



The Constitution of Eastern Kentucky University
Student Government Association

RATIFIED BY THE STUDENT GOVERNMENT ASSOCIATION: December 2009
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PREAMBLE

We the students of Eastern Kentucky University, 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 democratic society, do hereby establish this Constitution for the Eastern Kentucky University Student Government Association.

ARTICLE I

Authority

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

ARTICLE II

Membership of the Student Government Association

- Section A. Each student enrolled for credit at Eastern Kentucky University shall be a member of the Association.
- Section B. 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 C. The Student Government Association does not discriminate on the basis of age, race, color, religion, sex, sexual orientation, disability, national origin or Vietnam era or other veteran status, in the admission to, or participation in, its membership, or any program or activity which it conducts, or in any policy or practice.

ARTICLE III

The Four Branches of the Student Government Association

- Section A. Student Senate
1. The Student Senate shall serve as the legislative branch of the Student Government Association. Their duties include, but are not limited to, academic affairs, student organizational funding, and student rights issues, as well as any other general issues.
- Section B. Student Activities Council
1. The Student Activities Council (which hereafter may be referred to as SAC) shall serve as the programming body of the Student Government Association. Their duties include, but are not limited to, representing all registered student organizations and their members, Weekenders programs, concerts, cultural events, guest speakers and various other special events.
- Section C. Residence Life Council
1. The Residence Life Council (which hereafter may be referred to as RLC) shall serve as the residence hall programming and legislative branch of the Student Government Association. Their duties include, but are not limited to, representing all students who live in residence halls, programming events, proposing residence life policy, coordinating campus resident activities, and enhancing residence life.

Section D. Student Court

1. The Student Court shall serve as the judicial branch of the Student Government Association. Their duties include, but are not limited to Constitutional issues, Judicial Board, and internal SGA issues.

ARTICLE IV
Advisors & Liaisons

Section A. Advisors

1. The Student Government Association shall have at least one advisor serving each of the following bodies: Student Senate, Student Activities Council, Residence Life Council, and Student Court. The Executive Cabinet shall be served by at least two advisors, one general and one financial.
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. 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 advisors shall be responsible for communicating with the Vice President for their respective branch weekly.
7. The advisors shall be responsible for staying abreast on all matters pertaining to their branch.
8. All SGA advisors shall be employees of the University.
9. The Student Government Association Financial Advisor shall have knowledge of University financial policies and procedures and shall carry out the duties as Student Government Association Financial Advisor in accordance with such in the performance of his/her fiduciary responsibilities in this role.

Section B. Liaisons

1. The Student Activities Council and the Residence Life Council shall each be served by one Student Affairs Liaison appointed by the Office of Student Affairs.
2. The Student Affairs Liaison is authorized to pursue contracts, reserve facilities, and secure items approved by the Student Government Association legislative protocol.
3. The Student Affairs Liaison is not authorized to spend money unless specified by the Student Government Association legislative protocol.
4. The Student Affairs Liaison will have the privilege of speaking as a non-voting participant of either the Student Activities Council and/or the Residence Life Council for the purpose

of providing input on programmatic legislation only. This privilege will function in accordance with the rules governing discussion in each meeting except that the individual cannot vote or propose motions or amendments. The individual will not receive special privilege during the course of the meeting.

5. The Student Affairs Liaison can protest official legislation that has completed the Student Government Association protocol by filing a complaint with the University President or a designee of the University President.

The Student Government Association may file a complaint regarding the Student Affairs Liaison with the University President or a designee of the University President should the need arise.

ARTICLE V The Executive Officers

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

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. Write-in candidates for the office of President shall be a member of the Association, and have a 2.5 (on a 4.0 scale) cumulative grade point average and be a full-time student. These requirements must also be met at the time of elections.
- d. Write-in candidates for the office of 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.
- e. 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 may appoint executive advisors as he/she deems necessary.
- c. The President shall have the authority to veto or sign action of the Senate, SAC, or RLC provided that he/she exercises such authority within ten days following passage by the appropriate branch.
 1. A veto may be overridden by a 2/3 vote of the appropriate branch.
 2. Failure to sign or veto an action within ten days following passage by the appropriate branch constitutes approval.

- d. The President shall prepare annually a proposed budget for the expenditures of the Association.
- e. The President shall appoint a Chief of Staff, a Treasurer, and a Secretary within 10 days of his/her election. The President shall also appoint Directors as needed.
- f. The President may appoint such Ad Hoc Committees of the Association as he/she deems appropriate.
- g. The President or his/her designee shall represent the Association at all functions where the Association is expected to be represented officially.
- h. The President shall uphold and follow his/her obligations as set forth in the procedures and processes of Student Organizational funding.
- i. The President shall attend regularly and report to the Student Senate, the Student Activities Council, and the Residence Life Council.
- j. The President shall have the authority to call a joint session of all branches with a one week notice.
- k. The President shall be responsible for filling the Ethics Administrator position in accordance with the guidelines set forth in Article VI, Section A. Part 1 of this Constitution.
- l. The President shall maintain a minimum of 10 office hours per week.
- m. The President shall have the authority to take issues to cabinet for discussion, input, and/or support.
- n. Upon 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, elected members of the SGA shall be nominated and elected by secret ballot by the Residence Life Council, Student Activities Council, and the Student Senate. A simple majority vote will fill the vacancy of the office. If a simple majority vote is not reached, there shall be a run-off election between the two candidates with the highest total votes.
 - 1. The Ethics Administrator shall preside over this election process.
 - 2. All votes must be tallied by the Ethics Administrator before the witness of a justice of the student court.
- o. 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.
 - a. The qualifications of the write-in Vice President shall be the same as for the write-in President as stated in Article V. Section B. Part 1, subsections c., d., and e.
- 2. Authority and Duties

- a. The Executive Vice President shall preside over the Senate.
- b. Upon vacancy in the office of the President, the Executive Vice President shall become President of the Student Government Association for the unexpired term.
- c. The Executive Vice President shall become the acting President upon determination by the President or two-thirds majority vote of the Senate membership that the President is temporarily unable to serve.
- d. Upon vacancy in the office of the Executive Vice President, the Committee on Committees Chair shall become Executive Vice President for the unexpired term.
- e. The Executive Vice President shall serve as Interim Chief Justice in accordance with Article X, Section C, 2, a, ii.
- f. 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.
- g. The Executive Vice President shall serve as administrator of all extended campus councils.
- h. The Executive Vice President shall appoint the Chairpersons of the Student Senate Committees, and submit these appointments for approval to the Student Senate.
- i. The Executive Vice President shall maintain a minimum of 10 office hours per week.

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 qualifications of the write-in Vice President shall be the same as for the write-in President as stated in Article V. Section B Part 1, subsection c and d.
 - b. The Vice President for Student Activities Council cannot be employed by the division of Student Affairs in any capacity.
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 Vice President for Residence Life

- 1. The qualifications of the Vice President for Residence Life shall be the same as those specified for the President with the addition of:
 - a. The Vice President for Residence Life shall live in campus housing as defined by the Office of University Housing.
 - b. The qualifications of the write-in Vice President for Residence Life shall be the same as for the write-in President as stated in Article V. Section B. Part 1, subsection c. and d.
 - c. The Vice President for Residence Life cannot be employed by the Office of University Housing.
- 2. Authority and Duties
 - a. The Vice President for Residence Life shall preside over the Residence Life Council.
 - b. Upon the vacancy in the office of the Vice President for Residence Life, the Vice Chair of the Residence Life Council shall become Vice President for the unexpired term.
 - c. The Vice President for Residence Life shall prepare, in consultation with the President, Treasurer, and Residence Life Council Finance Chair, an annual budget to be approved by the Residence Life Council.
 - d. The Vice President for Residence Life shall appoint the Chairpersons of all Residence Life Council Standing Committees, as well as the National Communications Chairperson according to the Residence Life Council bylaws, and submit these appointments for approval to the Residence Life Council.
 - e. The Vice President for Residence Life shall maintain a minimum of 10 office hours per week.

Section F. 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 Article XV, Section C. of this Constitution.

- 1. The outgoing Executive Officers must remove their personal items from the Association office within 5 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 G. The Executive Cabinet

1. The Student Body President, Executive Vice President, Vice President for Student Activities, Vice President for Residence Life, Chief of Staff, Treasurer, and Secretary shall constitute the Executive Cabinet. All members have full voting privileges except for the Secretary and the President. The President will have the right to vote only in case of a tie.
2. The Executive Cabinet will serve in an advisory capacity to the President.
3. Non-Elected Members of the Executive Cabinet must be enrolled students with at least six (6) undergraduate hours or three (3) graduate hours.
 - a. The Chief of Staff will serve at the pleasure of the President, leading the Executive Cabinet in his/her absence. The Chief of Staff shall serve as the head of the Board of Directors, and may serve as an advisor to Senate, Student Activities Council, and the Residence Life Council. 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 formulate the SGA Operational budget with the advice and consent of the President, and shall be generally responsible for 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 H. 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 the Executive Cabinet.
2. Directors must be enrolled for credit at Eastern Kentucky University.
3. Directors must be in good standing with the University.
4. The Board of Directors shall report to the Chief of Staff.
5. Directors will lead specific areas and projects as determined by the President.

ARTICLE VI
Ethics Administrator

Section A. Ethics Administrator

1. Qualifications

- a. The Ethics Administrator shall be a member of the Association.
 1. No Executive Officers, Directors, or members of the Executive Cabinet may be eligible for election.
 2. The Ethics Administrator must be by a majority vote of each branch. The Executive Cabinet and Board of Directors have no voting privileges in the Ethics Administrator election.
 3. Upon election of the Ethics Administrator, the person shall forfeit all other duties. He/she shall serve as an independent body from all other branches of the Student Government Association.
 4. The election must take place prior to all other spring semester elections. If a majority is not reached, there shall be a run-off election between the two candidates with the highest total votes.
 5. The newly elected Ethics Administrator will assume duties immediately following his/her election.

2. Authorities and Duties

- a. The Ethics Administrator shall attend at least one meeting of Student Senate, Student Activities Council, Residence Life Council, and Student Court per month, and stay abreast of the affairs of the Student Government Association. They shall be available to attend any other Student Government meeting, upon the written request of any other member of the Association.
- b. Shall be responsible for all duties stated in each of the branches' bylaws.
- c. Shall conduct inquiries of any member when asked to do so by the appropriate branch or a member thereof.
- d. May initiate investigations and inquiries of any member or issue with cause.
- e. Shall recommend corrective action to resolve complaints or misconduct to the appropriate body or individual.
- f. Shall consult with the Chief Justice regarding Constitution questions.
- g. Shall bring formal Constitutional questions to the attention of the Student Court.
- h. When necessary, the Ethics Administrator 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 Ethics Administrator on a routine basis.
- i. Shall prepare an evaluation form to be used by the committee chairpersons of each branch of the association for the purpose of committee member evaluations. The evaluations forms shall be distributed and collected at the end of the fall semester.
- j. 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.
- k. May serve as a confidential advisor to individuals seeking counsel concerning issues of conduct and policy.

ARTICLE VII
The Student Senate

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

Section B. Representation

1. The Senate shall consist of two Senators from each of the five colleges. It shall also consist of Senators elected on an at-large basis. The at-large Senators shall consist of one Senator per 700 students as determined by spring enrollment numbers at the time of the election. Graduate school students will be broken into their respective major and classified under one of the upper division undergraduate colleges or they will be allowed to run on an at-large basis. The Senate body shall also include one freshmen senator for every 700 members of the incoming freshmen class with no more than 12 hours of academic credit as determined by the fall freshman enrollment numbers. These seats shall be filled by a special election within the first six weeks of class in the fall semester. Members of the Student Senate shall be members of the Student Government Association as defined in Article II, Section A.
2. Extended campuses shall have representation by the chairman of each SGA extended campus council, according to the Senate bylaws.

Section C. Authority

1. The Senate may override a veto of the President of the Student Government Association by a simple 2/3 vote of a quorum of the members.
2. The Senate may establish Special Committees needed for the performance of its duties.
3. Open sessions of the Senate shall be open to members of the Association.

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 Student Senators not covered by a specific constitutional provision must have and maintain a 2.25 (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 G. All members must serve on a Standing Committee of the Student Senate.

1. Committee Chairs shall be responsible for, at the end of the semester, reviewing the performance of each committee member in the form of a written evaluation. Evaluation forms shall be made available from the Office of the Ethics Administrator throughout the semester and are to be returned to the Ethics Administrator four (4) days after the last meeting (each semester) of the Senate.

Section I. All members are allowed three absences from meetings per semester.

ARTICLE VIII
The Student Activities Council

- Section A. The programming body of the Student Government Association shall be the Student Activities Council.
- Section B. Representation
1. The members of the Student Activities Council shall be two members of Student Organizations from each of the major Student Organization Categories as defined by the Office of Student Life.
 2. Members of the Student Activities Council shall be members of the Student Government Association as defined in Article II, Section A.
 3. The Vice President for Student Activities may appoint At-Large members at his or her own discretion.
- Section C. Elected members of the Student Activities Council must serve on one of the Standing Committees of the Council.
1. Committee Chairs shall be responsible for, at the end of the semester, reviewing the performance of each committee member in the form of a written evaluation. Evaluation forms shall be made available from the Office of the Ethics Administrator throughout the semester and are to be returned to the Ethics Administrator four (4) days after the last meeting of the Student Activities Council.
- Section D. Members will be allowed three absences from meetings each semester.
- Section E. Fifty percent plus one of the voting members of the Council shall constitute a quorum.
- Section F. All Council Members not covered by a specific constitutional provision must have and maintain a 2.25 (on a 4.0 scale) cumulative grade point average. The specific grade point average would not apply to first semester freshmen.

ARTICLE IX The Residence Life Council

- Section A. The residential advocative and programming body of the Student Government Association shall be the Residence Life Council. The membership of the Eastern Kentucky University Residence Life Council shall consist of students living in the residence halls and Brockton Efficiencies Apartments, and any other residential units deemed University housing. Each member shall have the right to debate in Residence Life Council General Assembly meetings, and participate in all sponsored activities of the Residence Life Council.
- Section B. Representation
1. Each Residence Hall will elect two voting members.
 2. Two elected representatives shall represent each residence hall in the general assembly of Residence Life Council. Brockton Efficiencies Apartments shall be represented in the general assembly in the same manner as the residence halls. Brockton Efficiencies Apartments shall elect two (2) Representatives to represent them within the General Assembly of the Residence Life Council in concurrence with the membership of the General Assembly.

3. Members of the Residence Life Council shall be members of the Student Government Association as defined in Article II, Section A.

Section C. Elected members of the Residence Life Council must serve on one of the Standing Committees of the Council.

1. Committee Chairs shall be responsible for, at the end of each semester, reviewing the performance of each committee member in the form of a written evaluation. Evaluation forms shall be made available from the Office of the Ethics Administrator throughout the semester and are to be returned to the Ethics Administrator four (4) days after the last meeting of the Residence Life Council.

Section D. Members will be allowed three absences from meetings each semester.

Section E. Fifty percent plus one of the total membership of the Council shall constitute a quorum.

Section F. All Council Members not covered by a specific constitutional provision must have and maintain a 2.25 (on a 4.0 scale) cumulative grade point average. The specific grade point average does not apply to first semester freshmen.

ARTICLE X The Student Court

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

Section B. Composition of the Student Court: Qualifications of members:

1. All members of the Student Court must be a student enrolled for credit at ECU. They must have and maintain at least a 2.5 grade point average (on a 4.0 scale) at Eastern Kentucky University at the time of their appointment, and while they serve except as follows:
 - a. First semester transfer students must have and maintain a 2.5 (on a 4.0 scale) cumulative grade point average for all transferring credit hours and:
 - b. Entering freshmen shall have a minimum 2.5 incoming GPA.
2. No elected or appointed member from any other branch of the Student Government Association shall serve in any capacity on the Student Court, except as stated in Article X, Section C, 2,a, ii.

Section C. 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.
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 Student Court Bylaws.
 - a. The Chief Justice appointment shall be confirmed following a 2/3 vote of approval by the Student Senate.
 - i. The Associate Chief Justice shall serve as the Interim Chief Justice while the Chief Justice position is vacant.

- ii. 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. The Associate Chief Justice shall be chosen from among those Associate Justices who have served at least one full semester on the Student Court and in accordance with the Student Court Bylaws.
- 4. Associate Justice positions shall be filled in accordance with the Student Court Bylaws and shall be recommended by the Student Government Association Chief Justice, nominated by the Student Government Association President, and confirmed by a simple majority vote of the Student Government Association Student Senate.
- 5. The Court Clerk shall serve on the Student Court as a non-voting member and shall be selected in accordance with the Student Court 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.
- 6. All members of the Student Court shall serve until relinquishing the office or by a mandatory removal vote of the Senate following a disciplinary proceeding as set forth in Article XV.
 - 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.
- 7. The Student Court shall attempt to maintain its membership so that it is comprised of at least one freshman, sophomore, junior, and senior.

Section D. Functions and Authority

- 1. The court shall have original jurisdiction over all cases involving:
 - a. Infractions of the rules and regulations passed by the Student Senate under authority delegated by the President of the University to the Student Government Association-
 - b. Interpretations of this Constitution and bylaws of the branches of Student Government.
 - c. Appeal proceedings of an Executive officer in the Student Government Association or a member of Student Senate, Student Activities Council, or Residence Life Council.
- 2. The Court shall have the power of judicial review over the constitutionality of any rule of the Student Senate, Student Activities Council, or Residence Life Council, or action by the President of the Student Government Association, the Ethics Administrator and any other Executive Officers. Opinions of the Student Court shall be binding in accordance with University Policies & Procedures.
 - a. If new evidence or testimony emerges following an opinion being issued, any party may request re-consideration by the Student Court.
 - b. The failure of a member of the Student Court to act in good faith in accordance with the Student Government Association Constitution and the

Student Court Bylaws shall be grounds for removal from office as prescribed by Article XV of the Student Government Association Constitution.

3. The Court shall have jurisdiction in cases involving alleged infractions of election regulations under the Constitution and elections bylaws.
4. In rulings on membership and elections violations, decisions of the court may be appealed to the Student Government Advisory Board.
5. The Student Court shall uphold and follow their duties as set forth in the Operating Procedures of University Parking Appeals Committee.

Section E. Policies and Procedures

1. The Court shall meet at least once per month, from September to May, and as needed in additional or special sessions called by the Chief Justice.
 - a. All members are allowed two unexcused absences and no more than two University excused absences per semester. After exceeding the permitted number of absences, their position is considered vacant.
2. Fifty percent plus one of the total voting membership of the Court shall constitute a quorum.
3. The Court shall recuse a Justice in any case in which proof of conflict of interest is established in the preliminary motions.
4. A Justice may, with cause, remove himself or herself from a case.
5. The Court shall establish its own Policies & Procedures in accordance with the formation and institution of bylaws.

ARTICLE XI
Elections

Section A. Elections

1. Elections to select the Executive Officers of the Student Government Association, Senators to the Senate, Members to the Student Activities Council, and Members to the Residence Life Council shall be conducted during the Spring and Fall semester of each academic year according to the following schedule:
 - a. Spring Semester Elections
 1. Executive Elections
 2. Student Senators
 3. Student Activities Council Members
 4. Extended Campus Council Members
 - b. Fall Semester Elections will be held for Residence Life Council Representatives and Freshman Senators. Fall Semester Elections will be held in any branch if the number of vacancies exceeds five at the beginning of the Fall Semester. If the number of vacancies does not exceed five, then the President of Student Government Association, or the appropriate Vice President shall appoint individuals to fill the vacancies which would then be approved by 2/3 vote by the respective body.

- c. If any vacancies occur following Fall Semester Elections then the President of Student Government Association , or the appropriate Vice President shall appoint individuals to fill the vacancies which would then be approved by 2/3 vote of by the respective body.
 2. Elections to select the Student Body President and Executive Vice President of the Student Government Association shall be conducted under the supervision of the Committee on Elections. The election shall consist of vote by secret ballot for candidates who have qualified by means of legally drawn and filed petitions and whose names appear on official ballot prepared under the supervision of the Committee on Elections. The Student Body President and Executive Vice President must be nominated as a ticket and elected as a slate. Each member of the Association shall be eligible to cast one vote for an Executive slate for the Association. The elections to select Senators, Student Activities Council representatives and Residence Life Council representatives, shall be conducted under the supervision of the Committee on Elections and shall consist of a vote by secret ballot for candidates who have qualified and have been nominated by means of legally drawn and filed applications and whose names appear on official ballots prepared under the supervision of the Committee on Elections. An individual may serve in only one branch as a voting member of the Student Government Association at one time.
 - a. Qualifying papers shall be issued by the Elections Chairperson at least two weeks prior to the elections.
 - b. Qualifying papers and nominating petitions to be filed for the executive slate shall be presented to the Committee on Elections, in the Student Government Association Office, no later than the end of the workday on Friday of the same week that qualifying papers and petitions are issued in a time frame set by the Chief Elections Official. For Senate, SAC, and RLC elections, qualifying papers will be due at this time.
 - c. The nominating petitions for each President--Vice President candidate shall contain the signatures of 200 students at Eastern Kentucky University.
 - d. The Committee on Elections, shall evaluate all necessary papers filed and shall post a list of all eligible candidates at the Student Government Association Office, and at other locations deemed by the committee, no later than the end of the workday on Tuesday of the week following the deadline.
 - e. All ballots prepared for the election of officers of the Student Government Association and members of the Student Senate, Student Activities Council, and Residence Life Council, shall provide a space for the voter to write in the name of the individual for whom he/she wishes to cast his/her vote. To be eligible to obtain a position as an officer of the Student Government Association or a member of the Student Senate, Student Activities Council and Residence Life Council, the candidate must meet all the qualifications of the office for which the election is being held and all other provisions of the Student Government Association Constitution and rules concerning the conduct of elections. In addition, the candidate must receive minimum of twelve "write-in" votes in order to be eligible for the position for which the election is being held.
 - f. All write-in candidates for the office of President and Vice President must be elected as a slate.
4. Elections to select the Vice President for Student Activities shall be conducted in the same manner as that in which the Executive Slate is nominated and elected.

5. Elections to select the Vice President for Residence Life shall be limited to the residential population, but conducted in the same manner as that in which the Executive Slate is nominated and elected.
6. Both Executive and Senatorial candidates may run a written and an oral campaign as described below:
 - a. Executive, Senatorial, RLC, and SAC candidates' written campaigns for office may not begin earlier than the legal posting of the list of nominees and shall end upon the closing of the voting polls on the day of the elections.
 - b. All Executive candidates shall participate in a debate sponsored by the Committee on Elections.
7. Fall semester vacancy elections shall be held on Tuesday of the fourth week of class. Spring semester elections shall be held on Tuesday of the third week prior to the final examination period.
8. The election polls shall be open for at least six hours.
9. The Committee on Elections shall, with the consent of the Senate, RLC, and SAC, establish specific procedural rules governing the conduct of elections not set forth in this Constitution.
10. The Installation Ceremonies for the elected leaders of Student Government shall be held, and they shall assume their duties immediately after their inauguration, at the annual banquet.
11. Senators elected to the Senate shall, following compliance with Article IV, Section C, of this Constitution, take their seat in Senate. Incumbent Senators shall continue to serve until replaced.
12. The Committee on Elections will be charged with ensuring that Article VII, Section B 1. is followed when filling Senate vacancies.
13. Student Activities Council race shall be conducted in the same manner as the Senate race, and in accordance with the Election bylaws.
14. Residence Life Council race shall be conducted in the same manner as the Senate race, and in accordance with the Election bylaws.

Section B. Absentee Ballots

1. Those students who are unable to vote during normal voting hours by reason of University Assignment such as student teaching, clinical assignment, inter-collegiate athletics participation which is approved by the appropriate University office, or extenuating circumstances as determined by the Elections Committee, are permitted to vote by absentee ballot.
 - a. All members of the Student Government Association will be able to vote by absentee ballot.
 - b. Ballots must be made available from the Office of Student Government Association or by mail in writing one week prior to the day of elections.

- c. Students must request absentee ballots in person in the Office of the Student Government Association or by mail in writing one week prior to the day of elections.
 - d. Students must give their name and student identification number when requesting the ballot.
2. The ballots will be drawn up by the Elections Committee in compliance with the Student Government Association Constitution and the following general guidelines:
- a. The ballot itself shall have a space on the outside for the name and student identification number of the person requesting the ballot.
 - b. The ballot itself shall have a space for the signature of the Chairperson of the Elections Committee and shall have a space for the person requesting the absentee ballot to complete the following:

“I hereby state my intention to be absent from campus on election day for the following reason:”

Students should note the circumstance that will prohibit them from voting on the day of elections. They must submit their absentee ballot to the Student Government Association Office no later than 4:00 p.m. on the day prior to election day.
3. All ballots must be signed by the Elections Chairperson and returned to the Office of the Student Government Association. On election day, the members of the Election Committee will check the contents of each absentee ballot envelope. All of the proper information must be included; name and student identification number and the student must have signed the statement on his intention to be absent from campus on election day. The Election Committee members will check the names of absentee ballot voters with names of the voter rolls. If for any reason the voter roll indicated that the student voted on election day at the polls, the absentee ballot will be nullified.

ARTICLE XII
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 XIII
Finance

Section A. Budget Preparation

1. The President shall prepare an Operating Expense budget with the assistance of the Executive Cabinet. The budget will include generated revenue and grant money as it becomes available. The budget will then be subject to the approval of the Student Senate.
2. The Vice Presidents for the Student Activities Council and the Residence Life Council shall prepare budgets with the assistance of their leadership teams. The Vice Presidents will then present those budgets to their branches for approval.
3. Upon approval of any budget, it will be forwarded to the President for final approval. If approved, the budget will be forwarded to the Council on Student Affairs as an informational item and to the Student Government Association Financial Advisor.
4. If the President vetoes a budget, it will return to the appropriate branch for additional consideration. A $\frac{3}{4}$ majority is required to overturn a presidential veto on a budget.
5. The President or appropriate Vice President can present a revised budget as necessary for the body to consider.
 - A. The Student Government Association President will notify each extended campus council chair of their council's budget allotment for the year.
 - B. After receiving this notice, each extended campus council will prepare an operational budget using their allotted monies, which will be forwarded to the Student Government Association for Approval.
 - C. Upon approval, the extended campuses may spend their money as budgeted, sending all bills to the SGA treasurer in Richmond for payment.
 - i. Should the budget be denied, the council may revise and resubmit it for approval to the President, or appeal the decision of the President to the Student Senate.

Section B. Budget Execution

1. The appropriate officer shall provide a monthly report on the appropriate budget to the appropriate body. The appropriate officers, budgets, and bodies are as follows: The SGA Operational Budget shall be administered by the SGA Treasurer for the Student Senate and Executive Cabinet, The Student Activities Council Budget shall be administered by the Vice President for Student Activities, and the Residence Life Council Budget shall be administered by the RLC Finance Chair. If a budget is not approved by the appropriate body, that body shall approve expenditures individually.
2. The SGA President, Vice President for Student Activities and Vice President for Residence Life can make single expenditures under \$500.00 or multiple expenditures totaling less than \$1,000 in a thirty day period without the approval of the appropriate assembly. The Executive Officers may spend no more than \$500 in a thirty day period during the summer months.

3. The following Emergency Spending Procedure may be followed if the approval of the appropriate assembly cannot be secured due to recess or permanent adjournment for the year:

An Emergency Expenditure shall be defined as an expenditure that if not made would seriously impede the operations of the branch or Association. Emergency Expenditures must be authorized and approved in writing by the SGA Financial Advisor, and made pursuant to SGA and University policy.

4. The appropriate officer will present a monthly spending plan to the appropriate body that details expected expenditures within the approved budget. This spending plan will not require approval.
5. If the appropriate body is not satisfied with the informational monthly spending plan or has any concerns about expenditures being made, it can pursue one of three actions:
 - a. A resolution of censure expressing dismay with the execution of the budget; and or,
 - b. An act to freeze expenditures from the account, requiring all expenditures to be approved individually by the body; or,
 - c. Impeachment of the officer or officers responsible for the budgeting.
6. Annual budgeted allotments to the extended campuses from the SGA Operational Budget will be disbursed in the following manner:
 - a. Extended campuses will submit requests for funding to the SGA President and the SGA Financial Advisor for approval two weeks prior to the planned date of expense.
 - b. The SGA President must approve or deny a submitted request for funding within two (2) business days. If the request is denied then reasoning must be provided in writing to the extended campus council requesting the expenditure, in a timely manner.
 - c. Extended campus councils can appeal a denial of funds by the President to the Student Senate, who may overturn the President's decision with a 2/3 majority vote of quorum.

ARTICLE XIV Legislative Protocol

Section A. All legislation of the Student Government Association, including all proposed programs, resolutions and acts from the Student Senate, the Student Activities Council and the Residence Life Council, must follow the following protocol to be considered official action of the Student Government Association.

Section B. Legislative Protocol

1. Any issue brought to the attention of a branch of the Association shall be referred to the appropriate committee of that branch for consideration.
2. The appropriate committee will then review the information and formulate legislation if appropriate with assistance and input of the appropriate branch's leadership team.
3. The committee will then present the legislation to the body of the appropriate branch.

4. The body of the branch will then discuss and debate the legislation and decide to amend, defeat, table or approve the legislation or some combination thereof.
5. If defeated by the body, the legislation may return to the appropriate committee for further consideration.
6. Upon approval by the appropriate branch, the legislation will advance to the Executive Cabinet.
7. The Executive Cabinet will then discuss and debate the legislation and decide to either defeat or approve the legislation.
8. If defeated by the Executive Cabinet, the legislation will return to the appropriate body with a rationale for the Executive Cabinet's disapproval. The appropriate body can overturn the Executive Cabinet's decision with a 2/3 majority vote.
9. If approved by the Executive Cabinet, the legislation will advance to the Student Government Association President for his or her signature.
10. The Student Government Association President has the authority to approve the legislation with endorsement, approve the legislation without endorsement, or veto the legislation.
11. If vetoed by the Student Government Association President, the legislation will return to the appropriate body with a rationale for the President's disapproval. The appropriate body can overturn the President's veto with a 2/3 majority vote.
12. Upon approval by the Student Government Association President, with or without endorsement, the legislation will continue to the appropriate University channel for action.

Section C. Legislative Protocol and the Student Senate

Legislation from the Student Senate, after completing the Student Government Association legislative protocol, will advance to the appropriate channel for action. Issues concerning student rights and academic affairs will be forwarded to the appropriate university administrator or body.

Section D. Legislative Protocol and the Student Activities Council

Legislation from the Student Activities Council, after completing the Student Government Association legislative protocol, will advance to the Student Affairs Liaison for Student Activities Council for implementation.

Section E. Legislative Protocol and the Residence Life Council

Legislation from the Residence Life Council, after completing the Student Government Association legislative protocol, will advance to the appropriate channel for action. Programmatic legislation will advance to the Student Affairs Liaison for Residence Life Council for implementation. Policy legislation will advance to the Office of University Housing.

ARTICLE XV
Disciplinary Action Process

Section A. If a member of any branch fails to meet the general requirements of membership as stated in this Constitution and/or the bylaws of the branch, the Vice President of the respective branch can remove the member without a vote of approval from the body.

Section B. Should a member of the Student Government Association fail to uphold the Constitution of the Association or, if applicable, the bylaws of his or her respective branch, the following process for disciplinary action in relation to such member's participation in the Association may be initiated.

Section C. Filing a Complaint

1. Any member of the Association may file grievances against another member of the Association.
 - a. For a complaint against any elected or appointed member of the Student Government Association other than the Ethics Administrator, the complaint would be filed with the Ethics Administrator.
 - b. For a complaint against the Ethics Administrator, the complaint would be filed with the Executive Vice President.
2. Upon receiving the complaint, the appropriate officer should notify the accused, in writing, of the grievance filing and the formulation of a committee of inquiry.

Section D. Committee of Inquiry

1. After the initial filing, the Ethics Administrator or the Executive Vice President will assemble a committee of inquiry of no more than five members from the appropriate branch.
 - a. One of the members shall serve as chair of the committee.
 - i. The chair is responsible for running all meetings of the committee and establishing dates and times for meetings.
 - b. One of the members shall serve as a secretary.
 - i. The secretary is responsible for keeping detailed minutes of each meeting, sending out written requests of the committee, and writing any reports for the committee.
2. This committee will be considered empanelled and empowered after a majority vote of approval is received from the respective branch.
 - a. At this time, the responsibility of the respondent has not been determined, so no details about the inquiry should be discussed to anyone outside the committee.
3. The first task of the committee shall be to send a dated letter to the respondent with a copy of the complaints filed. This letter should give the respondent a date for an interview by the committee in which he or she will be expected to respond to the complaints. This interview must be set no earlier than seventy-two hours after the letter is delivered to the accused.
4. The sending of this letter shall be considered the beginning of the confidential inquiry of the committee to determine whether further action is warranted.
 - a. The committee must interview the respondent, at which time they shall ~~offer~~ inform the respondent of all rights and options.
 - i. These rights and options include following the inquiry process in full; or
 - ii. Resignation of the respondent from his or her current position.

- b. If the respondent chooses to continue the inquiry process, the committee will then hear his or her responses to the complaints filed.
 - c. This inquiry should also include interviews of any person(s) the committee deems relevant to the establishment of validity of the charges.
- 5. If after the inquiry, the committee finds there is a lack of evidence to support charges, the committee should prepare a written report exonerating the respondent.
- 6. If the committee finds evidence against the accused, a second interview with the respondent is established. A formal letter must be sent to the respondent, with the interview date set for no earlier than seventy-two hours after the letter is delivered.
 - a. At this stage, the committee will again offer all rights and options, including continuation of the inquiry process or resignation.
 - b. If the respondent does not desire to continue with the inquiry but does not wish to resign, the committee may present an option of probation.
 - c. The probation period shall be no less than thirty academic days and shall not exceed ninety academic days.
 - d. The committee shall establish terms of probation for the respondent to complete. These terms shall be directly related to the complaints filed and shall be reviewed and approved by the Ethics Administrator.
 - i. In the case that the Ethics Administrator is the subject of inquiry, the terms of probation shall be approved by the Student Government Association President.
 - e. During the probationary period, the respondent must report his or her weekly progress in writing to the chair of the Inquiry Committee.
- 7. At the expiration of the probation period, the inquiry committee, the respondent, and the Ethics Administrator will meet for a final review.
 - a. Upon a favorable probation period, the committee may choose to dismiss all charges against the respondent.
 - b. If substantial progress is being made by the respondent, the committee may choose to extend the probation period. This extension cannot exceed thirty academic days.
 - c. Upon an unfavorable probation period, the committee shall offer all rights and options, including continuation of the investigation process and a potential disciplinary proceeding or resignation of his or her current office.
 - d. In the case that the Ethics Administrator is being investigated, the Student Government President shall sit in on the final review.
- 8. If the committee has an unfavorable review of the probation period and cannot resolve the matter in any other way, it should make a written report to its respective branch. This report should be signed by every committee member and should outline the course of the investigation, specifications for the charges against the respondent, and the probation terms both met and unmet.
 - a. A specification states what the respondent is suspected of doing which, if true, constitutes an example of the offense indicated in the charge.

- b. Ordinarily, each separate charge should be accompanied by at least one specification, unless the investigation committee and the respondent agree in preferring that this information not be disclosed outside of the hearing.
 - c. Each specification should be carefully worded so as to make no broader allegation than is believed sufficient to establish the validity of the charge if the specification is found to be true.
- 9. The branch may then vote to send this report to the Student Senate for further action. A two-thirds vote of the members present and voting will constitute a decision of the branch.
- 10. Upon the recommendation of the respective branch, the Student Senate may establish a disciplinary committee to conduct the disciplinary proceeding.
 - a. If the Student Senate was involved in the original inquiry process, the disciplinary committee should consist of Senators who were not participants in the original inquiry.
 - b. The procedures for such a matter involving a member of the Student Government Association can be found in the Student Senate Bylaws.

Section E. Appeals

- 1. An appeal of a disciplinary decision may be made only on justifiable grounds including irregularity in the proceedings, punishment inconsistent with the nature of the offense, or additional pertinent evidence not available for the original proceeding.
- 2. In the case of removal or any other disciplinary action of any member of Student Senate, the Student Activities Council, the Residence Life Council, or elected cabinet officers, the member may appeal to the Student Court.
 - a. The appeal process can be found in the Student Court Policies and Procedures Manual.
- 3. In the case of removal or any other disciplinary action of a member of the Student Court, the member may appeal to the Executive Cabinet.
 - a. The appeal process can be found in the Student Court Policies and Procedures Manual.
 - b. In this case, the Student Body President shall administer the powers of the Chief Justice of the Student Court.
- 4. Disciplinary action of the Student Court and Executive Cabinet may be appealed to the Student Government Advisory Board.
- 5. An appeal of the decision of the Student Government Advisory Board shall be made by the petitioner to the President of the University, and shall be heard by the Student Government Appeals Board as specified in Article XX.

ARTICLE XVI
Advisory Board

Section A. Composition of the Advisory Board

1. The Advisory Board shall consist of the President of the Student Government Association, the Executive Vice President, the Vice President for Student Activities, the Vice President for Residence Life, the Chief Justice of the Student Court, the SGA General Advisor and Financial Advisor, the Associate Vice President for Student Affairs/Dean of Students and the Advisor of each branch. Any additional SGA Advisors will serve on the board as non-voting members.
2. The Advisory Board shall be chaired by the SGA General Advisor.
3. The SGA President will serve as the Vice Chair.
4. The Executive Cabinet Secretary shall serve as secretary to the board.

Section B. Authority and Duties

1. The Advisory Board is considered a standing committee of the University, whose membership is determined ex officio as detailed in Section A of this article.
2. 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.
3. 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.
4. The Advisory Board shall hear appeals of disciplinary action of the Student Court and Executive Cabinet, pursuant to Article XV.

Section C. Quorum

1. The presence of six voting members of the Advisory Board shall constitute a quorum.

ARTICLE XVII
Amendments

Section A. Procedures

1. Amendments to this Constitution may be proposed by an act of the Senate, RLC, or SAC 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 RLC, SAC and Senate at least two weeks prior to each branches consideration of the proposed amendment(s).
3. Proposed amendments must be ratified by two-thirds majority of each of the branches' members present and voting.
4. Amendments ratified by RLC, SAC and Senate shall be forwarded to the President of the University for presentation to and approval by the Board of Regents.

ARTICLE XVIII
Bylaws

Section A. Procedures

1. The Student Senate shall enact bylaws to implement the provisions of this Constitution.
2. The Student Activities Council shall enact bylaws to implement the provisions of this Constitution.
3. The Residence Life Council shall enact bylaws to implement the provisions of this Constitution.
4. The Student Court shall develop bylaws to implement the provisions of this Constitution.
5. Bylaws of each branch will be enacted upon two-thirds majority vote of the appropriate branch's members present and with final approval by the Student Government Advisory Board.
6. 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.
7. 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 for disapproval.
8. 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.
9. The bylaws will then advance to the Student Government Advisory Board for final approval.

ARTICLE XIX
Ratification

This Constitution shall take be ratified by a two-thirds majority of the Student Senate, RLC, and SAC members present and voting, and immediately take effect upon the approval by the Board of Regents of Eastern Kentucky University.

Article XX
Student Government Appeals Board

Section A. Authority

1. The Student Government Appeals Board shall hear appeals of actions and decisions by the Student Government Advisory Board made pursuant to Article XVI, Section B.
2. The Student Government Appeals Board is the highest level of SGA disciplinary appeal. The decision of the Appeals Board shall be final.

Section B. Composition

1. The Student Government Appeals Board shall consist of seven members, with representation from the University community as follows: two faculty members, two staff members, and three student members.
 - a. The student members shall be drawn from the elected or appointed membership of the Student Government Association, and shall be individuals who were not a part of disciplinary proceedings against the respondent at any lower level.

Section C. Empanelment and Disassembly

1. The Appeals Board shall be assembled on a case-by-case basis, as needed to hear appeals. Upon appeal of the petitioner as specified in Article XV, the President of the University shall empanel the Student Government Appeals Board.
2. Upon issuing their decision, the Appeals Board shall be disassembled until the provisions of this article are again invoked.