

## **Constitution of the Student Government Association of Western Carolina University**

We, the students of Western Carolina University, desiring to promote the interest and welfare of the Student Body, student organizations, and Western Carolina University, do hereby establish this Constitution of the Western Carolina University Student Government Association.

### ***Article 1. Name, Mission, Purposes, and Membership***

**Section One – Name.** The name of the organization shall be the Western Carolina University Student Government Association. The name shall be acceptably abbreviated as “Student Government Association” or “SGA”.

**Section Two – Mission.** Founded and funded by students, the Western Carolina University Student Government Association champions the concerns of students and ensures the accessibility to a quality education in and outside of the classroom today and tomorrow.

**Section Three – Purposes.** The purposes of the Western Carolina University Student Government Association shall be to:

- a. Represent the Student Body;
- b. Address and act on the collective interests of students;
- c. Serve on University and otherwise concerned committees pertaining to student interests and welfare;
- d. Represent the Student Body before the University of North Carolina Association of Student Governments in a delegation deemed appropriate by the Student Body President to promote each student’s right to a quality education, and promote the issues deemed beneficial to students;
- e. Act as a liaison between the University and the Student Body by supporting student interests before faculty, staff, and the administration;
- f. Advocate for the responsible use and allocation of University finances; and
- g. Promote and maintain conditions conducive to academic freedom.

**Section Four – Membership.**

- a. The Student Government Association shall be comprised of all undergraduate and graduate students of Western Carolina University (WCU);
- b. With the exception of the Student Body President, Student Body Vice-President, and Chief Judicial Justice, no member of SGA shall serve in more than one (1) branch at any given time or hold more than one office at any given time;
- c. Membership is open to all students without regard to race, color, national or ethnic origin, religion, sex, sexual orientation, gender identity or expression, age, political affiliation, disability, marital status, ancestry, genetic information, citizenship, or veteran status; and,
- d. Hazing will not be used as a condition of membership in this organization.

### ***Article 2. Executive Branch***

**Section One – Executive Branch.** The Executive Branch shall be comprised of the Student Body President, Student Body Vice President, Chief Judicial Justice, and a Cabinet of appointed officers.

**Section Two – Election of President.** The President shall be elected for a one-year term by a more than fifty percent (50%) majority of the votes. In the event, a candidate for Student Body President does not receive more than fifty percent (50%) of the votes cast, a run-off will be conducted consistent with the procedure set forth in Bylaws, Article Six, Section Twelve.

**Section Three – Succession of the President.** If the President is removed or leaves office, the position shall be filled by the Vice President. If the Student Body Vice President is unwilling or unable to fill the position, the member of the Executive Cabinet who has served the most time on the Branch shall temporarily fill the position of Student Body President while a special election takes place. In the event, that two or more members have served equal time on the Branch, the Executive member who has served the longest time in SGA shall temporarily fill the position of Student Body President while a special election takes place.

**Section Four – Powers and Duties of the President.** The Student Body President shall:

- a. Represent the Student Body in dealings with faculty and staff, the administration, the Board of Trustees, the Board of Governors, official guests, visitors of Western Carolina University, and students from other institutions;
- b. Serve as the chief spokesperson, representative, and delegate for the SGA and the entire Student Body in all matters inside and outside the University community;
- c. Administer and enforce the SGA Constitution and Bylaws enacted by Student Senate;
- d. Attend and serve as a voting member of the WCU Board of Trustees, pursuant to North Carolina General Statute 116-3 (1);
- e. Work with the Vice-Chancellor of Student Affairs and Director of Finance to draft and propose the year-round SGA budget for their administration's term;
- f. Veto any act of the Student Senate as deemed necessary within fourteen (14) calendar days of receipt;
- g. Create an Executive Cabinet and committees or other offices as deemed beneficial to student interests;
- h. Appoint student members to University committees by request of the Chancellor and other administrative personnel and require reports from these students;
- i. Appoint the positions of Assistant Judicial Justice, Judicial Clerk of Court, and each Judicial Justice;
- j. Issue reports to the Executive Cabinet and receive reports from Executive Cabinet members;
- k. Deliver a State of the University Address once each academic year and address the student body if deemed necessary at any time;
- l. Give reports to the Student Senate at least twice a month;
- m. Attend meetings of the University of North Carolina Association of Student Governments (UNCASG);
- n. Issue Executive Orders;
- o. Prepare an annual report of the Association's activities following each election but prior to the adjournment *sine die* of the Student Senate;

- p. Serve as an *ex officio* non-voting member of Student Senate; and,
- q. Ensure that all receipts or invoices of yearly expenditures are given to the Director of Finance within a week of purchase.

### ***Article 3. Legislative Branch***

**Section One – Legislative Branch.** The Legislative Branch shall be called the “Student Senate”. The branch shall be comprised of the Student Body Vice President, President Pro Tempore of the Senate, Clerk of the Senate, Parliamentarian, and a Senate reflective of the student population.

**Section Two - Election of Student Body Vice President.** The Vice President shall be elected for a one-year term by a more than fifty percent (50%) majority of the votes. In the event, a candidate for Student Body Vice President does not receive more than fifty percent (50%) of the votes cast, a run-off will be conducted consistent with the procedure set forth in Bylaws, Article Six, Section Twelve.

**Section Three - Succession of the Vice President.** If the Vice President is removed or leaves office, the following process must take place:

- a. The position shall be temporarily filled by the Senate President Pro Tempore. If the Pro Tempore is unwilling or unable to fill the position, the member of the Student Senate who has served the most time on the Legislative Branch shall temporarily fill the position of Student Body Vice President. If they are unwilling or unable to fill the position, the next most tenured member shall temporarily fill the position and so on down the line;
- b. To fill the position for the remainder of the term, the President shall appoint a member of the Student Senate for the position with a 2/3rd confirmation from the Student Senate. Should Student Senate not confirm the appointment, a special election take place; and,
- c. If the President fails to appoint a member for the position within one (1) week of the office vacancy, a special election will automatically take place.

**Section Four - Powers and Duties of the Student Body Vice President.** The Student Body Vice President shall:

- a. Assume the office of the Student Body President if the Student Body President resigns office, becomes unable/unwilling to fulfill the office, or during the temporary absence of the Student Body President;
- b. Serve as President of the Senate, preside over assemblies of the Student Senate, and cast the deciding vote in the event of a tie;
- c. Maintain a functioning Student Senate, appoint new Senators in the event of vacancies, and call for the impeachment of Senators in violation of the conduct policies set forth by the Student Government Association;
- d. Regularly review Senator performance and provide feedback therein;
- e. Send approved resolutions to the advisor(s) and Student Body President in a timely manner, and report on the progress of the resolutions thereafter;
- f. Establish, monitor, and select members for Student Senate positions and/or committees as necessary and appropriate;

- g. Ensure that all receipts or invoices of yearly expenditures are given to the Director of Finance within a week of purchase; and,
- h. Attend meetings of the University of North Carolina Association of Student Governments (UNCASG).

#### ***Article 4. Judicial Branch***

**Section One – Judicial Branch.** The Judicial Branch shall be comprised of the Chief Judicial Justice, Associate Judicial Justice, Judicial Clerk of Court, and Judicial Justices.

**Section Two – Appointment of Chief Judicial Justice.** Chief Judicial Justice must be nominated by the Student Body President and approved for appointment upon a simple majority vote by the Student Senate.

**Section Three - Succession of the Chief Judicial Justice.** If the Chief Judicial Justice is removed or leaves office, the position shall be temporarily filled by the Associate Chief Justice until confirmed by a 2/3<sup>rd</sup> confirmation from the Student Senate. If the Associate Judicial Justice is unwilling or unable to fill the position, the Clerk of Court shall temporarily fill the position of Chief Judicial Justice until confirmed. If the Clerk of Court is unwilling or unable to fill the position, the next most tenured member shall temporarily fill the position and so on down the line.

**Section Four - Powers and Duties of the Chief Judicial Justice.** The Chief Judicial Justice shall:

- a. Serve as Chief Administrative Officer of the Judiciary;
- b. Preside over all Judicial sessions and issue the verdict of voting Justices;
- c. Maintain a functioning Judiciary;
- d. Administer the Oath of Office to all elected and appointed Officials of the Student Government Association;
- e. Serve as the Director of Traffic Court; and,
- f. Ensure that all receipts or invoices of yearly expenditures are given to the Director of Finance within a week of purchase.

#### ***Article 5. Authority and Meetings***

**Section One – Authority.**

- a. The Student Government Association’s Constitution and Bylaws serve as the governing documents for the organization;
- b. SGA shall be empowered to govern all individuals, departments, and organizations herein represented by SGA. All enactments of SGA shall thereby enjoy full enforcement unless in direct conflict with this Constitution;
- c. SGA shall honor regulations and laws of the Western Carolina University Board of Trustees, the State of North Carolina, and the United States of America;

- d. The Student Government Association shall create Bylaws as deemed necessary to facilitate the measures provided for in this Constitution. All Bylaws must be approved by the Student Senate with a majority vote and ratified by the Student Body President. No Bylaw may conflict with this Constitution; and,
- e. The Constitution of the Student Government Association shall be retained by the Student Body President, Student Body Vice-President, Chief Judicial Justice, President Pro Tempore of the Senate, SGA Advisor(s), and the Vice-Chancellor for Student Affairs upon ratification; and,
- f. The Student Government Association shall comply with all University policies (including the Code of Student Conduct) and procedures, as well as local, state, and federal laws.

**Section Two – Meetings.**

- a. Unless prior designation of a closed session, all official Student Government Association meetings shall be open to the public;
- b. Minutes will be posted online within 48 hours of the original meeting;
- c. Meeting times and places shall be determined by the leadership of each branch prior to the start of each academic year;
- d. The most recent edition of Robert’s Rules of Order shall be the standard for all Student Senate meetings; and,
- e. The Student Senate must meet quorum, to be defined as two-thirds (2/3) of Senators on the roster.

*Article 6. Advisory and Finance*

**Section One – Advisory.** The Vice-Chancellor for Student Affairs shall appoint one or more full-time employee to serve as Advisors for the Student Government Association.

**Section Two – Finance.**

- a. The Vice-Chancellor for Student Affairs shall issue a budgetary allotment to the Student Government Association in the Fall of each academic year. An academic year shall be defined as the duration detailed in the annual academic year schedule, typically from August through May as well as June and July of the following calendar year;
- b. The Student Body President and Director of Finance shall propose a budget to the Student Senate within two (2) weeks of the start of the academic year;
- c. The Student Senate will ratify the budget by a simple majority vote; and,
- d. The Student Body President and Director of Finance shall provide the Student Senate with an accurate financial statement upon request throughout the academic year.

*Article 7. Amendment(s) to the Constitution*

**Section One – Amendments to the Constitution.** Amendments to the Constitution shall follow the process described below:

- a. Amendments to the Student Government Association’s Constitution shall originate from the Student Senate;

- b. Amendments require a two-thirds (2/3) vote of the Student Senators on the roster for approval;
- c. Upon approval from the Student Senate, an amendment shall become effective upon ratification by the Student Body President and approval by the Chancellor or designee;
- d. Upon ratification, all amendments must be initialed by an SGA Advisor(s); and,
- e. Should the need for dissolution of this Constitution arise the Student Senate must prepare a new Constitution and present the new Constitution to the Chancellor for ratification. Following the creation of a subsequent Constitution, the Chancellor or designee may approve the subsequent Constitution or may deny the subsequent Constitution and request that the creation of a subsequent Constitution continue. The new Constitution shall take effect upon ratification by the Chancellor. The Student Senate, with the consent of the Chancellor or designee, shall draft a new set of Bylaws which must subsequently be adopted.

## **The BYLAWS of the STUDENT BODY**

Through the Authority of the Student Government Association Constitution, the SGA of Western Carolina University hereby establishes its statutory policies and procedures Bylaws.

The Students of Western Carolina University, in order to better promote the interest and welfare of this educational community, do hereby assemble under the ratification of these Bylaws and the formation of a Student Government Association. The enumeration of the powers, duties, and offices herein shall serve to advance the well-being of the student body, student organizations, and Western Carolina University.

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## *Article 1. General Organization*

**Section One - Membership.** The Student Government Association shall be comprised of all undergraduate and graduate students of Western Carolina University (WCU).

**Section Two - Terms.** The term of office for the Student Body President, Student Body Vice-President, and Student Senators shall be one (1) year following the Oath of Office or until the next elected Officer has been sworn into office.

**Section Three - Recordkeeping and Reporting.** The Student Body President, Student Body Vice President, Chief Judicial Justice, Cabinet members, Justices, and Student Senators shall document their involvement with SGA-related matters for the purpose of recordkeeping and reporting. The President, Vice-President, Chief Judicial Justice, and Cabinet members shall use a formal process for stipend accountability and Student Senators shall use a non-punitive (non-binding) informal process.

## *Article 2. Qualifications for Office*

**Section One – Student Body President.** The Student Body President shall meet the following qualifications:

- a. Must be registered as a full-time undergraduate or graduate student at Western Carolina University and have fifty percent (50%) of their classes located at the Cullowhee or Biltmore Campus;
- b. Must be in good standing as defined herein. A student is in “Good standing” so long as they are not currently suspended, expelled, or on probation as a result of a violation of the Student Code of Conduct, or Academic Integrity Policy;
- c. Maintain a 2.5 cumulative GPA;
- d. Be an active member of SGA during the current academic year of elections, serving in at least one branch of SGA; and,
- e. Must not have been removed from SGA due to impeachment.

**Section Two – Student Body Vice President.** The Student Body Vice President shall meet the following qualifications:

- a. Must be registered as a full-time undergraduate or graduate student at Western Carolina University and have fifty percent (50%) of their classes located at the Cullowhee or Biltmore Campus;
- b. Must be in good standing as defined herein. A student is in “Good standing” so long as they are not currently suspended, expelled, or on probation as a result of a violation of the Student Code of Conduct, or Academic Integrity Policy;
- c. Maintain a 2.5 cumulative GPA;
- d. Be an active member of SGA during the current academic year of elections, serving on at least one branch of SGA; and,
- e. Must not have been removed from SGA due to impeachment.

**Section Three – Other Branch Members.** All other offices within the Executive, Legislative, or Judicial Branches of SGA, individuals must meet the following standards;

- a. Must be registered as a full-time undergraduate or graduate student at Western Carolina University and have fifty percent (50%) of their classes located at the Cullowhee or Biltmore Campus;
- b. Be in good academic standing with the University with a minimum of a 2.5 cumulative GPA;
- c. Not be under any current academic or disciplinary sanctions for a violation as detailed in the Code of Student Conduct; and,
- d. Must not have been removed from SGA due to impeachment.

### *Article 3. Executive Branch*

**Section One – The Executive Branch.** The Executive Branch shall be comprised of the Student Body President, Student Body Vice-President, the Chief Judicial Justice, and a Cabinet of appointed officers including but not limited to: Chief of Staff, Director of Finance, Director of Operations, Director of Public Relations (PR) and Marketing, Director of Diversity and Inclusive Excellence, Director of Community Engagement, Director of Clubs and Organizations Reaching Excellence (CORE), UNC Association of Student Government (ASG) Campus Liaison. Up to two (2) additional officers may be appointed at the discretion of the President.

**Section Two – Cabinet Appointments.** All Cabinet members must be nominated by the Student Body President and approved for appointment upon a simple majority vote by the Student Senate.

**Section Three – Chief of Staff.** The Chief of Staff shall:

- a. Serve as the office assistant of the Executive Branch and report directly to the Student Body President;
- b. Record all minutes for all Executive Council meetings;
- c. Collect and compile hours for the Executive Branch of the Student Government Association and report directly to the Student Body President;
- d. Be responsible for maintaining all records of SGA;
- e. Maintain inventory of office supplies and SGA merchandise;
- f. Serve as a non-voting, ex-officio member of the Student Senate; and,
- g. Ensure that all receipts or invoices of yearly expenditures, of whatever caliber, is given to the Director of Finance in good time prior to the budgetary approval process.

**Section Four – Director of Finance.** The Director of Finance shall:

- a. Serve as the Chief Financial Officer for the Student Government Association and report directly to the Student Body President;
- b. Correlate with the Vice President to assemble the Finance Committee and serve on the Committee as a non-voting, ex-officio member;
- c. Correspond with appropriate University financial officials on matters of the SGA budget;
- d. Collaborate with the Student Body President to establish and publish official policies and procedures of fiscal responsibility that SGA will follow;

- e. Oversee appropriations for student organizations;
- f. Contribute to and edit the RSO Funding Manual and SGA funding policies;
- g. Provide bi-monthly reports to Senate on the current budget;
- h. Serve as a non-voting, ex-officio member on the Student Senate; and,
- i. Compile an enumerated and itemized list of all expenditures, in either receipts or invoices to be available to all members of SGA prior to the date of the next fiscal year's budget's approval.

**Section Five – Director of Operations.** The Director of Operations shall:

- a. Be responsible for the execution and implementation of all SGA events and external initiatives, such as the Last Lecture Award, Library Food Giveaway, Bi-Annual Retreat, SGA Week, and Inauguration;
- b. Serve as the primary contact for Student Senators wishing to hold an official SGA event;
- c. Host monthly town halls relevant to students;
- d. Correlate with the Vice President to assemble the Outreach Committee and serve on the Committee as a non-voting, ex-officio member;
- e. Serve as a non-voting, ex-officio member on the Student Senate; and,
- f. Ensure that all receipts or invoices of yearly expenditures, of whatever caliber, is given to the Director of Finance in good time prior to the budgetary approval process.

**Section Six – Director of Public Relations (PR) and Marketing.** The Director of PR and Marketing shall:

- a. Serve as the Chief Communications Liaison for the Student Government Association and report directly to the Student Body President;
- b. Be responsible for any SGA social media and affiliate website;
- c. Ensure to the fullest extent afforded by the Office that the student body remains well-informed of actions taken by SGA;
- d. Advertise all SGA events through the appropriate outlets;
- e. Serve as a non-voting, ex-officio member of the Student Senate; and,
- f. Ensure that all receipts or invoices of yearly expenditures, of whatever caliber, is given to the Director of Finance in good time prior to the budgetary approval process.

**Section Seven – Director of Diversity and Inclusive Excellence.** The Director of Diversity and Inclusive Excellence shall:

- a. Serve as the chief spokesperson for the Student Government Association in regard to issues relating to diversity and inclusion;
- b. Act as a liaison between SGA and the Intercultural Affairs Department;
- c. Meet with the WCU Chief Diversity Officer at least twice a semester;
- d. Attend meetings as requested by underrepresented student-serving clubs and organizations on campus;
- e. Report to the Student Senate bi-monthly with issues, concerns, and recommendations relating to the current campus climate, diversity, and inclusion;
- f. Collaborate with the Student Body President, Student Body Vice-President, and respective clubs and organizations regarding advocacy events relating to diversity and inclusion;

- g. Serve as a non- voting, ex- officio member of the Student Senate; and,
- h. Ensure that all receipts or invoices of yearly expenditures, of whatever caliber, is given to the Director of Finance in good time prior to the budgetary approval process.

**Section Eight – Director of Community Engagement.** The Director of Community Engagement shall:

- a. Serve as the chief spokesperson, representative, and delegate for SGA in service-related events and involvement within the community;
- b. Act as a liaison between SGA and the Center for Community Engagement and Service Learning;
- c. Coordinate and schedule all service-related activities within SGA in collaboration with the Director of Operations, including but not limited to the Bi-Annual Roadside Cleanup and Blood Drives;
- d. Be responsible for relaying relevant information to the Student Senate regarding service-related activities;
- e. Serve as a non-voting, ex-officio member of the Student Senate; and,
- f. Ensure that all receipts or invoices of yearly expenditures, of whatever caliber, is given to the Director of Finance in good time prior to the budgetary approval process.

**Section Nine – Director of Clubs and Organizations Reaching Excellence (CORE).** The Director of CORE shall:

- a. Oversee all Recognized Student Organizations (RSOs) and report directly to the Student Body President;
- b. Approve the registration of all RSOs in conjunction with designated University officials;
- c. Shall be contacted by RSOs to discuss topics related to SGA, CORE Trainings, founding an RSO, granting recognition to student organizations;
- d. Support clubs and organizations in their endeavors so that they may meet their full potential;
- e. Make recommendations on and advocate for new policies that affect clubs and organizations;
- f. Facilitate CORE trainings, CORE Fest, and any other CORE programs that are created;
- g. Monitor the completion of the recognition requirements and make recommendations as they relate to the completion of this process;
- h. Aid student organizations through the funding process;
- i. Host monthly CORE Trainings;
- j. Serve as a non-voting, ex-officio member on the Student Senate; and,
- k. Ensure that all receipts or invoices of yearly expenditures, of whatever caliber, is given to the Director of Finance in good time prior to the budgetary approval process.

**Section Ten – The UNC Association of Student Government (ASG) Campus Liaison.** The ASG Campus Liaison:

- a. Serve as the Campus Liaison at the UNC Association of Student Governments;
- b. Meet regularly with University representatives about current politics within the state relating to UNC System institutions;

- c. Coordinate monthly travel logistics needed for the delegation to attend ASG meetings at the respective institution;
- d. Ensure each member of the WCU delegation is completing assigned tasks relating to and/or in collaboration with the UNC Association of Student Governments for advocacy work and initiatives;
- e. Coordinate campus visits in collaboration with the ASG Executive Team and the Student Body President;
- f. Serve as a non-voting, ex-officio member of the Student Senate;
- g. Collaborate with the Student Body President and Vice President to fill any available spots in the WCU delegation; and,
- h. Ensure that all receipts or invoices of yearly expenditures, of whatever caliber, is given to the Director of Finance in good time prior to the budgetary approval process.

**Section Eleven – Executive Meetings.** The Student Body President is responsible for calling all Executive meetings.

#### *Article 4. Legislative Branch*

**Section One – The Legislative Branch.** The Senate Leadership shall be the Student Body Vice-President, President Pro Tempore of the Senate, Clerk of the Senate, and Parliamentarian.

**Section Two – President of Senate.** The Student Body Vice-President shall serve as the President of Senate. In the event of a conflict of interest, or the appearance of a conflict of interest, the Senate Pro-Tempore will replace the Student Body Vice President as President of the Senate. If neither the Vice President nor the Pro-Tempore are appropriate to serve then the Dean of Students, or their designee, shall serve as the neutral gatekeeper. The Dean of Students shall not have any voting power nor will they influence the Senate.

**Section Three – Senate Leadership Appointments.** All Senate Leadership members must be nominated by the Student Body Vice President and approved for appointment upon a simple majority vote by the Student Senate.

**Section Four – President Pro-Tempore.** The President Pro-Tempore shall:

- a. Serve as the legislative and administrative assistant to the President of the Senate;
- b. Perform any administrative function deemed necessary and/or appropriate for the position; and,
- c. Serve as the secondary authority of the Student Senate and assume all duties in the absence of the Student Body Vice President.

**Section Five - Clerk of the Senate.** The Clerk of the Senate shall:

- a. Maintain records of Student Senate meetings;
- b. Appropriately file all submitted resolutions in a timely manner;
- c. Post all public Senate documents such as meeting minutes and resolutions within 2 days of adjournment and/or action;
- d. Serve as the receipt authority for all resolutions;

- e. Ensure the presentation of legislation to Senate at the next Senate meeting following their submission; and,
- f. Serve on the Rules and Judiciary Committee and be responsible for using the established template to record and post Committee minutes.

**Section Six – Parliamentarian.** The Parliamentarian shall:

- a. Ensure that Robert’s Rules of Order are being enforced and upheld;
- b. Ensure compliance with the Student Government Association’s Constitution and Bylaws; and,
- c. Serve as the head of the Rules and Judiciary Committee.

**Section Seven – Student Senators.** Student Senators shall be elected by constituents or appointed by the Student Body Vice President. Appointed individuals will become Senators upon a simple majority vote of Senate.

**Section Eight – Student Senate.** The Student Senate shall:

- a. Serve as a representative voice of constituents and the entire student body;
- b. Pass resolutions, establish statutes, and amend the Constitution and Bylaws of the Student Government Association as deemed necessary for the execution of all powers vested in SGA;
- c. Establish procedures for the execution of its properties and resolutions;
- d. Approve or reject all judicial and executive appointments by the Student Body President or Student Body Vice-President by majority vote;
- e. Uphold, adjust, or overrule the decisions made by the Student Senate with a two-thirds (2/3) majority vote;
- f. Override a presidential veto by two-thirds (2/3) majority vote;
- g. Call any SGA Officer or any student organization requesting funding to meetings if deemed necessary by the Student Senate;
- h. Approve the annual budget presented by the Director of Finance;
- i. Establish provisional committees as deemed necessary;
- j. Review supplemental funding requests that exceed \$1,000 submitted by Recognized Student Organizations;
- k. Be knowledgeable about the SGA Constitution, Bylaws, WCU policies, and campus resources;
- l. Actively participate in the establishment and execution of SGA goals;
- m. Attend SGA-sponsored events and functions held each semester;
- n. Attend training and retreats as scheduled by SGA;
- o. Attend Student Senate meetings;
- p. Uphold the Constitution and Bylaws, and all ordinances of the SGA;
- q. Serve as a liaison and build positive relationships between WCU faculty, staff, students, and administration; and,
- r. Overturn or line veto an Executive Order by two-thirds (2/3) majority vote.

**Section Nine - Student Senate Committees.** The Elections Committee, Finance Committee, and Rules and Judiciary Committee, and Outreach shall be observed as standing committees. The

Student Body Vice President will recommend Committee Chairs and Student Senators for each Standing Committee. These individuals will be appointed upon a majority vote by the Student Senate.

**Section Ten – Elections Committee.** The Elections Committee shall:

- a. Be assembled by the Vice President and SGA Advisor(s);
- b. Coordinate with the Director of PR and Marketing to advertise election information;
- c. Consist of current Student Senators as voting members;
- d. Discuss any elections as needed with the SGA Advisor(s)
- e. Review all resolutions related to elections and election policies;
- f. Make suggestions and nonbinding recommendations for reviewed resolutions to the original resolution author(s);
- g. Must provide the rationale behind any recommendations concerning reviewed resolutions;
- h. Comply with all Election guidelines, procedures, and protocol as outlined in the SGA Constitution and/or Bylaws; and,
- i. Coordinate the annual SGA Candidate Debate in correlation with the Director of PR and Marketing and the Director of Operations.

**Section Eleven – Rules and Judiciary Committee.** The Rules and Judiciary Committee shall:

- a. Be chaired by the Parliamentarian;
- b. Review all resolutions related to policies, procedures, and governing documents;
- c. Make suggestions and nonbinding recommendations for reviewed resolutions to the original resolution author(s);
- d. Must provide the rationale behind any recommendations concerning reviewed resolutions;
- e. Review the Constitution and Bylaws each year and bring any changes made to the Senate for voting;
- f. Review all writs of impeachment and present recommendations to the Senate.

**Section Twelve – Finance Committee.** The Finance Committee shall:

- a. Review and decide upon all supplemental funding requests for an amount under \$1,000;
- b. Review and provide a recommendation for all supplemental funding requests for over \$1,000 prior to presentation to the Senate floor;
- c. Review all resolutions related to finance and SGA financial policies;
- d. Make suggestions and nonbinding recommendations for reviewed resolutions to the original resolution author(s); and,
- e. Must provide the rationale behind any recommendations concerning reviewed resolutions.

**Section Thirteen – Outreach Committee.** The Outreach Committee shall:

- a. Collaborate with the Director of Operations to facilitate outreach events, such as tabling;
- b. Acquire feedback from the student body, through a variety of outreach events and initiatives;
- c. Review all resolutions related to campus outreach;

- d. Make suggestions and nonbinding recommendations for reviewed resolutions to the original resolution author(s); and,
- e. Must provide the rationale behind any recommendations concerning reviewed resolutions.

**Section Fourteen – Other Committees.** The Student Body Vice President may appoint committees during legislative sessions to address student needs and/or concerns. The Senate may also motion to create committees during legislative sessions to address student needs and/or concerns.

**Section Fifteen – Sessions.**

- a. The Student Senate shall be in session from the installation of senators in the spring semester to the installation of Senators the following session;
- b. Although it is not required summer sessions may occur if needed and voted on by quorum. A quorum shall consist of at least 2/3 of the total current senators on the roster;
- c. If quorum is not met, the body shall meet as a committee. The committee can submit a recommendation at the start of the semester to the Student Senate once quorum is reached; and,
- d. The Student Body Vice-President will recommend committee chairs for each committee, and those individuals will be appointed upon a majority vote by Senate.

**Section Sixteen – Meetings.**

- a. The Student Senate shall meet a minimum of twice monthly during the academic year;
- b. Unless expressed differently by the Vice President or a two-thirds (2/3) majority of Student Senate, the meetings time will be at 6pm on Mondays during the academic year;
- c. All Student Senate meetings shall be conducted according to the most recent edition of Robert's Rules of Order;
- d. The Student Body Vice President may call a special Student Senate meeting at any time. They will notify all senators within 48 hours of this special meeting;
- e. A committee chair may call a special meeting at any time. They will notify all committee members 48 hours prior to this special meeting;
- f. Ex-officio members of the Student Senate must submit all agenda items to the President of the Senate no later than 9:00 pm on the Friday prior to the Senate meeting in which the agenda items will be introduced;
- g. Senators are expected to be in attendance at all Student Senate meetings and their respective committee meetings; and,
- h. Senators shall be permitted one (1) unexcused absence from Senate's weekly meetings per semester. Failure to adhere to the attendance policy is considered grounds for impeachment.

**Section Seventeen - Legislative Procedures.**

- a. All resolutions shall be submitted to the Clerk of the Senate and Student Body Vice President no later than 9:00 pm on the Friday prior to the meeting in which the resolution will be introduced;

- b. The Clerk of the Senate will affix the Student Government Association stamp to all copies and assign legislative numbering as follows: Senate Resolution: SR (*semester – year - number*);
- c. Resolutions may be passed by a simple majority vote of the Student Senate;
- d. If resolutions pass, the Clerk of the Senate shall send a copy to the Student Body President for signature or veto;
- e. If vetoed, resolutions shall be sent back to the Clerk of the Senate to be held until recalled and recordkeeping;
- f. If the resolution is not returned to the Clerk for Senate within ten (10) days without the action of the Student Body President, the resolution is considered enacted; and,
- g. Copies of the enacted resolutions are then distributed to the Clerk of the Senate, Chief Justice, Student Body Vice President, and respective departments.

**Section Eighteen – Senator Vacancies.**

- a. Vacancies in Student Senate may occur by impeachment proceedings and/or voluntarily leaving office;
- b. If vacancies occurs, the Student Body Vice President shall be responsible for interviewing candidates;
- c. Candidates must meet all qualifications of the vacant position to be considered; and,
- d. A two-thirds (2/3) majority vote by the Student Senate is needed before a candidate to become a member of the Student Senate.

***Article 5. Judicial Branch***

**Section One – The Judicial Branch.** The Judicial Branch of the Student Government Association will be composed of the Chief Judicial Justice, the Associate Judicial Justice, the Judicial Clerk of Court, and Judicial Justices.

**Section Two – Judicial Leadership Appointments.** All Judicial Leadership members must be nominated by the Chief Judicial Justice and approved for appointment upon a simple majority vote by the Student Senate.

**Section Three – Associate Chief Justice.** The Associate Chief Justice shall:

- a. Serve as the Chief Administrative Officer of the judiciary in the absence of the Chief Judicial Justice;
- b. Preside over the hearing in the event of a contested election;
- c. Deliberate as a member of the judiciary;
- d. Serve as the assistant of the Chief Justice in this Judicial System;
- e. Assist the Chief Justice in the interpretation of any provision of the Constitution, Bylaws and/or any law;
- f. Serve as a direct supervisor to the Judicial Justices and provide assistance to the Chief Justice as needed;
- g. Review all pending cases and prepare the docket prior to all judicial proceedings; and,
- h. Record the minutes of all judicial proceedings using the required template and compare them to those of the Clerk of Court.

**Section Four – Judicial Clerk.** The Judicial Clerk shall:

- a. Record the minutes of all judicial proceedings using the established template and maintain all records therein;
- b. Serve as the clerk at all Traffic Courts and is a general administrative assistant to the Judicial Branch; and,
- c. Provides assistance to the Chief Justice as needed.

**Section Five – Judicial Justices.** The Judicial Justices shall:

- a. Take part in all judicial sessions and issue a vote upon deliberation;
- b. Have a working knowledge of this Constitution and Bylaws as well as general policies pertaining to students;
- c. Review any actions taken by the SGA in regard to issues of Constitution, Bylaws, and Policy;
- d. Hear the appeals of students and student organizations regarding actions taken by SGA;
- e. Review and hear the appeals of students wishing to overturn parking and skateboarding tickets;
- f. Assist the Chief Judicial Justice in the interpretation of any provision of the Constitution and Bylaws;
- g. Provide assistance to the Chief Justice as needed; and,
- h. Attend assemblies of Traffic Court and serve as voting members in the appeal process.

**Section Six – Meetings.**

- a. The Chief Judicial Justice and Assistant Judicial Justice shall meet regularly to discuss the business of the Judicial Branch with the SGA Advisor; and,
- b. Traffic Court shall be held on a weekly basis unless other circumstances shall arise.

***Article 6. Elections***

**Section One – Elections Committee.** The Elections Committee is responsible for the successful administration of SGA elections. The Elections Committee Chair and Vice Chair shall be recommended by the Student Body Vice President and approved by a simple majority vote of Senate. All members of the committee shall have voting privileges and must be current Senators. Voting members may not be running for office during their term of service on the Election Committee.

**Section Two – Elections Committee Chair.** The Elections Committee Chair shall:

- a. Recommend the members of the Elections Committee;
- b. Serve as the first point of contact for all SGA elections;
- c. Preside over all meetings of the Elections Committee;
- d. Preside over the Candidate meetings;
- e. Ensure that all elections rules are being upheld; and
- f. Develop a post-Elections report to report to the Student Senate that includes the elections results, elections violations and vote penalties, and recommendations for improvement.

**Section Three – Elections Committee Vice Chair.** The Elections Committee Vice Chair shall:

- a. Work with the Chair and all other members of the Elections Committee on all related affairs, including hosting candidate debates, the SGA Election, and related duties; and,
- b. Assist the Chair in the development of a post-Elections report.

**Section Four – Chief Judicial Justice.** As it relates to Elections, the Chief Judicial Justice or their designee shall:

- a. Enforce campaigning penalties;
- b. Review campaigning appeals and consult with those as necessary and appropriate;
- c. Review voting appeals and consult with those as necessary and appropriate; and,
- d. Serve as a non-voting member of the Committee.

**Section Five – Committee Vacancies.**

- a. The Committee Chair can be removed by a two-thirds (2/3) majority vote of present Senators if they are unable to serve but unwilling to leave;
- b. The Elections Committee Vice Chair shall assume the Chair position in the event of a vacancy of the previous Chair; and,
- c. If the Chair finds that a member of the Elections Committee is unable to perform their duties as assigned, they reserve the right to recommend a two-thirds (2/3rds) vote among the Elections Committee for the removal of said committee members. The Chair may recommend a replacement to be appointed by the Student Senate.

**Section Six – Candidacy and Filing Procedures.**

- a. Filing period shall open on the first day of classes in the Spring semester and shall close at 11:45pm \_\_\_\_ days later;
- b. All candidate application materials must be filed online;
- c. All students seeking to hold an elected Student Government Association position must complete the filing process within the dates that the application is available.
- d. Candidates may only file to run for one position;
- e. All candidates must meet the necessary requirements for their position prior to filing and continue to remain qualified as listed in the Student Government Association Constitution and Bylaws;
- f. By filing, candidates are certifying that to the best of their knowledge, they are equipped and able to serve the full term for which they are running;
- g. Confirmation of filing and eligibility shall be made by an SGA Advisor and given to the candidate within 10 days after the filing process closes. Such confirmation merely indicates eligibility at the time of filing;
- h. All candidates shall receive a copy of the election rules and must initial/sign upon receiving the rules; and,
- i. When a candidate agrees to run, they are agreeing to uphold all duties and responsibilities of the position for which they are running.

**Section Seven – Candidate Filing Applications.** Candidate filing applications shall, at minimum, include the following:

- a. Minimum requirements for candidacy;
- b. Recent professional photo;

- c. Platform statement to be published with the image during voting; and,
- d. Position the candidate is running for.

**Section Eight – Candidate Meeting.** There shall be at least one (1) candidate meeting at the conclusion of the filing period which shall convene according to the following guidelines:

- a. All candidates may voluntarily attend the candidate meeting. During the candidate meeting the Elections Committee Chair or designee shall explain the rules, provide a clear understanding of the election process, and detail the guidelines for the elections process;
- b. Failure to attend a candidate meeting does not exclude candidates from following all elections rules and guidelines;
- c. The date(s) of the Candidate meeting shall be determined prior to the filing period; and,
- d. A current list of the candidates and the positions for which they are campaigning shall be presented at the Candidate meeting.

**Section Nine – Campaign Conduct.**

- a. “Campaigning” is defined as “any activity which directly or indirectly promotes the candidacy of one or more individuals for office;”
- b. There shall be no campaigning prior to the start of campaign period;
- c. Campaigning shall cease at the end of the campaign period;
- d. Campaigning methods that in any way violate campus policies, procedures, or practices shall be prohibited;
- e. Defacing or destroying campaign literature of another candidate is prohibited; and,
- f. The Elections Committee may vote to enact additional rules, which must be approved by majority vote of the Senate and by SGA Advisors. These rules will be published in the Candidate Packet and provided to all candidates prior to the Candidate Meetings.

**Section Ten – Campaigning Expenses.**

- a. To ensure an equitable campaign for all candidates, SGA shall provide funding for campaigning expenses in the form of a reimbursement up to the amount of the candidates’ personal expenditures and not to exceed the expenditure limits established in this section.
- b. Candidates' personal expenditures shall not exceed the following personal campaign expenditure caps:
  - a. Executive Offices \$200.00; and,
  - b. Senate Positions \$50.00.
- c. Expense Account Report Protocol:
  - a. A list of current expenses shall be turned into the Elections Committee prior to the end of the voting period;
  - b. If a candidate has no expenditures, they shall be required to submit a report of “none.”;
  - c. Expense reports must be itemized and include original receipts of any and all materials used during the election;

- d. Candidates must also include any donated materials on the expense reports. The value of all donated materials must be noted. Donations shall count towards the total expenditure at the actual market value; and,
- e. Expense reports must be formatted according to the template distributed to candidates by the Elections Committee representative at the Candidate meeting(s).

### **Section Eleven – Voting.**

- a. Dates for voting shall be posted online no later than the start of candidate filing;
- b. All voting shall occur online;
- c. Students are responsible for using their own resources, or those publicly available to vote;
- d. Detailed voting instructions will be sent to students; and,
- e. Vote totals shall be kept confidential until the results are officially announced.

### **Section Twelve – Run-Offs.**

- a. A run-off election shall be held if no Presidential or Vice Presidential candidate receives more than fifty percent (50%) of the votes cast;
- b. The run-off election shall consist of the two candidates who received the most votes, after penalties have been levied;
- c. In the event of a run-off election, the Elections Committee Chair shall submit the location and date of the run-off election to the Student Senate at least three (3) days prior to the run-off election. Notice shall be provided to the Student Senate and, the date and location must then be immediately publicized to the Student Body;
- d. Should the run-off election result in a tie after penalties have been levied; the Student Senate shall decide the winner at their next regularly scheduled meeting. A winner must receive a majority vote. A majority for purposes of this section is defined as more than half the number of members of the Student Senate on the roster; and,
- e. In the event of a tie in the Student Senate vote, it falls on the President of Senate to place their vote. The President of Senate must be one who does not have an actual or apparent conflict of interest.

### **Section Thirteenth – Special Elections**

- a. A special election shall take place if any of the following circumstances occurs:
  - a. There is a vacancy in the office of the Student Body President and the Student Body Vice President is unwilling or unable to fill the position of Student Body President. The member of the Executive Cabinet who has served the most time on the Branch shall temporarily fill the position of Student Body President until a successor is elected;
  - b. The Senate does not confirm the Presidential appointment for the Vice President position in accordance with Article 3, Section 3 of the Constitution;
  - c. The President fails to appoint a member for the position of Vice President within one (1) week of the office vacancy
- b. If a special election takes place, it will follow all procedure set for a general election but within a smaller timeframe. The details of the election that are not set forth in these Bylaws and will be decided upon by the Elections Committee and SGA Advisors.

#### **Section Fourteenth – Election Results.**

- a. If there are fifty (50) or fewer candidates running for a Senator position, a Candidate must receive at least one vote to be elected. If there are more than fifty (50) candidates for Student Senate, the fifty (50) candidates with the highest number of votes are elected;
- b. If running for either Student Body President or Student Body Vice President, a candidate must receive more than a fifty percent (50%) majority of the votes cast for the office for which they have filed. In the event a candidate for Student Body President or Vice President does not receive more than fifty percent (50%) of the votes cast, a run-off will be conducted consistent with the procedure set forth in Bylaws Article Six Section Twelve;
- c. The results of the election will be certified with a majority of the signatures of the Elections Committee Chairman, Election Committee Vice Chair, Chief Judicial Justice, and SGA Advisor(s), a representative from the Office of University Counsel, and the designee from the Vice Chancellor of Student Affairs;
- d. The results shall be released to the campus and posted outside of the SGA office no later than twenty-four (24) hours after the conclusion of certification; and,
- e. Any complaints regarding the election results must be filed within forty-eight (48) hours of the time at which the election results are posted. Complaints are submitted to the SGA Advisor(s), the Chair of the Elections Committee, and the Chief Judicial Justice.

#### **Section Fifteenth – Election Violations, Penalties, and Appeal Process.**

- a. The Elections Committee shall levy penalties against any candidate found in violation of election rules during the election and/or run-off election, provided such penalties do not conflict with these Bylaws or the Constitution;
- b. The Chief Judicial Justice shall be responsible for issuing and enforcing penalties.
- c. A two-tier penalty system shall be in place to determine the severity of the violation. Two (2) Tier I violations and one (1) Tier II violation shall result in disqualification. Unless otherwise specified below, each instance of a violation is a separate offense for the purposes of determining severity in accordance with this section. The following violations shall be observed by the Elections Committee:
  - a. Tier I Violations
    - i. Defacing or destroying the campaign literature of another candidate;
    - ii. Failure to submit an expense report by the specified time;
    - iii. Failure to adhere to expenditure caps of the Election Expenditure Rules by
    - iv. \$10 or more. Each \$10 overage shall be considered a separate violation ;  
and,
    - v. Failing to remove campaign literature or other campaigning materials once voting ends.
  - b. Tier II Violations
    - i. Falsifying reports given within the expense report;
    - ii. Impersonating another student during the voting process;
    - iii. Bribing students to vote for a particular candidate; and ,
    - iv. Engaging in other fraudulent behavior in connection with the election.

- d. Any actions not listed above that are deemed to be a violation of elections rules shall be left at the discretion of the Elections Committee. Rules and penalties shall be clearly defined in the candidate packet to the extent possible.
- e. To initiate an investigation into an alleged violation of election rules, any voter or candidate may submit a formal complaint
  - a. The name, email address, and phone number of the person submitting the complaint;
  - b. The name of the candidate against whom the complaint is being filed;
  - c. An explanation of the violations alleged and any relevant facts and evidence to support the allegation(s).
- f. The complaint must be submitted within two (2) days of the election to the Elections Committee Chair, Elections Committee Vice Chair, SGA Advisor(s), and the Chief Judicial Justice;
  - a. The Elections Committee shall review all complaints in a timely manner and shall make an initial determination by majority vote as to whether the facts alleged in the complaint, if true, establish a violation. If the Elections Committee determines that the facts alleged in the complaint, if true, do not establish a violation, the complaint is dismissed. If the Elections Committee determines that the facts alleged in the complaint, if true, do establish a violation, the Elections Committee shall set a date and time for a hearing. The hearing shall be held within ten (10) days of receiving the complaint. Both the person who submitted the complaint (“Complainant”) and the candidate against whom the complaint was filed (“Candidate”) shall be provided notice of the hearing and shall be permitted to make a statement, present evidence, and question witnesses. The Elections Committee shall then determine by majority vote whether there is substantial evidence of a violation (whether there is relevant evidence that a reasonable mind would accept as adequate to support a conclusion). If there is substantial evidence of a violation, the Elections Committee shall determine whether the violation was a Tier I or Tier II violation, how many violations occurred, and what sanction is appropriate or necessary; and,
  - b. While conducting a hearing, the Elections Committee may summon any individual, or representative of any organization under the jurisdiction of the Student Government Association for questioning if deemed necessary.
- g. All decisions of the Election Committee shall be made through a simple majority vote. Upon reaching a decision, copies must be given to the individual who filed the complaint, any individual named in the complaint, the Elections Committee Chair, Elections Committee Vice Chair, SGA Advisor(s) and Chief Judicial Justice;
- h. Any individual directly affected by the Election Committee’s decision may file an appeal following these guidelines:
  - a. All appeals must be submitted formally to the Chief Judicial Justice within twenty-four (24) hours of the time at which the appellant was notified of the Election Committee’s final decision;

- b. The individual filing the appeal and the Complainant have the right to present their case in person before the Judiciary;
- c. The decision of the Judiciary will be final; and,
- d. These appeal proceedings shall not extend beyond thirty (30) days of the initial complaint.

**Section Sixteenth – Final Elections Report.** The Elections Committee Chair shall submit a written and oral Elections Report to the Student Senate within two (2) weeks after the final election results are announced. The Election Report shall include the following:

- a. Copies of the Election Report shall be given to the Chief Judicial Justice, the Chief of Staff, and the SGA Advisor. The Elections Report shall include, at a minimum, the following:
  - a. The schedule of all election deadlines and events; including rallies, promotions, and other pertinent information regarding public awareness of the SGA election;
  - b. An itemized list of all the Election Committee expenses along with a copy of the approved budget;
  - c. The Total number of votes cast in the election or run-off election;
  - d. The Number of votes cast for each candidate;
  - e. A Summary of any election problems, complaints and actions taken to resolve the matters; and,
  - f. Recommendations to the Student Senate for improvements towards future elections.

**Section Seventeenth – Oath of Office.** Each officer, whether elected or appointed, shall take the following oath of office:

- a. “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 Western Carolina University.”

### *Article 7. Finances*

**Section One – Student Body President.** The Student Body President shall create and edit the SGA budget in collaboration with the Director of Finance, as well as create financial policies for the SGA to be approved by a majority vote of the assembled Student Senate.

**Section Two – Budget Allocation.** The allocation and expenditure of the SGA funds shall be determined by the Director of Finance. The Director of Finance is responsible for allocating funds for university-wide expenses.

**Section Three - Supplemental Funding.**

- a. A club must be a Recognized Student Organization to receive Supplemental Funding;
- b. The Supplemental Funding Request must be submitted in accordance with the timeline provided by the Director of Finance;

- c. All information, including all names, signatures, requested amount, and reasonings must be filled in before the form will be processed;
- d. All purchases/expenditures must follow DCA guidelines;
- e. The Director of Finance reserves the right to deny Supplemental Funding Requests. The organization, if denied by the Director of Finance, reserves the right to appeal the decision directly before the Senate within two (2) Senate meetings;
- f. The Senate can overrule the decision reached by the Director of Finance with a two-thirds majority vote;
- g. If the original decision reached by the Director of Finance is overruled by the Senate, then the original funding request may receive automatic approval or be subject to any alteration deemed fit by the Senate;
- h. Any approved funding request by the Senate will be invalid without the signature of the President of the Senate;
- i. The Student Senate upon approval of the Director of Finance will review and decide supplemental funding requests that exceed \$1,000;
- j. The Finance Committee will review and decide requests of \$1,000 or less;
- k. A single Supplemental Funding request cannot exceed the total amount of \$6,000; and,
- l. RSOs will be allowed to appeal requests totaling more than \$6,000 to the SGA Finance Committee.

**Section Four – Student Government Association Budget.** The procedures for drafting the SGA budget shall be:

- a. The process for preparing the annual fiscal budget is determined by the Student Body President, Director of Finance, and Vice-Chancellor for Student Affairs;
- b. Following the election of a new Student Body President, the outgoing President will inform the President-Elect of their budget for the previous year and make recommendations of changes;
- c. The President will then work with the Director of Finance to develop a budget for their term;
- d. Upon completion of the budget, they will submit a budget proposal to the Vice-Chancellor for Student Affairs;
- e. The Vice-Chancellor for Student Affairs will determine an appropriate amount to be allocated to SGA;
- f. The budget is then finalized and presented to the Senate;
- g. The Senate will vote to approve or deny the budget by a simple majority; and,
- h. The Student Body President and Director of Finance have the right to veto any amendments made to the budget by the Senate. The Senate may vote to overrule any veto by a two-thirds majority vote.

**Section Five – Internal Reallocation Process.**

- a. The Director of Finance and the Finance Committee shall deliberate and decide on financial matters as it pertains to the Student Government Association;
- b. Once the budget has been finalized and the Student Body President has signed it into effect, the Finance Committee, and when appropriate, the Student Senate will have the duty to allocate funds to individual organizations;

- c. Organizations seeking funds will submit Supplemental Funding Requests to the SGA Director of Finance;
- d. After review of the budget, the SGA Director of Finance submits packets to the Finance Committee with their recommendations; and,
- e. All funding decisions by the Director of Finance must be submitted to the President for approval or veto. Should the President veto, the request will then be sent back to the Director of Finance for reevaluation. The Director of Finance may reevaluate and then resubmit to the President or bring it before the Senate.

#### **Section Six – Transactions.**

- a. All transactions will be facilitated, monitored, and reviewed by the Director of Finance, the SGA Advisor(s) and the Financial Administrator for the Department of Campus Activities; and,
- b. All transactions shall have the approval by signature of the Director of Finance, Student Body President, and an SGA Advisor.

#### **Section Seven - Sponsorships**

- a. All sponsorships shall be facilitated by SGA through an online application process made available during the Fall semester; and,
- b. Sponsorships shall be reviewed and approved by the Director of Finance in accordance with the Finance Committee prior to presentation to the Senate floor for the approval of a simple majority vote.

### ***Article 8. Membership Compensation***

**Section One – Compensated Members.** All elected and Senate-confirmed officials of SGA shall:

- a. Be appointed, either by filing for office or appointed by the Student Body President, Student Body Vice President, or Chief Judicial Justice;
- b. Be confirmed, either by a Senate confirmation or through the SGA Election;
- c. Be installed through the Oath of Office by the Vice-Chancellor or a designee; and,
- d. Take part in a signing of the employment contract provided by the Department of Campus of Activities.

#### **Section Two – Membership Compensation.**

- a. The Student Body President, Student Body Vice-President, Chief Judicial Justice, Associate Chief Judicial Justice, Cabinet, and Elections Committee Chair and Vice Chair shall be eligible for payment in the form of a stipend to be processed at the conclusion of each month;
- b. All other positions within the SGA shall be considered voluntary; and,
- c. Compensation increases/decreases cannot become effective in the same academic year in which they are proposed and any changes to compensation for the Student Body President, Cabinet, Student Body Vice-President, Chief Judicial Justice, Associate Chief Judicial Justice, and Elections Chair and Vice Chair will become effective the following academic year's budget allocation.

**Section Three – Hours.** The Executive Branch’s hours shall be evaluated annually by the SGA Advisor and Student Body President and they shall recommend weekly hour requirements for each position. These recommendations shall be approved upon a simple majority vote by the Senate.

**Section Four – Additional Cabinet Appointments.** Up to two (2) of the Student Body President’s additional Cabinet appointments may be paid in the same way as other members of the Cabinet.

### *Article 9. Impeachments*

**Section One – Cause For Impeachment.** All members of the Student Government Association shall be subject to impeachment proceedings for any one of the following reasons:

- a. Abuse of Power: Execution of an official power in a manner inconsistent with its just purpose or fair use, to the detriment of the Student Body, the Student Government Association, or the University;
- b. Neglect of Duty: Cases in which an official willfully failed to execute a specific duty to the best of their ability;
- c. Fraudulent Misrepresentation: Cases in which an official files an official document, or makes a statement in their official capacity, under false pretense or containing maliciously untrue information; and,
- d. Conduct Unbecoming: Any official, or unofficial, act that is so unethical, unsuitable, or detracting from one’s character or reputation that the official is no longer fit to hold office.

**Section Two – Impeachment Protocol.**

- a. Given the potential for exposing confidential/protected information, all motions for impeachment proceeding must be submitted in writing to an SGA Advisor(s). Motions for impeachment may be presented by any student, faculty, or staff member;
- b. The motion shall be forwarded to the Judicial Branch Advisor. The Advisor shall review the motion to determine if there are reasonable grounds for impeachment to move forward within three (3) business days of receiving the motion. If it is determined that there are not reasonable grounds for the motion to move forward then the motion shall be dismissed and the process will end. If it is determined that there are reasonable grounds for the process to move forward, the Advisor will redact information as necessary and forward the motion to the Chief Judicial Justice. If no decision has been made within three (3) business days, the impeachment will move forward;
- c. The Rules and Judiciary Committee of the Senate will review the motion and decide whether there are reasonable grounds for impeachment to move forward within four (4) business days of receiving the motion. Any member who has a conflict of interest shall not participate in this review. If it is determined that there are not reasonable grounds for the motion to move forward then the motion shall be dismissed and the process will end. If it is determined that there are reasonable grounds for the process to move forward, the Chief Judicial Justice shall notify the Senate of the need for Impeachment Hearings. If no

decision has been made within four (4) business days, the impeachment will move forward

- d. Impeachment Hearings must take place no later than the second regularly scheduled senate meeting after the Senate is notified of the need for Impeachment Hearings. Impeachment Hearings may be during a special session so long as all other requirements and rights set forth in this Article are honored. Impeachment Hearings shall take precedent over any and all other agenda items;
- e. At Impeachment Hearings, the Chief Judicial Justice shall present the motion for impeachment and call witnesses and present evidence as they deem necessary, in accordance with these bylaws. In the event of a conflict of interest, the Associate Judicial Justice shall assume the responsibilities of the Chief Judicial Justice in this process. The respondent to the motion also shall have the right to call witnesses and present evidence they deem necessary, in accordance with these bylaws;
- f. At Impeachment Hearings, the Vice-President shall preside as a neutral gatekeeper to ensure compliance with the Code of Student Conduct, the SGA Constitution and Bylaws, and general professionalism. In the event of a conflict of interest, or the appearance of a conflict of interest, the Senate Pro-Tempore will be the first replacement. If neither the Vice President nor the Pro-Tempore are appropriate to serve then the Dean of Students, or their designee, shall serve as the neutral gatekeeper. The Dean of Students shall not have any voting power nor will they influence the Senate;
- g. At the conclusion of all the evidence, the Senate shall move into closed session to deliberate and vote on whether or not to remove the official from office. No new evidence shall be presented once the Senate enters closed session nor shall the respondent or Chief Judicial Justice be allowed to remain present for deliberations and voting. Voting shall be conducted by secret ballot. If the respondent is a senator, they are not entitled to vote;
  - a. If less than two-thirds (2/3s) of the Senators on the roster concur in the official's guilt, then the respondent is acquitted and returns to the practice, responsibilities, and full privileges of their office; and,
  - b. If two-thirds (2/3s) of the Senators on the roster believe the evidence proves the impeached official guilty, then the Constitution allows the Senate to remove the individual from that specific office.

### **Section Three – Hearing Rights**

- a. If the Rules and Judiciary Committee decides there are reasonable grounds for Impeachment Hearings, the Respondent must be provided a copy of the Motion for Impeachment within twenty-four (24) hours;
- b. Prior to the convening of the Senate for an Impeachment Hearing, the Respondent has the right to resign and end the process. The Respondent shall submit an unequivocal resignation letter to an SGA Advisor(s) at least five (5) hours prior to the scheduled start time of the meeting where the Impeachment Hearings are set to be heard;
- c. The Respondent has the right to inspect and copy any and all written statements, documents, videos, recordings, writings, data compilations, and/or drawings which relate to the Impeachment and are in the possession or control of the Chief Judicial Justice, or the Chief Judicial Justice has knowledge of. Production of said material must occur forty-eight (48) hours prior to the commencement of the Impeachment Hearing. This right

requires the Chief Judicial Justice to make a good-faith effort to gather all information in advance of the hearing and comply so that the Respondent is afforded the opportunity to prepare a proper defense;

- d. Once an impeachment hearing has commenced, if the Senate votes not to remove an official, they may not be subject to additional impeachment hearings for the same specific facts and events alleged in the motion for impeachment. However, this provision does not preclude the use of facts and evidence from prior impeachment hearings for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, entrapment, or accident;
- e. The Respondent shall have the right to waive any notice, timing requirements, or any other rights afforded in these Articles only by way of doing so in writing or explicitly in an Impeachment Hearing;
- f. Cell phones and other electronic devices will be prohibited with the exception of those the gatekeeper deems appropriate; and,
- g. The Respondent shall be informed of the date and time of the Impeachment Hearing. A good faith effort must be made to accommodate the Respondent's schedule. In the event the Respondent refuses to participate, or after reasonable accommodation is unable to participate, the Impeachment Hearing may be conducted in absentia of the Respondent. Reasonable accommodations must be made when the Impeachment Hearing would conflict with academics, Respondent has medical documentation, or at the discretion of the gatekeeper.

#### **Section Four – Appeal Rights**

- a. There is no right to appeal a decision by the SGA Advisor(s) or Rules and Judiciary to dismiss a Motion to Impeach;
- b. There is no right to appeal a final vote by Senate on the basis of sufficiency of the evidence;
- c. The only appeal right associated with a vote to Impeach is on the grounds of Abuse of Process or Failure to Follow the Constitution or Bylaws;
- d. A person impeached has five (5) business days to submit a written appeal to the Associate Judicial Justice of the Judicial Branch and an SGA Advisor. The appeal must clearly state the grounds upon which the appeal is based and reasoning;
- e. Upon receiving a properly filed and timely appeal, the Associate Judicial Justice shall convene a meeting of the Justices. The Chief Judicial Justice shall be excluded from these meetings given their involvement in the Impeachment Process and the Associate Judicial Justice shall act as chair of the panel;
- f. The Justices shall have the ability to summon witnesses and inspect all documents associated with the Impeachment Process;
- g. Upon review of all necessary information the Associate Judicial Justice shall author a report which shall include their findings and recommendation and submit that report to the Vice Chancellor of Student Affairs; and,
- h. The decision of the Vice Chancellor of Student Affairs shall be final. In the event there is a finding of a violation, the case shall be remanded for further proceedings consistent with the Vice Chancellor of Student Affairs' ruling.

## *Article 10. Clubs and Organizations*

**Section One – Registered Student Organization (RSO).** A RSO is defined as a group of students of special interest who has been recognized by the SGA and the Student Involvement of the Department of Campus Activities. RSOs are required to meet all University, Divisional, and Departmental requirements to receive recognition.

### **Section Two – Supplemental Funding.**

- a. SGA supplemental funding is available to any RSOs while funding lasts during an academic year;
- b. Supplemental funding requests will only be considered once a supplemental funding packet has been completed in full and submitted through designated SGA channels; and,
- c. An RSO that receives supplemental funding is required to use the money based on the specific approved line-items of the request. Appropriate receipts and documentation are required to complete the process.

## *Article 11. Student Government Association Advisor(s)*

**Section One – Advisorship.** SGA shall have three (3) Advisors, consisting of one (3) Advisor for each branch, all of whom shall be staff members within the Department of Campus Activities or designees of the Vice-Chancellor for Student Affairs. Their responsibilities shall be as follows:

- a. Attending regularly-scheduled Senate, Judicial, and Executive meetings;
- b. Aiding in training opportunities;
- c. Recommending special meetings when deemed necessary and/or when requested by the Vice-Chancellor for Student Affairs;
- d. Explaining University Policies and Strategic Plans as they relate to SGA actions;
- e. Serving as mentors and professional role models; and
- f. Acting as mediators when dealing with conflict resolution.

## *Article 12. Session Transition*

**Section One – Transitions.** It is the responsibility of the Student Body President, Student Body Vice-President, Chief Judicial Justice, and Advisor to complete a successful officer transition and prepare for the upcoming SGA legislative session.

**Section Two – Summer Employment.** Summer employment contracts shall be approved by the SGA Advisor and/or Department of Campus Activities designee, and follow the employment process stated in Bylaws, Article 13, Section One. The summer employment contract shall be dissolved once the official academic year begins in the month of August.

## *Article 13. Amendments to the Bylaws*

**Section One – Amendments to the Bylaws.** Amendments to the Bylaws shall follow the process described below:

- a. Amendments to the SGA's Bylaws shall originate from the Student Senate and pass a two-thirds (2/3) vote of the currently serving Student Senators for approval or executive order by the President;
- b. The amendments shall become effective upon being filed with the legislative SGA Advisor, Student Body President, Student Body Vice-President, Chief Judicial Justice, and Clerk of Court.