

# The Florida International University Student Body Constitution

Approved: February 1, 2021

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Approved by the Senior Vice President for Academic and Student Affairs on February 1, 2021

# **The Florida International University Student Body Constitution**

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## **Preamble**

**W**e, the Student Body of Florida International University, to establish a student government that best represents the voice of our individual and collective interest, provide a responsible and accountable distribution of Activities and Service fees and management thereof, create a body of representatives that acts as a fiduciary on our behalf, do hereby ordain this Constitution to be put into effect by the Student Government Association, hereafter called SGA.

## **Article I**

### **Establishment**

#### **1.01 Establishment of Power**

- 1.01.1 The Student Government Association is established through the power of the president of the university under the direction of the Board of Governors which founded the first Student Government Senate in June 1973
- 1.01.2 The powers and duties of Student Government are set forth by Florida Statutes, Title XLVIII, chapter 1004.26 and chapter 1009.24

#### **1.02 Jurisdiction of Student Government**

- 1.02.1 All students by virtue of their registration at Florida International University are members of the Student Body and are granted all the rights and privileges of this constitution
- 1.02.2 Members of the Student Body shall be subject to this constitution, Student Government Association Statutes, Student Government Association rules and procedures, and all university rules and regulations

#### **1.03 Sovereignty**

- 1.03.1 This Constitution is governed by, and therefore must not contradict, federal and state laws and State University System of Florida Board of Governors and University regulations and policies that provide for its establishment. In conformance with the aforementioned, this constitution is the supreme law of the Student Government Association. Only the Senior Vice President of Academic and Student Affairs has the power to alter this constitution outside the means for amendment it provides

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## Article II

### Student's Rights

#### 2.01 Guarantee of Student Rights

2.01.1 The Student Government Association shall guarantee students the following rights as provided in section 2.03, to be exercised in accordance with the provisions of this constitution and the Student Government Association Statutes

#### 2.02 Limits of the Student Government Association

2.02.1 The Student Government Association is limited by, and shall therefore not conflict with, the rights guaranteed by the United States and Florida Constitutions and State University System of Florida Board of Governors and University regulations and policies.

2.02.2 No Organization, Department, Council, Agency, or other Student group that falls under the jurisdiction, funding, activity, or agency of the Student Government Association may discriminate, hinder, prevent, or take action against, a student for showing, expressing, or disclosing organizational affiliation regardless of the organizational affiliation presented.

#### 2.03 Rights of the Student Body

2.03.1 Students at the Florida International University shall have the right to; vote for elected officials, Apply for and run for Student Government Association offices, Submit writs of certiorari to be considered by the Attorney General; these shall include both grievances against SGA officials and/or petitions for legal review, Request meetings with Student Government Association officials, petition for the formation of a governing agency or bureau

2.03.2 Students shall have the right to petition the Student Government Association Senate and its members for the following reasons; to express suggestions and/or concerns regarding student affairs, and to request SGA money

2.03.3 Students shall have the right to call for a referendum for changes to the SGA Statutes or Constitution

2.03.3.1 A petition for referendum shall require the signatures of students totaling at least fifteen percent (15%) of the number of votes cast in the previous general election and must be properly filed in accordance with an SGA Petition form and independently verified by the Student Government Academic and Student Affairs Professional Staff Advisor to determine the validity of the signatures. The petition must then be submitted to the Supreme Court of the Student Government Association, who will determine the validity of the initiative or referendum determined by the Supreme Court within five (5) University Business Days. If the petition is ruled valid, the initiative or referendum shall be held within three (3) active school weeks during the

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Fall and Spring Semesters. If the petition is submitted during the last 3 weeks of the Spring Semester, it will be reviewed during the Summer B semester for referendum in the Fall Semester . If the petition is found invalid it shall be ruled closed without further action.

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## **Article III**

### **Organization**

#### **3.01 The Student Body**

3.01.1 The student body shall consist of all students registered with Florida International University

#### **3.02 Governing Body**

3.02.1 This constitution creates one Student Government Association to represent the students at Florida International University

#### **3.03 Branches of Government**

3.03.1 The powers of the Student Government Association shall be divided into the Legislative, Executive, and Judicial branches

3.03.2 Persons belonging to one branch shall not exercise any powers appertaining to any of the other branches unless otherwise stated herein

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## Article IV

### The Legislative Branch

#### 4.01 Purpose

- 4.01.1 The legislative powers of the student body shall be vested in the Student Senate of Florida International University
- 4.01.2 All officers of the Legislative Branch shall hold all powers and duties as prescribed by this Constitution and any other powers and duties as prescribed by the Student Government Statutes

#### 4.02 Composition of the Senate

- 4.02.1 The Student Senate shall be comprised of
  - 4.02.1.1 A number of students who shall be known as Student Senators
  - 4.02.1.2 A Senate President, elected from the membership of the Student Body Senate
  - 4.02.1.3 A Senate president Pro Tempore, elected from the membership of the Student Body Senate
  - 4.02.1.4 A Senate Floor Leader, elected from the membership of the Student Body Senate
  - 4.02.1.4 A number of agents as determined by the Senate Rules and Student Government Association Statutes
  - 4.02.1.5 The Senate shall be governed according to the latest rules from *Roberts Rules of Order*

#### 4.03 Rules of Apportionment

- 4.03.1 The Apportionment of the seats in the Student Body Senate shall be proportionate to the undergraduate enrollment of the colleges within Florida International University, the number of housing units present on campus, an Honors College and Online Senator, five (5) graduate senators, and a number of lower division undergraduate students (Freshman and Sophomore) and Upper Division undergraduate students (Junior and Senior) as specified below
  - 4.03.1.1 The numbers of apportionment shall be determined every fifth (5) year following the year Two-Thousand and Twenty (2020) according to the most accurate enrollment information available as per the most recent End of Term Fall enrollment numbers available
  - 4.03.1.2 The analysis of apportionment shall be carried out by the Student Government Association Academic and Student Affairs Professional Staff advisor and approved by

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the Student Government Student Body President no later than the second Monday of the Spring Semester Term.

- 4.03.1.3 Following the approval of the apportionment numbers, they shall be adjusted to reflect the most current apportionment in the Student Government Association Constitution
- 4.03.2 Apportionment for colleges shall be governed as follows
  - 4.03.2.1 Each college shall be entitled one senator. Following the apportionment of these senators,
  - 4.03.2.2 The remaining number of senators for each college shall be determined by dividing the undergraduate enrollment number as determined by the most accurate enrollment information available as per the most recent End of Term Fall enrollment numbers available by 1500 students and then rounded to the nearest whole number
  - 4.03.2.3 Senators representing their individual colleges shall be known as *Name of the College Represented* Senator
- 4.03.3 Apportionment for on-campus housing shall be governed as follows
  - 4.03.3.1 Campuses with only one on-campus housing unit shall be entitled one Housing Senator, campuses with more than one on-campus housing unit shall be entitled one housing senator for every two on-campus housing units
  - 4.03.3.2 Senators representing housing students shall be known as *Housing* Senators
- 4.03.4 Apportionment for Lower and Upper division senators shall be governed as follows
  - 4.03.4.1 Lower Division students shall be represented by 1 Lower Division Senator from the MMC campus and 1 Lower Division Senator from the BBC Campus hereby known as *Lower Division* Senator
  - 4.03.4.2 Upper Division students shall be represented by 2 Upper Division Senators from the Biscayne Bay Campus and 3 from the Modesto A. Maidique Campus hereby known as *Upper Division* Senator
- 4.03.5 Apportionment for Graduate Senators shall be governed as follows;
  - 4.03.5.1 The College of Medicine and the College of Law shall be entitled 1 Senator each to be called the “Law” or “Medicine” Senator, respectively. There shall be 5 Graduate senators not belonging to the College of Medicine or Law to be called Graduate Senators
- 4.03.6 Apportionment for the Honors College shall be Governed as follows;
  - 4.03.6.1 The Honors college shall be entitled one (1) senator regardless of enrollment to be called the Honors College Senator
- 4.03.7 Apportionment for the Online Senator Seat shall be as follows;



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- 4.03.7.1 There shall be one (1) seat apportioned to Online students in the Student Senate regardless of enrollment to be called the Online Senator. The Online Senator shall be a fully online degree seeking student (fully online program).

### **4.04 Current Apportionment**

- 4.04.1 The current Apportionment of the Student Senate is as follows
- 4.04.1.1 Chaplain School of Hospitality and Tourism Management (1 undergraduate)
  - 4.04.1.2 College of Arts Sciences and Education (11 undergraduate)
  - 4.04.1.3 College of Business (5 undergraduate)
  - 4.04.1.4 College of Communication, Architecture and the Arts (2 undergraduate)
  - 4.04.1.5 College of Engineering and Computing (4 undergraduate)
  - 4.04.1.6 College of law (1 graduate)
  - 4.04.1.7 Steven J. Green School of International and Public Affairs (3 undergraduate)
  - 4.04.1.8 Stempel College of Public Health and Social Work (1 undergraduate)
  - 4.04.1.9 Wertheim College of Medicine (1 graduate)
  - 4.04.1.10 Werthiem College of Nursing and health Sciences (1 undergraduate)
  - 4.04.1.11 MMC based housing Senator (3 seats)
  - 4.04.1.12 BBC based housing Senator (1 seat)
  - 4.04.1.13 Lower Division Senator Modesto Maidique Campus (1 seat)
  - 4.04.1.14 Lower Division Senator Biscayne Bay Campus (1 seat)
  - 4.04.1.15 Upper Division Senator Modesto Maidique Campus (2 seats)
  - 4.04.1.16 Upper Division Senator Biscayne Bay Campus (2 Seats)
  - 4.04.1.17 Graduate Senator (5 seats)
  - 4.04.1.18 Honors College (1 seat)
  - 4.04.1.19 Online Student Senator (1 seat)
  - 4.04.1.20 Final Total of Seats in the Senate: 47

### **4.05 Senate Sessions**

- 4.05.1 Summer Senate Session shall begin on the first Monday of the summer “A” semester and close on the last Monday of the summer “B” semester. The Senate President and President Pro Tempore shall be elected no later than the first meeting of the Senate in the

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Summer Session. The Summer A session shall be limited to trainings, appointments, confirmations, and selection of chairs and caucuses

4.05.2 Fall Senate sessions shall begin on the first day of Fall semester and close on the last day of Fall semester as delineated by the university calendar

4.05.3 Spring Senate sessions shall begin on the first day of Spring and close on the last day of Spring as delineated by the university calendar

4.05.4 Senate sessions shall not be called during holidays, breaks, or when the university is closed

4.05.5 Provided the Senate is given forty-eight (48) hours' notice, the Senate President or a super majority of the Senate may call for a special session. The meeting must occur during University Business Days (Monday-Friday) while at least one class is occurring during the hours of 8:00 a.m. until 6:00 p.m.

4.05.6 The Student Senate shall be required to hold a minimum of two (2) Senate Sessions per the Fall and Spring Semester at the Biscayne Bay Campus for so long as the University maintains its *Campus* Status.

### **4.06 Duties and procedures of the Student Senate**

4.06.1 The Vice President shall be the ex-officio President of the Senate but shall have no vote unless there is a tie.

4.06.2 The Vice President shall chair the Senate until it chooses the Senate President, at which point the Vice President shall permanently relinquish the chair to the Senate President.

4.06.3 The Senate President as chair of the Senate shall retain their voting rights and all other rights and privileges afforded to them as a Senator

4.06.4 The Senate President shall choose a chair for all standing and subsidiary committees of the Senate

4.06.5 The positions of Senate President, Senate President Pro Tempore and any committee chair shall be held by different persons

4.06.6 Senate meetings shall be conducted according to the latest version of Robert's Rules of Order

### **4.07 Powers of the Senate**

4.07.1. Enact, by majority vote of the Student Body Senate, constitutional bylaws to be known as Student Body Statutes

4.07.2 Express the will and sentiments of the Student Body Senate through legislation

4.07.3 Advise and consent, by a simple majority vote of the Student Body Senate, appointments made by the Student Body President according to constitutional requirement

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4.07.4 Allocate student funds paid through the Activity and Service Fee, using Senate Line Items

4.07.5 Determine the rules of its proceedings which shall be known as Senate Rules. These rules shall not override the quorum of the Senate which shall be set at a simple majority of the membership of the Senate, nor contradict the provisions of this constitution, the statutes nor Roberts Rules of Order

4.07.6 Override vetoes by the Student Body President with a two-thirds (2/3) vote of the Student Body Senate unless specified otherwise in this constitution

4.07.7 Assemble in open meetings at frequent intervals for the deliberation of legislation and business of the Student Body

4.07.8 By a unanimous vote of the entire senate membership request the Student Government Association University Prosecutor open a case against an SGA official for review of impeachment

4.07.9 Consent to the final Activity and Service fee Fiscal Budget for each year, presented by the Activity and Service Fee Committee, by a simple majority vote of the senate

4.07.10 All other duties and responsibilities of Senators shall be outlined and specified in the Student Body Statutes and cannot contradict those specified above

4.07.11 Have the ability to remove a Justice of the Supreme Court through a 2/3 vote of the Student Senate and the approval of the Student Body President. Should the order be vetoed it shall not be carried out again until the start of the next academic semester

## **4.08 Terms and Vacancies**

4.08.1 Senators shall be elected by plurality vote for a one (1) year term

4.08.2 In the case of a vacant Senate seat, the Senate President may appoint a substitute to fill the seat until the next election. Any appointee must receive a simple majority of votes by the senate to be confirmed

## **4.09 Executive Leadership of the Senate**

4.09.1 The President of the Senate shall;

4.09.1.1 Herein after be referred to as the “Senate President”, upon election, chair all Senate meetings, and be the chief administrative officer of the Legislative Branch

4.09.1.2 Be a Senator, selected by a simple majority vote of the Senate

4.09.1.3 Be the official voice of the Senate and shall represent the Senate in all official matters

4.09.1.4 Shall serve on the Activity and Service Budget Committee and the Executive Board

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- 4.09.1.7 Have the power to call additional meetings of the Senate as necessary with forty-eight (48) hours written notice to the Senate membership. Attendance in these cases is mandatory
- 4.09.1.8 Be an ex-officio non-voting member of all Committees and shall only serve an advisory role. They shall have all rights except voting. They shall be exempt from Committee requirements
- 4.09.1.9 Be able to select committee chairs and determine the membership, size, and legislative intent of the committees. Through the exercise of this power the Senate President may also elect to remove committee chairs and install new chairs, and create Ad-Hoc committees.
- 4.09.1.10 Control the agenda of the Senate and may limit the bills which enter onto the floor, as well as set the rule of debate for individual bills
- 4.09.2 The President Pro Tempore of the Senate shall;
  - 4.09.2.1 Assist the President of the Senate in their duties and shall assume the role of the President of the Senate in the event of the President of the Senate's absence, recusal, resignation, or impeachment
  - 4.09.2.2 Be a Senator, selected by a simple majority vote of the Senate
  - 4.09.2.3 In the absence of the Senate President, the Senate President Pro Tempore shall chair all Senate meetings and report on the business of the Senate to the Executive Board unless a designee is chosen in writing and presented to the Senate by the Senate President twenty-four (24) hours in advance of the duties being relinquished. The written declaration must specify a time of duties being relinquished. Following the elapse of that time the duties and responsibilities outlined shall fall under the Senate President again.
  - 4.09.2.4 Should the Senate President resign or be impeached and removed from office, the Senate President Pro Tempore shall assume the role of acting President of the Senate until a new Senate President is elected. An election for the New Senate President must occur within two (2) Senate meetings of the date of resignation or removal
  - 4.09.2.5 Be an ex-officio non-voting member of all Committees and shall only serve an advisory role. They shall have all rights except voting. They shall be exempt from Committee requirements
  - 4.09.2.6 Serve on the Executive Board
  - 4.09.2.7 Be responsible for the proper delivery of all passed legislation to the Student Body President for signature or veto and manage said legislation to enactment
- 4.09.3 The Senate Floor Leader shall;
  - 4.09.3.1 Be elected from a simple majority vote of the student senate

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- 4.09.3.2 Be responsible for managing and coordinating the legislative efforts of the Senate
- 4.09.3.3 Manage the requirements of the individual senators
- 4.09.3.4 Ensure that legislation is being written and discussed appropriately
- 4.09.4 Committee Chairs shall;
  - 4.09.3.1 Serve as the chief administrative officers of their respective Committees.
  - 4.09.3.2 Present a report to the Senate following each Committee meeting. In the absence of the Chair, the Vice Chair or any committee member shall present the report.
  - 4.09.3.3 Not chair more than one (1) Committee.
  - 4.09.3.4 Not be the Senate President or Senate President Pro Tempore

### **4.10 The Standing Committees of the Senate**

- 4.10.1 The Standing Committees of the Senate shall be the Appropriations Committee, The Graduate and Professional Student Committee, The University Sustainability and Innovation Committee, The Student Health and Well-Being Committee, The Student Life and Academic Concerns Committee, and the Committee on Rules and Administration
- 4.10.2 The Standing Committees of the Senate shall make no action aside from legislation proposal, review, and discussion.
- 4.10.3 The Senate may from time to time propose and adopt Ad-Hoc committees to which Senators may serve. These committees shall have a minimum of five (5) senators and a chair who must be a senator. All Ad-Hoc committees shall be beholden to the requirements of standing committees. Ad-Hoc Committees can be created by order of the Senate President, but membership to the committees must be voluntary. All Ad-Hoc committees shall dissolve upon the conclusion of a legislative year.

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## **Article V**

### **The Executive Branch**

#### **5.01 Purpose**

5.01.1 The power to ensure that acts of the legislature are executed, advocate directly to administration, represent student interests, and to uphold Supreme Court decisions are vested in the Executive Branch.

#### **5.02 Composition**

5.02.1 The Executive Branch shall be composed of a President, Vice President, Comptroller, Executive Cabinet, Governor of the Biscayne Bay Campus as well as their staff, an Executive Administrator, Presidential Staff and the Elections Board.

5.02.2 All officers of the Executive Branch shall hold all powers and duties as prescribed by this Constitution and any other powers and duties as prescribed by the Student Government Statutes

5.02.3 The term for the Student Body President and Vice President shall be a one-year term beginning on the last day for faculty to submit the grades for the Spring Semester at 12:00 p.m. and ending on the last day for faculty to submit the grades for the next Spring Semester at 12:00 p.m.

5.02.4 All Presidential appointments and executive appointments shall serve terms concurrent with the term of the Student Body President

#### **5.03 Duties and Procedures of Executive Branch Members**

5.03.1 The Student Body President shall have the right to;

5.03.1.1 Act as chief executive of Student Government and chief administrator of the Executive Branch. As such, the President shall ensure that the acts of the Legislature are executed.

5.03.1.2 Set an agenda and conduct the business of executive meetings while presiding as chair of those meetings or designate a substitute for the fulfillment of this duty

5.03.1.3 Represent the interests of the students to the best of their ability directly to the administration and faculty, as well as serve on the FIU Board of Trustees as a voting member. The President shall also serve on the Florida Student Association board.

5.03.1.4 Convene meetings of the full Student Government Association at the beginning of each semester to provide a report stating their major objectives and projects for the term year.

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- 5.03.1.5 Be guaranteed the right to attend or send a designee to Senate meetings
- 5.03.1.6 Appoint students to Student Government Positions when in concurrence with the Constitution and Statutes
- 5.03.1.7 Initiate Budget proceedings for the fiscal year and present the completed Activity and Service Fee budget to the Senate
- 5.03.1.8 Possess the power to remove any executive member, except for the Attorney General, Governor of the Biscayne Bay Campus and their staff, the Executive Administrator, and Comptroller
- 5.03.1.9 Issue Executive Orders
- 5.03.1.10 Serve as vice-chair of the Activity and Service fee budget committee
- 5.03.1.11 Serve as the chair of the Executive Advisory Committee and the SGA Executive Board
- 5.03.1.12 Sign or veto bills passed by the Student Senate. Bills failing to acquire the President's signature or veto within five (5) University Business Days (Monday-Friday) from the confirmed receipt of a Bill by the President shall become law. A two-thirds (2/3) vote of the Senate shall be required to overturn a presidential veto. The President shall give written explanation of vetoed legislation within five (5) University Business Days of the Veto being issued to the Senate; should the President fail to give written explanation to the Senate within the allotted time, the bill shall become law. If a bill is missing required information or dating at the time of arrival at the desk of the Student Body President and is vetoed, it shall be considered dead and unable to be overturned.
- 5.03.1.13 Administer and expend the Accumulated Cash Balance Accounts with written notice to the Executive Board
- 5.03.1.14 Create Departments for an express purpose by Executive Order which shall be voluntary and not receive pay for membership or leadership
- 5.03.1.15 On extraordinary circumstances convene a mandatory Senate meeting with forty-eight (48) hours' notice to the Senate President
- 5.03.1.16 Be entitled floor rights when present at the Senate
- 5.03.1.17 Submit an emolument report along with the Student Government Association Budget to the Budget Committee for the following fiscal year
- 5.03.1.18 appoint a maximum of two (2) Deputy Chiefs of Staff
- 5.03.2 The Student Body Vice President shall have the right to;
  - 5.03.2.1 Fulfill the duties of the SGA President in their absence
  - 5.03.2.2 Act as the ex-officio President of the Senate, and will cast no vote unless a tie is present
  - 5.03.2.3 Preside over the Senate until the Senate is able to choose a Senate President

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- 5.03.2.4 Serve as a liaison between the legislative and the executive branches
- 5.03.2.5 Serve on the FIU Foundation Board
- 5.03.2.6 Serve as a member of the Activity and Service Fee Budget Committee
- 5.03.2.6 Assume any powers and responsibilities assigned to them by the Student Body President
- 5.03.2.7 Serve on the Executive Advisory Committee and the SGA Executive Board
- 5.03.2.8 Be entitled floor rights when present at the Senate
- 5.03.6.9 With consent of the Student Body President appoint one (1) Deputy Chief of Staff
- 5.03.3 The Governor of the Biscayne Bay Campus shall have the right to;
  - 5.03.3.1 Serve as a representative of the Students of the Biscayne Bay Campus to the Executive Branch of Student Government
  - 5.03.3.2 Be advised in all matters of the Student Government impacting the Biscayne Bay Campus
  - 5.03.3.3 Serve as a representative and ambassador of Student Government to the Biscayne Bay Campus
  - 5.03.3.4 Expense an exclusive budgetary line item for the purpose of engaging, advocating, or supporting the Biscayne Bay Campus students.
  - 5.03.3.5 For so long as permissible serve on the Biscayne Bay Campus Leadership Team meetings and all other similar campus specific meetings
  - 5.03.3.6 Appoint a Lieutenant Governor of the Biscayne Bay Campus to be confirmed by a simple majority vote of the Senate. This position shall meet the general qualifications of an SGA official
  - 5.03.3.7 Appoint a minimum of two (2) staff secretaries and a maximum of five (5) to fill the Executive Office of the Governor of the Biscayne Bay Campus to be confirmed by a simple majority vote of the Senate. This position shall meet the general qualifications of an SGA official. They shall be known as Executive Office of the Governor Staff Secretary of *Title of Specification*
  - 5.03.3.8 Serve on the Executive Advisory Committee
  - 5.03.3.9 Be entitled floor rights when present at the Senate
- 5.03.4 The Comptroller shall have the right to;
  - 5.03.4.1 Serve as the Chief Financial Officer of the Student Government Association
  - 5.03.4.2 Become knowledgeable and abide by the Student Government Association Finance Code



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- 5.03.4.3 Assist the Activity and Service Fee Business Office in the management and disbursement of Student Government Association Activity and Service Fee funds
- 5.03.4.4 Serve as a non-voting member of the Appropriations Committee of the Student Senate
- 5.03.4.5 Receive all Student petitions for funding and reject those that violate rules and regulations that govern the distribution of Activity and Service Fee funds
- 5.03.4.6 Serve as Chair of the Activity and Service Fee Budget Committee
- 5.03.4.7 Serve on the Executive Advisory Committee and the SGA Executive Board
- 5.03.4.8 Be the sole SGA authority to conduct audits as the office of the SGA Comptroller sees fit of any organization or department receiving Activity and Service Fee Funds to ensure compliance with the SGA Finance Code and governing documents of the Student Government Association
- 5.03.4.9 Appoint one (1) Deputy Comptroller to be confirmed by a simple majority vote of the Senate. This position shall meet the general qualifications of an SGA official
- 5.03.4.10 Approve or deny internal funding requests for the lines to which they have authority
- 5.03.5 The Chief of Staff shall have the right to;
  - 5.03.5.1 Serve as the chief advisor to the Student Body President
  - 5.03.5.2 Manage and supervise the President's Cabinet
  - 5.03.5.3 Preside over the Executive Cabinet in the absence or order of the Student Body president
  - 5.03.5.4 Serve on the Executive Advisory Committee and the SGA Executive Board
  - 5.03.5.5 Assume any additional responsibilities assigned by the Student Body President
- 5.03.6 The Executive Cabinet shall;
  - 5.03.6.1 Be comprised of nine (9) permanent secretaries and directors chosen and appointed by the Student Body President and confirmed by the Student Body Senate
  - 5.03.6.2 The responsibilities of each cabinet position are to be determined by the Student Body President and any official requirements for cabinet members shall be determined by the Student Government statutes
  - 5.03.6.2 The nine (09) permanent cabinet positions are as follows;
    - 5.03.6.2.1 Secretary of Governmental Relations
    - 5.03.6.2.2 Secretary of Health and Well-Being
    - 5.03.6.2.3 Secretary of Safety and Transportation
    - 5.03.6.2.4 Secretary of Athletics and Affinity

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- 5.03.6.2.5 Secretary of Sustainability and Innovation
- 5.03.6.2.6 Secretary of Online and Remote Engagement
- 5.03.6.2.7 Secretary of Student Affairs
- 5.03.6.2.8 Secretary of Veterans Affairs
- 5.03.6.2.9 Secretary of Diversity and Inclusion
- 5.03.6.2.10 The Executive Cabinet shall also be comprised of an optional additional four (4) directors to be named and appointed by the Student Body President through Executive Order
- 5.03.7 The Elections Board shall;
  - 5.03.7.1 Be composed of one (1) Elections Board Commissioner and four (4) other elections board members
  - 5.03.7.2 Be headed by the Elections Board Commissioner who shall serve as the chief administrator of the Elections Board
  - 5.03.7.4 Be in charge of running free and fair general and special elections, as well as making the results available to the public
  - 5.03.7.5 Ensure that all provisions of the Elections Code are executed
- 5.03.8 The Executive Administrator shall have the right to;
  - 5.03.8.1 Be charged with managing the appearance, communications, and execution of the Student Government Association's public engagements
  - 5.03.8.2 Be responsible for managing Student Government events, activities, and engagements
  - 5.03.8.3 Serve as the primary spokesperson for the Student Government Association in the absence of the President or upon their wish to the Student Media outlet, organize press releases, and work with the major student media outlet
  - 5.03.8.4 Develop and implement marketing strategies to promote the projects of Student Government as well as ensure inter-branch cooperation
  - 5.03.8.5 Serve on the Executive Advisory Committee
  - 5.03.8.6 Be responsible for setting up interviews as necessary between all the branches of Student Government and the major student media outlet
  - 5.03.8.7 Be responsible for the creation of all graphics and graphic media for Student Government by working with the Creative and Media team, they may design internally but all publications and designs will go through the Creative and Media team of the Division for Academic and Student Affairs

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- 5.03.8.8 Be the liaison between students, student organizations, and student led projects with Student Government

### **5.04 The Executive Advisory Committee**

- 5.04.1 The purpose of this committee is to ensure that the Executive Branch leadership is operating in unison and keep the Student Body President informed of the business of the branch
- 5.04.1.1 The Members of the Executive Advisory Committee are as follows, The President, Vice President, Governor of the Biscayne Bay Campus, Chief of Staff, Comptroller, Executive Administrator and Attorney General
- 5.04.1.2 The Executive Advisory Committee shall have no oversight or powers outside of those of its individual membership
- 5.04.1.3 The Executive Advisory Committee shall meet at a regular interval, but may meet more or less frequently at the discretion of the Student Body President

### **5.05 Terms and Vacancies**

- 5.05.1 Members of the Executive Branch shall serve terms of one (1) year
- 5.05.1.1 No person shall hold the office of President for more than two (2) terms. In the case that a person succeeds or is appointed to the presidency and serves for more than half (1/2) a term, he/she may hold the office of the President for exactly one (1) additional term.
- 5.05.2 In the case of resignation or removal of the Student Body President, the order of succession will be as follows;
- 5.05.2.1 Vice President
- 5.05.2.2 Senate President
- 5.05.2.3 Senate President Pro Tempore
- 5.05.2.4 Governor of the Biscayne Bay Campus
- 5.05.2.5 Chief of Staff
- 5.05.2.6 Comptroller
- 5.05.2.7 In the case of resignation or removal of the Vice President, the President shall appoint a Vice President to be confirmed by the Senate. This appointment must be confirmed by a simple majority vote of the Senate.
- 5.05.2.8 In the event that order of succession is exhausted, the Senate shall convene to select a President until special elections are called. The selection of this President shall require

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two-thirds (2/3) votes of the Senate. The new President shall appoint a Vice President. This appointment must be approved by a simple majority vote of the Senate.

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## Article VI

### The Judicial Branch

#### 6.01 Purpose

6.01.1 The judicial Power of the Student Government Association shall be vested in the Judicial Branch

#### 6.02 Composition

6.02.1 The Judicial branch shall be composed of four (4) associate justices, one (1) Chief Justice, The Attorney General, Student Advocate and one (1) clerk of the court,

#### 6.03 Duties and Procedures

6.03.1 The Supreme Court shall meet at least once a month and when deemed necessary by the Chief Justice.

6.03.2 The Supreme Court shall have the power to remove existing statutes that conflict with or violate federal law, Florida State Statutes, this Constitution, State University System of Florida Board of Governors or University regulations.

6.03.3 All cases heard by the Supreme Court shall be initiated by a Writ for Judicial Review to be submitted through the procedure as established by the Student Government Statutes. Once a Writ has been filed, the Court shall review it and determine its validity in a closed session meeting. Should a Writ be deemed valid, the Court shall set a date for the hearing. The Court shall not disclose deliberations that lead to its rulings. No Justice may enter, or influence the entrance of a Writ

6.03.4 Any member of the Student Body not expressly prohibited from doing so in this Constitution may petition for the Attorney General to file a Writ for Judicial Review, which shall be filed for one of the following reasons:

6.03.4.1 A grievance, to be defined as a charge against any SGA official, and/or group of officials with misfeasance, malfeasance, or nonfeasance of any Student Government responsibilities. It shall be the determination of the Attorney General whether the grievance qualifies for a writ under SGA Constitution and Statutes

6.03.4.2 A petition for Statutory or Constitutional review, to be defined as a request for the evaluation of SGA laws to determine constitutionality and/or consistency with the Governing Documents of Student Government.

6.03.5 Members of the Court are required to attend a training Organized by the Division of Academic and Student Affairs Professional Staff advisor

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## 6.04 Exclusive Jurisdiction

6.04.1 The Supreme Court shall have exclusive jurisdiction over cases or conflicts dealing with:

- 6.04.1.1 Violations of this constitution or statutes within the sovereignty of SGA.
- 6.04.1.2 Misfeasance, malfeasance, nonfeasance by an SGA official as defined by the Governing Documents of the Student Government Association
- 6.04.1.3 Misfeasance or malfeasance pertaining to the appropriation of Activity and Service Fee funds
- 6.04.1.4 Interpretation of any provision of the constitution and governing councils' constitutions and/or any governing documents
- 6.04.1.5 Conflicts arising within Governing Councils, Agencies and/or Bureaus concerning the violations of its governing documents and concerning the censure and/or removal of its members.
- 6.04.1.6 Situations regarding removal, or censure conferred upon a Student Government Association official
- 6.04.1.7 The use of Exclusive Jurisdiction specifies that all cases pertaining to the specific issues in 6.04 must originate in the Supreme Court but may be appealed as per statutory and constitutional parameters

## 6.05 Powers of the Supreme Court

6.05.1 The Supreme Court shall;

- 6.05.1.1 Interpret any provision of this constitution, and statutes within the sovereignty of Student Government
- 6.05.1.2 Repeal statutes which conflict with the provisions of this constitution
- 6.05.1.3 Hear cases that fall under its jurisdiction
- 6.05.1.4 Subpoena students or pertinent information for the purpose of testimony during Hearings. Any Student Government official who refuses a subpoena will be found in Malfeasance
- 6.05.1.5 Rule judgement upon SGA officials and/or group(s) of officials upon the outcome of a hearing in accordance with constitutional and statutory requirements
- 6.05.1.6 Hear appeals on matters pertaining to elections violations

6.05.2 Supreme Court Justices shall;

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- 6.05.2.1 have the power and duty to recuse themselves from participating in hearings for the following reasons:
  - 6.05.2.1.1 If they are active members of an organization the accused is a member of
  - 6.05.2.1.2 If they are biological relatives of the accused
  - 6.05.2.1.3 Should a student submit a specific conflict of interest of the Justice that does not fall within the parameters established within SGAC §6.05.2.1.1 or SGAC §6.05.2.1.2 The Supreme Court shall vote and accept or deny the request of recusal by a simple majority

### **6.06 Terms and Vacancies**

- 6.06.1 The Chief Justice of the Supreme Court shall be appointed by the Student Body President and confirmed by the Senate
- 6.06.2 Associate justices shall be appointed by the Student Body President and confirmed by the Senate with a simple majority vote
- 6.06.3 Justices shall be appointed for one (1) one-year term, concurrent with the term of the Student Body President that appointed them. Justices are not limited to a number of terms but must re-apply after every one-year term.
- 6.06.4 Justices shall not hold an elected SGA office until they have ceased to be a Justice for at least one semester.
- 6.06.5 Clerks are appointed by the Chief Justice and serve a one-year term. They must re-apply after every one (1) year term. There shall be a limit of one (1) clerk of the court. The clerk is not a required position to be filled
- 6.06.6 In the case of a vacancy in the Court, the Student Body President shall immediately appoint a new justice to be confirmed by the Senate.
- 6.06.7 The Attorney General and Student Advocate shall be appointed by the Student body President and confirmed by the Senate by simple majority vote
- 6.06.8 The Attorney General and Student Advocate shall serve a one (1) year term concurrent with the term of the nominating Student Body president

### **6.07 Executive Leadership of the Judicial Branch**

- 6.07.1 The Chief Justice shall;
  - 6.07.1.1 be responsible for the creation of the judicial docket
  - 6.07.1.2 be the chair of all judicial proceedings, in the absence of the chief justice, they may appoint an associate justice to fulfil this role by submitting this order in writing to the

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Academic and Student Affairs Professional Staff Advisor, Senate President, and Student Body President no later than 24 hours before proceedings begin

- 6.07.1.3 retain their vote on all judicial proceedings
- 6.07.1.4 Be a non-partisan, non-biased arbiter of matters before the Supreme Court
- 6.07.2 The Associate Justices shall;
  - 6.07.2.1 Have the ability to vote on judicial business in cases, and writs
  - 6.07.2.2 Be non-partisan, non-biased arbiters of matters before the Supreme Court
- 6.07.3 The Attorney General shall;
  - 6.07.3.1 Serve as the prosecutor for Student Government. In doing this, the Attorney General shall be tasked with keeping up to date records of the requirements of members for each branch of Government
  - 6.07.3.2 Appoint one (1) Deputy Attorney General to aid in the fulfillment of the duties of the office
  - 6.07.3.3 Provide written notice of all actions taken by the office to the parties involved, The Senate President, The Chief Justice, and the president of the Student Body
- 6.07.4 The Student Advocate shall;
  - 6.07.4.1 Be informed of the Student Government Association Constitution and Statutes
  - 6.07.4.2 Serve as the representative of a student in all cases brought against them, if requested by the student
  - 6.07.4.3 Serve as the representative of an accused student in their absence from court

### **6.08 Due Process**

- 6.08.1 Cases against SGA officials, and/or group(s) of officials are initiated by a grievance, filed as a writ for Judicial Review with the Supreme Court; the accused shall have the right to due process. The right to due process shall include the following rights:
  - 6.08.1.1 To a speedy and public hearing.
  - 6.08.1.2 To be informed at least 72 hours prior to the hearing, by the Chief Justice of the charges and hearing process.
  - 6.08.1.3 To be given a date, time, and location for the hearing.
  - 6.08.1.4 To challenge the participation of any Justice to sit on the panel presiding over the hearing. The challenge shall be in writing and provide evidence of a conflict of



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interest or bias that may impair a fair and impartial hearing.

- 6.08.1.5 To refrain from providing self-incriminating testimony.
- 6.08.1.6 To provide witnesses.
- 6.08.1.7 To receive written notification from the Court regarding the outcome of the case.
- 6.08.1.8 To appeal the decision in writing within seven (7) University Business Days (Monday-Friday) of the receipt of the hearing decision. The process for appeal shall be outlined in the SGA Statutes.
- 6.08.1.7 SGA officials, and/or group(s) of officials shall not be censured and/or removed except for malfeasance, nonfeasance, permanent inability to perform official duties, conviction of a Federal or State felony
  - 6.08.1.7.1 Malfeasance shall be defined as the knowingly wrongful or unjust doing of some act which the doer has no right to perform, or which they have stipulated by contract not to do
  - 6.08.1.7.2 Nonfeasance shall be defined as the knowingly neglect or failure of a person to do some act which they ought to do
- 6.08.1.8 No student shall be penalized for changes made to requirements, statutory obligations, or any other change for the duration of their term
- 6.08.1.9 No student shall be penalized for actions that have occurred before the start of their term
- 6.08.1.10 The Statute of limitations on all offenses shall be 2 calendar months from the date of offense
- 6.08.1.11 No Student Shall be charged for the same offense twice

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## **Article VII**

### **Qualifications**

#### **7.01 Purpose**

7.01.1 The following qualifications shall be required of appointed and elected positions to run for and/or apply for office. SGA officials shall continue to meet the requirements of their respective positions in order to hold office with the exception of lower and upper division senators whose requirements are specified below in 7.03.6 and 7.03.7.

#### **7.02 Qualifications for all Student Government Officials**

7.02.1 Be a degree seeking; registered non staff student

7.02.2 Run for and hold only one office at a time.

7.02.3 Be under no academic or disciplinary sanctions as detailed in the Student Code of Conduct or individual University College.

7.02.4 Maintain no less than a 2.5 cumulative undergraduate grade point average and a 2.0 term grade point average where applicable.

7.02.5 Each graduate student holding office shall maintain no less than a 3.0 cumulative graduate grade point average and a minimum of a 2.5 term grade point average. Be registered as full-time students for both the Fall and Spring terms as defined by Florida International University. In the semester of graduation, they shall be exempt from full-time enrollment requirements but must maintain a minimum of (3) credit hours.

#### **7.03 Qualifications for Legislative Branch Officials**

7.03.1 Each Student Government Association Senator shall be registered to the specific school, college, class level, housing units that they represent

7.03.2 Each undergraduate student Senator shall maintain a minimum of nine (9) undergraduate credit hours; In the last Fall and Spring Semester before graduation they shall be exempt from this requirement but must maintain a minimum of three (3) credit hours per semester

7.03.3 Each graduate student Senator shall maintain no less than a 3.0 cumulative graduate grade point average and a minimum of a 2.5 term grade point average. Be registered for a minimum number of credit hours so as to be considered full time for both the Fall and Spring terms as defined by Florida International University. In the last Fall and Spring Semester before graduation they shall be exempt from this requirement but must maintain a minimum of three (3) credit hours

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- 7.03.4 Each Law Senator shall be under no academic or disciplinary sanctions as determined by the College of Law and the University. Maintain, during Fall and Spring semesters, a minimum number of courses so as to be considered full-time students by the College of Law. In the semester of graduation Law School Students shall be exempt from this requirement but must be taking at least one course
- 7.03.5 Each Medical Senator shall be under no academic or disciplinary sanctions as determined by the College of Medicine and the University. Maintain, a minimum number of courses so as to be considered full-time students by the College of Medicine. In the semester of graduation Medical School Students shall be exempt from this requirement but must be taking at least one course
- 7.03.6 Lower Division Senators must have passed less than 60 credits at the time of election qualification or appointment.
- 7.03.7 Upper Division Senators must have passed more than 60 credits at the time of election qualification or appointment.

## **7.04 Qualifications for Executive Branch Officials**

- 7.04.1 The President and Vice President shall have attended FIU for a minimum of two years and achieved at least junior standing and;
  - 7.04.1.1 Maintain, during Fall and Spring semesters, a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office; In the last Fall and Spring Semester before graduation they shall be exempt from this requirement but must maintain a minimum of three (3) credit hours
  - 7.04.1.2 The President shall have held at least one SGA position for at least two (2) semesters or one hundred and fifty-four (154) consecutive days prior to the first day of registration for general elections, whichever is greater. except in the case the President succeeds to office
- 7.04.1 The Governor of the Biscayne Bay Campus must be a student belonging to the Biscayne Bay Campus as per Article X of this constitution
- 7.04.2 Any other member of the executive branch shall be beholden to the requirements of general Student Government Association officials

## **7.05 Qualifications for the Judicial Branch**

- 7.05.1 Each Justice shall maintain, during Fall and Spring semesters, a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office; In the last Fall and Spring Semester before graduation they shall be exempt from this requirement but must maintain a minimum of three (3) credit hours

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- 7.05.2 The Attorney General and Student Advocate shall maintain, during Fall and Spring semesters, a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office; In the last Fall and Spring Semester before graduation they shall be exempt from this requirement but must maintain a minimum of three (3) credit hours

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## **Article VIII**

### **Internal Committees**

#### **8.01 The Executive Board**

8.01.1 The Executive board shall convene regularly as determined by The Student Body President. Shall advise and consent in all matters relating to the functions of the entire Student Government or Student Body as a whole, vote to change student government internal procedure not in conflict with statutory or constitutional obligations, in exceptional cases vote to override a statutory requirement for a specific purpose, be informed of ACB expenditures, and report the business of each governmental branch.

#### **8.02 The composition of the Executive Board shall be as follows, each member shall receive 1 vote**

- 8.02.1 Student Body President
- 8.02.2 The Student Body Vice President
- 8.02.3 The Senate President
- 8.02.4 The Senate president Pro Tempore
- 8.02.5 The Senate Floor Leader
- 8.02.6 The Comptroller
- 8.02.7 Executive Administrator
- 8.02.8 The Governor of the Biscayne Bay Campus
- 8.02.9 The Chief of Staff (Ex-Officio nonvoting member)
- 8.02.10 The Chief Justice (Ex-Officio nonvoting member)

#### **8.03 The Internal Procedure of the Executive Board**

- 8.03.1 Executive Board meetings shall be open to the student body upon request for substantive matters
- 8.03.2 Minutes for all Executive Board meetings shall be taken by the Chief of Staff, in the absence of the Chief of Staff, the Chief Justice shall take minutes, and in the absence of both the Chief of Staff and the Chief Justice, the Student body President shall appoint a member of the board to take minutes

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- 8.03.3 The Chair of the Executive board shall be the Student body President, in the absence of the Student Body president, they may appoint a member of the board to serve in this role
- 8.03.4 The Executive board shall take all action through simple majority vote
- 8.03.5 The procedures for executive board meetings will be determined by the President of the Student Body and sent to the individual members no later than the second meeting of the Board. Alterations to these procedures must be sent by the Student Body president no later than 24 hours before the start of the next executive board meeting
- 8.03.6 The Executive Board shall keep a record of all votes taken by the board
- 8.03.7 The quorum for an executive board meeting shall be established at three voting members and the Student Body President
- 8.03.8 For an executive board meeting to be considered in order, the Student Body President must have informed all members no later than twenty-four (24) hours prior to the start of the meeting of the date, time and place of the meeting
- 8.03.9 The Executive Board may vote to authorize expenditures of the Student Government Budget not pertaining to any individual branch or official

### **8.04 The Student Government Budget Committee**

- 8.04.1 The purpose of the Student Government Budget Committee shall be to draft and present the SGA Activity and Service fee budget for the next fiscal year
- 8.04.2 The composition of the budget committee shall be as follows, The Student body President, The Student body Vice President, The Senate President, The Senate President Pro Tempore, The Senate Floor Leader, The Governor of the Biscayne Bay Campus, Executive Administrator and The Comptroller
- 8.04.3 The Activity and Service Fee Budget shall be approved by a simple majority vote of the committee members contributing to quorum, a simple majority vote of the senate, and signed by the Senior Vice President for Academic and Student Affairs
- 8.04.4 Quorum for the committee shall be established at a simple majority of the membership of the committee
- 8.04.5 All substantive votes taken by the committee shall be conducted by a simple majority of members contributing to the quorum
- 8.04.6 In the case the Senate or the Senior Vice President for Academic and Student Affairs does not approve the proposed budget, the budget shall be sent back to the budget committee. The budget committee shall edit and re-propose the budget until it is

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approved by the Senate and signed by the Senior Vice President for Academic and Student Affairs.

- 8.04.7 The Student Government Association budget shall be completed by the SGA currently in office for the succeeding SGA. The budget shall be completed and submitted to the University President no later than the first Monday following Spring Break of each year unless exception is offered by the Student Government Association Academic and Student Affairs Professional Staff Advisor.
- 8.04.8 Any funds left over from the Student Government Association budget shall go into the Accumulated Cash Balance Account unless otherwise specified by proviso in the budget
- 8.04.9 The Comptroller shall be the chair of the Budget Committee but shall cast no vote unless there is a tied vote of the other members of the committee

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## **Article IX**

### **Governing Council, Agencies and Bureaus**

#### **9.01 Purpose**

- 9.01.1 The only Governing Council for students at Florida International University shall be the Student Government Association
- 9.01.2 Agencies shall be student organizations whom have their creation, purpose, structure, and constitution approved by the Student Government Association. Agencies shall serve as bodies over their respective domains of focus, beholden to the Student Government Association Constitution, Statutes, and their individual internal rules. Agencies shall serve the University Student Body in a specified general capacity.
- 9.01.3 Bureaus shall be student organizations whom have their creation, purpose, structure, and constitution approved by the Student Government Association. Bureaus shall be the student organizations created for the express purpose of serving specific areas of student concern such as race, religion, ethnicity, sexual orientation, culture, affinity, social group, or other purpose as approved by the Student Government Association for the University Community as a whole

#### **9.02 Jurisdiction**

- 9.02.1 All Agencies and Bureaus shall fall under the jurisdiction of the Student Government Association. Their formation shall be governed by their creation charter detailed by Student Government.
- 9.02.2 There shall be no restriction on budgetary requests between Agencies and Bureaus
- 9.02.3 Officers of Agencies and Bureaus shall be considered officials of Student Government and shall be beholden to the requirements applicable as general members by this constitution and Student Government Association Statutes except remuneration

#### **9.03 Duties and Procedures**

- 9.03.1 Each Agency and Bureau shall:
  - 9.03.1.1 Be governed by an organizational constitution the provisions therein shall conflict with neither this constitution nor the SGA Statutes. Changes to this organizational constitution shall be approved by the Student Senate and the Student Body President. Should the Student Body President veto the proposed agency or bureau constitution the senate may overturn by unanimous consent



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- 9.03.1.2 Elect a Chair to be the chief administrator of their administration.
- 9.03.1.3 Submit to Student Body President, at least once a semester, a detailed report on the actions taken by the agency or Bureau in that semester
- 9.03.1.4 Abide by the Student Government Constitution and statutes
- 9.03.1.5 Submit an emoluments proposal to the Budget Committee to be approved or adjusted, and expended by the organizational structure within that agency or bureau
- 9.03.1.6 Send their chair or a designate to meetings called by the Student Body president
- 9.03.2 Agencies shall;
  - 9.03.2.1 Be created by an act of the Senate, which shall be passed by a two-thirds majority of the quorum and signed or vetoed by the President. To overturn a veto on this matter the Senate shall achieve a unanimous vote of the quorum. Following the Act, an agency or bureau must receive approval by the Budget Committee through an allocation of Activity and Service Fee dollars. Should the Budget committee refuse to allocate, the agency proposal shall be considered dead and the group must resubmit to the procedure the following year should they choose.
- 9.03.3 Bureaus shall;
  - 9.03.3.1 Be created by an act of the Senate, which shall be passed by a simple majority of the quorum and signed or vetoed by the President. To overturn a veto on this matter the Senate shall achieve a two-thirds (2/3) majority vote of the quorum. Following the Act, an agency must receive approval by the Budget Committee through an allocation of Activity and Service Fee dollars. Should the Budget committee refuse to allocate, the bureau proposal shall be considered dead and the group must resubmit to the procedure the following year.
  - 9.03.3.2 Bureaus must serve a specific subject area of concern to students
- 9.03.4 Agency and Bureau Chairs must;
  - 9.03.4.1 Meet with the Student Body President at a specified number of times by the Student Body President
  - 9.03.4.2 be responsible for the dutiful expenditure of Activity and Service Fee funds appropriated to their organizations
- 9.03.5 Should the Senate seek remand or redress to a rule of an agency or bureau, a 2/3 vote of the Senate shall be required to implement this change. Following the achievement of this vote the Signature or Veto of the Student Body President must be issued. If vetoed the Senate must achieve a unanimous agreement of the quorum to overturn the decision.

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## Article X

### Elections

#### 10.01 Process

- 10.01.1 General and special elections shall be decided by plurality vote.
- 10.01.2 General elections of SGA officials shall run concurrently for the offices of President, Vice President, Governor of the Biscayne Bay Campus and the Senate on the Tuesday and Wednesday of the week following Spring Break. In the absence of a Spring Break elections shall be held the Tuesday and Wednesday of the 8<sup>th</sup> week of the Spring Semester. This date may be changed with two-thirds (2/3) majority approval of the Senate, or by necessity as dictated by the Student Body president and the SGA Academic and Student Affairs Professional Staff Advisor
- 10.01.3 The Student Body President, and Vice President shall run on one ticket and be elected by the student body
- 10.01.3.1 If the Governor of the Biscayne Bay Campus Candidate is unable to qualify, loses qualification, or is disqualified, The Presidential and Vice-Presidential candidates may proceed with the election
- 10.01.3.2 If a Presidential and Vice-Presidential candidate are elected without a Governor of the Biscayne Bay Campus, they shall appoint a Governor of the Biscayne Bay Campus to be confirmed by the Senate
- 10.01.4 Senators must be elected from the membership of the college, housing unit, or grade levels which they represent
- 10.01.5 All candidates whether appointed or elected seeking to hold office representing a campus (Lower and Upper Division Senators, The Governor of the Biscayne Bay Campus, The Lieutenant Governor of the Biscayne Bay Campus, and the Executive Staff of the Governor) must be taking at least twenty percent (20%) of their classes at the Campus they choose to represent. For purposes of representation the FIU Engineering Center shall be designated to belong to the Modesto A. Maidique Campus and the FIU I-75 Center shall be designated to belong to the Biscayne Bay Campuss
- 10.01.5.1 Exceptions shall be made to Students whom are taking Online and/or remote classes
- 10.01.5.1.1 Students taking classes in the following programs regardless of modality shall be BBC classes (Hospitality Management Program, Marine Sciences Program, Journalism + Media Program, Marketing, Health Services Administration, Creative Writing, Broadcast Media, Global Strategic Communications, Mass Communications, and any program offered by the Chaplain School of Hospitality and Tourism Management). The list of programs shall be provided by the

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administration of the Biscayne Bay Campus and updated as needed to reflect the most accurate course and program offerings at the campus.

- 10.01.5.1.2 Students taking online/remote classes in any program not specified in section 10.01.5.1.1 shall be classes belonging to the Modesto A. Maidique Campus

## **10.02 Elections Code**

- 10.02.1 SGA Statutes shall include an Elections Code. Changes to the Elections Code shall be passed by super majority (2/3) vote of the entire Senate membership.
- 10.02.2 Elections shall be run according to the Elections Code.
- 10.02.3 The Elections Board shall enforce the Elections Code and ensure that all its provisions are executed.
- 10.02.4 Changes to the Elections Code during the six (6) week period prior to the general elections date shall require a unanimous vote of the entire Senate Membership
- 10.02.5 Changes to the Elections code during the week of voting in a general election are prohibited

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## Article XI

### Remuneration

#### 11.01 Remuneration for SGA Officials

- 11.01.1 SGA Presidents shall receive annually a payment amount of \$15,000
- 11.01.2 SGA Vice Presidents, The Governor of the Biscayne Bay Campus, The President of the Senate, and the Comptroller shall receive annually an amount of \$10,500
- 11.01.3 Lieutenant Governor of the Biscayne Bay Campus, The Chief Justice and Chief of Staff shall receive annually an amount of \$7,500
- 11.01.4 Deputy Chiefs of staff, The Attorney General, Associate Justices, Deputy Comptrollers, President Pro-Tempore of the Senate, The Elections Commissioner, The Senate Floor Leader and Student Advocate, Executive Administrator shall receive annually an amount \$1,500
- 11.01.5 SGA Senators (excluding the Senate president and President pro-Tempore), Executive Staff of the Governor and Cabinet Secretaries shall receive annually an amount of \$500, 250 dollars per the fall and spring semesters
- 11.01.5 Cabinet Directors and all positions not specified above shall receive annually an amount of \$200, 100 dollars per the fall and spring semesters
- 11.01.6 Members or appointed individuals of SGA holding more than one (1) position shall receive remuneration for only one (1) position, whichever is highest.
- 11.01.7 Hours and wages for appointed elected positions will be distributed according to the allocation of funds to the emolument account of the Student Government Association.
- 11.01.8 Remuneration for SGA officials shall not be decreased during their term in office.

# The Florida International University Student Body Constitution

Approved: February 1, 2021

## Article XII

### Amendment process

#### 12.01 Amendment proposals

- 12.01.1 All amendment proposals shall be submitted to the Executive Board and shall then be put on the ballot for the next election; the Executive Board shall not have veto power over amendment proposals.
- 12.01.2 Amendment proposals may only be submitted to the Executive Board in the following ways:
- 12.01.2.1 A petition signed by a number of students totaling twenty-five (25) percent of the number of votes cast in the previous general election
- 12.01.2.2 An amendment bill initiated by the senate. For this bill to be considered an amendment proposal it must acquire a two-thirds (2/3) super-majority vote of the senate, and the signature of the Student Body President. Should the Student Body President Veto the bill, it will require a unanimous vote of all of the membership of the Senate to overturn and qualify as a proposal
- 12.01.2.3 Amendment proposals must be ratified by the student body in a general or special election by a two-thirds (2/3) super-majority of those voting.
- 12.01.2.4 Amendments approved by the Senior Vice President of Student Affairs shall be added to this constitution and listed at the end of this document.
- 12.01.2.5 This Constitution shall be the supreme law of the Student Government Association, no statute, rule, policy, or action may conflict with the express will of this document
- 12.01.2.6 The Citation of this document shall be SGAC§*The numbered section wishing to cite*
- 12.01.2.7 The citation of the Student Government Statutes shall be SGAS§*The numbered section wishing to cite*
- 12.01.2.8 All Amendments shall be added to the end of the document, no amendment shall replace the numbering or structure of the original document
- 12.01.2.9 Following the passage of the Student Body Statutes, the statutes shall not be amended, deleted, or replaced except by a vote of the Executive Board, or Executive order for eighty (80) calendar weeks from the date of passage of the Student Government Statutes
- 12.01.2.10 Changes made to the Statutes by the legislature shall not take effect until the next legislative year