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The Student Government Association Constitution

Current: September 20th, 2022

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PREAMBLE

The Student Government Association of the University of Maryland, College Park serves as the representative body for all undergraduate students. We formulate acts and resolutions to address student concerns, assist student groups in their missions and programming, and advocate through the appropriate University, local, state, and national government channels. Through our efforts and outreach, we strive to create a better undergraduate experience and community at the University of Maryland.

ARTICLE I. PURPOSE OF THE STUDENT GOVERNMENT ASSOCIATION

Section 1. This organization shall be the principle undergraduate student governance body for implementing the objectives set forth in the Preamble, subject only to the local, state, and national laws, policies of the University System of Maryland and University of Maryland, College Park, and right of review by the President of the University or their designee.

Section 2. This organization shall formulate resolutions promoting and governing the activities and interests of the students of the College Park campus and will advise the Maryland General Assembly, the University Senate, the President of the University, and any body whose decisions affect the undergraduate students of the University of Maryland, College Park of student viewpoints concerning all matters affecting student life.

Section 3. This organization shall be responsible for recommending the allocation of Student Activities Fee to the President of the University.

ARTICLE II. GENERAL ORGANIZATION

Section 1. The membership of this organization shall include all undergraduate students of the University of Maryland, College Park.

Subsection A. In accordance with the University's Code of Human Relations, the Student Government Association may not restrict membership or discriminate on the basis of race, color, creed, sex, sexual orientation, gender identity, gender expression, marital status, personal appearance, age, national origin, political affiliation, physical or mental disability or on the basis of the exercise of rights secured by the First Amendment of the United States Constitution. In

addition, the Student Government Association may not restrict membership or discriminate on the basis of citizenship status or socioeconomic status. Membership in this organization must be open to all currently registered undergraduates.

Subsection B. The Student Government Association understands and is committed to fulfilling its responsibilities of abiding by University of Maryland, College Park policies

Section 2. The Student Government Association shall be organized into three branches: Executive, Legislative, and Judicial.

Subsection A. The Legislative Branch shall consist of the Legislature and the Legislative Staff as specified in the Student Government Association bylaws.

Subsection B. The Executive Branch shall consist of the Student Body President, as well as an Executive Board and Executive Cabinet as specified in the Student Government Association bylaws.

Subsection C. The Judicial Branch shall consist of the Governance Board, and the Elections Commission.

Section 3. Conflicts of Interest

Subsection A. All actions taken by the Legislature to modify any salary, or honorarium paid out of the Student Activities Fee, shall take effect at the beginning of the fiscal year following the conclusion of the next legislative session.

ARTICLE III. THE LEGISLATIVE BRANCH

Section 1. Organization of the Legislature

Subsection A. All legislative powers granted herein shall be vested in the Legislature whose members shall be elected annually, apportioned on a one-person basis in a ratio of 1 representative per 1800 students in each legislative district. Representation shall be divided into geographic divisions, academic colleges and other pertinent designations. These divisions shall be reevaluated every year.

Subsection B. The Executive Vice President shall preside over Legislative meetings, following the Standing Rules of Order of the Student Government Association.

Subsection C. The election of the Speaker of the Legislature shall be the first item of business at the first meeting of the new legislative session. The previous term's Speaker of the Legislature shall preside over the Legislative meeting until the new Speaker is elected, but may not exercise the right to cast a tie-breaking vote.

Section 2. Powers and Duties

Subsection A. The Legislature shall approve funding requests for SGA recognized student groups in accordance with procedures adopted by the SGA.

Subsection B. The Legislature shall conduct constituent outreach in order to identify student issues and opinions.

Subsection C. The Legislature shall take stances on issues affecting students by passing appropriate legislation.

Subsection D. The Legislature shall include and participate in relevant committees under its jurisdiction.

Subsection E. The Legislature shall have the ability to form ad hoc committees.

Subsection F. The Legislature, by a two thirds (2/3) majority vote, shall approve all Presidential and Executive Vice Presidential appointments except if otherwise outlined in Bylaws.

Subsection G. The Legislature, by a three-fourths (3/4) vote of its membership, may bring impeachment proceedings before the Governance Board for dereliction of duty against appointed or elected officers of any branch or arm of the SGA.

Subsection H. The duties of the Legislative Branch shall be specifically designated in the bylaws of this Constitution.

Subsection I. The Legislature, by a two thirds (2/3) majority vote, may overturn a veto made by the President.

ARTICLE IV. THE EXECUTIVE BRANCH

Section 1. Organization of the Executive Branch

Subsection A. All executive powers granted herein shall be vested in the officers of the Executive Branch of the Student Government Association, elected annually, and in the appointed Executive Cabinet members as specified in the Student Government Association bylaws or as delegated to them by the President.

Section 2. Powers and Duties

Subsection A. The Executive Branch shall be charged with implementing all resolutions enacted by the Legislature.

Subsection B. Executive Board members shall be ex-officio non-voting members of the Legislature and shall have no power to introduce legislation.

Subsection C. The Student Body President has the privilege to veto legislation and in the omnibus they would also have the right to do an in line veto.

Subsection D. The duties of the Executive Branch shall be specifically designated in the bylaws of this Constitution.

ARTICLE V. THE JUDICIAL BRANCH

Section 1. Organization

Subsection A. All judicial powers granted herein shall be vested in the Judicial Branch of the Student Government Association with appellate jurisdiction vested in the Governance Board.

Subsection B. Appointment to the Governance Board shall be the same duration as the legislative year in which they were appointed. At the conclusion of the legislative year, any Justices still eligible may reapply for their seat. Seats vacated before the end of the legislative year, due to resignation or withdrawal from the University, will be filled through appointment by the Student Body President, subject to approval by a two-thirds (2/3) majority vote of the Legislature.

Subsection C. The Governance Board shall be composed of five voting members, one of whom shall be chosen by a majority vote of the justices to serve as Chief Justice. The composition of the Board shall conform to the following requirements:

1. Members of the Board shall be undergraduates in good financial and academic standing with the University.
2. 0A justice may not hold any other appointed or elected position within the Student Government Association during their tenure.

Subsection D. All Governance Board decisions hold no precedence in any future Governance Board cases.

Subsection D. The Governance Board advisor, or authorized representative, shall be present whenever a case is heard.

Section 2. Powers and Duties

Subsection A. The Governance Board shall have original jurisdiction over the following:

1. The constitutionality of any action taken by the Student Government Association, and any affiliates or members thereof in accordance with the SGA Constitution.
The constitutionality, according to its individual constitution, of any action taken by an SGA recognized student group or other group or governing body which is recognized under the SGA Constitution or bylaws.
2. Constitutional conflicts between two or more SGA recognized student groups or governing organizations.

Section 3. Procedure

Subsection A. When the Governance Board is considering a case, the decision must be rendered by a majority of the members present.

Subsection B. The Board shall follow the rules of procedure established in the bylaws.

Subsection C. The Board shall review all impeachment decisions by the Legislature and render a final decision on removal from the SGA.

ARTICLE VI. **ADVISORS**

Section 1. Representatives of the Office of the Vice President for Student Affairs shall serve as advisors of the Student Government Association.

Section 2. The Governance Board shall have a separate advisor from the Office of the Vice President for Student Affairs.

ARTICLE VII. **PROCEDURE**

Section 1. This Constitution shall take precedence over any other student instrument governing the undergraduate student body of the University of Maryland, College Park.

Section 2. All recognized student groups and governance organizations shall be under the authority of the Legislature of the Student Government Association. This authority shall be original and final.

Section 3. Student groups and other organizations shall be granted SGA recognition according to the procedures outlined in the appropriate sections of the Student Government Association bylaws.

ARTICLE VIII. FEES

Section 1. Student Activities Fees should be paid to the University of Maryland, College Park, at the time regular tuition fees are payable. These fees will constitute a general student activity fund to encourage activities determined beneficial to the undergraduate student body by the Student Government Association.

ARTICLE IX. **ELECTIONS**

Section 1. No registered undergraduate student shall be denied the right to vote.

Section 2. Elections for all Student Government Association positions shall be conducted in compliance with Student Government Association bylaws and regulations.

ARTICLE X. PETITION, REFERENDUM, AND RECALL

Section 1. All undergraduate students shall have the right of petition, initiative, referendum, and recall in the manner specified by the bylaws.

ARTICLE XI. AMENDMENTS AND BYLAWS

Section 1. This Constitution may be amended by a three-fourths (3/4) majority vote of the entire membership of the Legislature, or with prior notification, as specified by the Standing Rules of Order of the Student Government Association, a three-fourths (3/4) majority vote of those present and voting.

Section 2. For a constitutional amendment to be enacted, the Student Government Association must provide notification, by publicizing the verbatim text of the amendment on the website of the Student Government Association and by any other relevant means. If a petition requesting referendum, signed by one percent of the undergraduate student body, is not submitted to the Student Government

Association before the end of a ten day period commencing from the day on which the required notification is posted, a second vote shall be taken by the Legislature for the amendment to be enacted.

Section 3. If a petition is filed greater than 10 days before the next general election, the amendment shall be brought to a referendum at the next general election if a petition is filed within 10 days of the next general election, the amendment shall be brought to a referendum at the election immediately following the next general election. In the event that a majority of votes cast in the referendum are in favor of the amendment, it shall be ratified.

Section 4. The bylaws to implement this Constitution shall be amended by a two-thirds (2/3) majority vote of the entire legislature, or with prior notification, as specified by the standing rules of order of the SGA, a two-thirds ($\frac{2}{3}$) majority vote of those members present and voting at a meeting of the Legislature.

Section 5. All amendments to the Constitution and bylaws are subject to approval of the Office of the Vice President of Student Affairs.