for communicating with the advisor for their respective body weekly.

7. The advisors shall be responsible for staying abreast on all matters pertaining to their bodies.

8. All SGA advisors shall be employees of the University.

9. The Student Government Association Executive Cabinet Advisor shall have knowledge of University financial policies and procedures and shall carry out the duties as Student Government Association Executive Cabinet Advisor in accordance with such in the performance of his/her fiduciary responsibilities in this role.

**Section B. The Advisory Board**

1. The Advisory Board shall be chaired by the President of the Association, who may only vote in the event of a tie, and the voting membership shall be composed of the Student Senate Advisor, the Student Court Advisor, the Executive Cabinet Advisor, the SAC Advisor, and the Dean of Students. Each Vice President, the Chief Justice, the Executive Secretary, and any other advisors within the Association shall be non-voting members of the Advisory Board.
   a. If the President is unable to serve in the capacity of chair, the Dean of Students assumes the role of chair.

2. The Advisory Board shall be considered a standing University committee, whose membership shall be determined ex officio, in accordance with Section B(1) of this Article.

3. The Advisory Board will meet once a month every semester to encourage communication, sharing of information and shared governance. The Chair may cancel the meeting if there is no business to be discussed.

4. The Advisory Board shall be responsible for approving the bylaws of each branch, which shall be consistent with this Constitution, University policies and all applicable laws, rules and regulations. Upon approval by the Advisory Board, the bylaws will immediately take effect. If the proposed amendments are rejected by the Advisory Board, the Advisory Board
shall give a written rationale and advice on how to reconcile the amendment with the Advisory Board’s concerns.

5. The Advisory Board shall hear appeals of disciplinary action of the Student Court, pursuant to the SGA Bylaws.

6. The presence of three voting members shall constitute a quorum.

ARTICLE V
The Inspector General

Section A. Qualifications
1. The Inspector General shall be a member of the association.
2. The Inspector General shall not serve the student government in any other capacity.
3. The Inspector General shall maintain a minimum of 2.5 GPA.

Section B. Method of Selection
1. Inspector General shall take office upon being nominated by the President and confirmed by the Senate by a 2/3 membership present and voting.
2. Inspector General shall be selected the day of spring elections by the sitting President, and shall assume office at the end of the year banquet.

Section C. Authorities and Duties
1. When necessary, the Inspector General may create a staff of no more than three Association members who will be obligated by all rules and regulations as those of Board of Directors. No current member of any other branch may serve as staff to the Inspector General on a routine basis.
2. Shall receive complaints, and reports concerning the misconduct, malfeasance, abuse, or inappropriate actions of the Student Government Association and/or its members, and may secure an appropriate remedy for any such grievances according to the SGA bylaws.

ARTICLE VI
Student Court

Section A. The judicial body of the Student Government Association shall be the Student Court.

Section B. Court Appointments, Confirmations, and Exits
1. The Student Court shall consist of a Clerk and nine Justices: the Chief Justice, the Associate Chief Justice, and seven Associate Justices. No elected or appointed member from any other branch of the Student Government.

2. When the position of Chief Justice becomes vacant, the Student Government Association President may appoint the new Chief Justice or a Chief Justice Search Committee may be formed according to the SGA Bylaws.
   a. The Chief Justice appointment shall be confirmed following a 2/3 vote of approval by the Student Senate.
   b. The Associate Chief Justice shall serve as the Interim Chief Justice while the Chief Justice position is vacant.
   c. The Executive Vice President shall serve as the Interim Chief Justice in the event that the Associate Chief Justice position is vacant or the Associate Chief Justice is unable to fulfill the role.
3. Associate Justice positions shall be filled by nomination of the Student Government Association President following recommendation of the Student Government Association Chief Justice, and confirmation by a simple majority vote of the Student Government Association Student Senate.

4. The Court Clerk shall serve on the Student Court as a non-voting member and shall be selected in accordance with the SGA Bylaws.
   a. In the absence of the Court Clerk, the Chief Justice shall be responsible for assuring the Clerk’s duties are completed or appointing a temporary Court Clerk.

5. All members of the Student Court shall serve until relinquishing the office or by a mandatory removal process disciplinary proceeding as set forth in the SGA Bylaws.
   a. Members of Student Court who complete their undergraduate studies and choose to work on a graduate program at Eastern Kentucky University have the right to choose to remain a member of the Student Court.

6. The Student Court shall attempt to maintain its membership so that it is comprised of at least one freshman, sophomore, junior, and senior.

Section C. Functions and Authority

1. The court shall have original jurisdiction over all cases involving alleged infractions of the Constitution, bylaws, or any other governing SGA authority and shall have judicial review of the constitutionality of the bylaws or official actions taken by any elected or appointed member of the SGA.
   a. Opinions of the Student Court shall be binding in accordance with University Policies & Procedures.
   b. If new evidence or testimony emerges following an opinion being issued that impacts the trial outcome or sanction, any party may request re-consideration by the Student Court.

2. Decisions of the student court may be appealed to the Student Government Advisory Board.

3. The Student Court shall uphold and follow their duties as set forth in the Operating Procedures of University Parking Appeals Committee.

ARTICLE VII
Referendum

Section A. Procedure

1. The Senate may, by two-thirds majority present and voting, authorize a referendum of the Association providing each Senate member is notified two weeks before Senate approval is sought.

2. Upon receipt of a petition signed by five hundred members of the Association, the President shall have cause to hold a referendum of the Association. The validity of a petition for a referendum shall be determined by the Committee on Committees.

3. The call for referendum shall be advertised in campus news media not less than five days preceding the date of the referendum.

4. The referendum shall be conducted by the Committee on Committees.
ARTICLE VIII
Bylaws

Section A. The Student Senate shall enact bylaws to implement the provisions of this Constitution.

Section B. The Student Activities Council and the Executive Cabinet shall develop bylaws to implement provision of this Constitution.

Section C. The Student Court shall develop bylaws to implement the provisions of this Constitution.

Section D. Bylaws of each body will be enacted upon two-thirds majority vote of the appropriate body’s members present and with final approval of the Student Government Advisory Board.

Section E. Amendments to bylaws shall be enacted upon two-thirds majority vote of the appropriate branch’s present and voting with final approval by the Student Government Advisory Board.

Section F. Should the Student Government Advisory Board defeat an amendment to a set of bylaws, the bylaws will return to the appropriate body with a rationale and advise on how to reconcile the proposed amendment with the advisory boards concerns.

Section G. Extended campus councils shall operate by using this constitution and Senate bylaws as well as specific sets of bylaws created by each campus and approved by Senate.

ARTICLE IX
Amendments

Section A. Procedure

1. Amendments to this Constitution may be proposed by an act of the Senate, and approval of the President of the Student Government Association or by a petition bearing bona fide signatures of 500 members of the Association.

2. A printed copy of the proposed amendment(s) shall be provided to each member of Senate at least two weeks prior to each branches consideration of the proposed amendment(s).

3. Proposed amendments must be ratified by three-fourths majority of the total voting membership.

4. Amendments ratified by and Senate shall be forwarded to the President of the University for presentation to and approval by the Board of Regents.

ARTICLE X
Ratification

This Constitution shall be ratified by a two-thirds majority of the Student Senate, RLC, and SAC members present and voting, and take effect after the approval by the Board of Regents of Eastern Kentucky University on January 1, 2015. Any elected or appointed member of the SGA, except those members of RLC, shall retain their positions for the unexpired term. The sitting Ethics Administrator shall assume the duties of the Inspector General for the unexpired term.