



The Constitution of the Butler University Student Government Association

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Article I

Section 1: Context

The constitution of the Student Government Association is a living, breathing document, able to be changed to fit the growth and needs of the student body. This document is a collection of ideas from student leaders that is expected to change over time.

Section 2: Precedence

The rules and regulations of Butler University shall take precedence over this constitution.

Section 3: Mission

The Student Government Association is the governing body for student life at Butler University. As representatives, members are responsible for making sound and ethical decisions to best represent their constituencies. Student Government Association promotes campus unity and diversity, represents the voice of all students, addresses important campus issues, and encourages student involvement.

Section 4: Function

The Student Government Association shall be to act as the primary student voice of the Butler community; to manage the funds of the Student Activity fee and derived funds; to promote and sponsor services for the student body; and to endorse and empower student organizations.

Article II

Definition of Membership

Section 1. Nondiscrimination Policy

Membership and participation in the Butler University Student Government Association will not discriminate on the basis of real or perceived race, color, sex, marital status, religion, creed, national origin, ability, age, military or veteran status, sexual orientation, gender identity and expression or any other protected characteristic.

Section 2. Non-hazing Policy

No hazing or discrimination will be used as a condition of membership in Student Government Association.

Section 3. Composition

The membership of the Student Government Association shall be comprised of members of the Executive, Legislative, and Judicial Branch, including the following boards within the Executive Branch: Finance, Programming, Diversity, Equity and Inclusion, Marketing and Communications, and Service and Philanthropy; all of which shall hereafter be referred to as Student Government Association Representatives.



Section 4. Plural Representation

Student Government Association Representatives may not hold more than one position within Student Government, unless specified in the SGA by-laws.

Section 5. University Status

All representatives must be enrolled, full-time undergraduate students of Butler University. Representatives must remain in good academic and conduct standing, as defined by the University, and maintain a minimum 2.5 GPA.

Section 6. Attendance Policy

Each member of the Student Government Association shall be expected to follow and abide by the attendance policy determined by the leader of their respective boards.

Section 7: Good Faith Policy

As SGA members are acting in good faith to learn from their mistakes and become a better leader from it, Student Government Association members must go through a performance improvement plan (PIP) if there is an issue relating to their performance in their position, and removal proceedings based upon performance cannot happen unless a PIP is offered.

Article III

Student Senate

Section 1: Composition

The Student Senate will have 40 seats, divided equally between class, residential living community and academic college. Members of the Student Senate will be elected annually as determined by the Election Oversight Commission to serve terms of one year ending in line with the inauguration of the new President. Members of the Student Senate must be constituents in the area they represent. No member may hold more than one seat in the Student Senate. The Student Senate may adopt other rules governing its members' qualifications.

Section 2: Authority

The Student Senate holds the voices of the student body and represents all students. Therefore, their purview includes any concerns or issues in conjunction with their constituencies, in addition to endorsing new student organizations, ratify the annual Student Government Association operating budget, and will serve as final policymaking authority through the use of Resolutions. The Student Senate also has the authority to overturn binding agreements made by the Executive Branch with a two-thirds vote. There are two legislative sessions, one during the first academic semester and a second during the second academic semester.

Section 3: Constituencies

There will be two Senators per class (First-year, Sophomore, Junior and Senior), two Senator per academic college: Jordan College of the Arts, College of Education, Lacy School of Business, College of Pharmacy and Health Sciences, Liberal Arts and Sciences, and College of Communications, and two Senators representing the following living communities: Residential College, Ross Hall, Irvington House, Fairview House, Sororities, Fraternities, University Apartment (South Campus Apartments, Butler Terrace, University Terrace), Apartment Village, Commuters, and Off-Campus.

Section 4: Speaker of the Student Government Association Student Senate

At the end of the second legislative session, the Student Senate will elect from its own number a Speaker to preside over all legislative meetings, schedule legislative meetings, oversee Student Senate committees, appoint and manage



other Student Senate officers (e.g. Senate Secretary), and fulfill other duties as the Student Senate may require. The Speaker will be allowed to break ties.

Section 5: Student Senate Commissions

The Student Senate will establish a system of standing commissions, each charged with a specific area of legislation. The Speaker will appoint Senators to each commission from the membership of Student Senate such that each Senator serves on one commission. Senators with seniority will be given preference for the commissions. The following Commissions must be in place: Student Affairs, Diversity Equity and Inclusion, Academic Affairs, and Finance and Facilities.

Section 6: Student Senate Commissioners

Commissioners will be nominated by both the President and Speaker of the Senate and confirmed by the Senate. Commissioners will preside over and schedule commission meetings and serve as liaison between the commission and Speaker. The Commissioner will serve as an ex-officio member of their commission and a non-voting member of the Senate. The Commissioner must demonstrate experience and expertise in the area they are serving. Commissioners are not eligible to be Senators.

Section 7: Student Senate Secretary:

The Student Senate Secretary will provide guidance and assistance to members of Student Senate; be responsible for documenting important Student Senate records (in such documents as the Minutes, Attendance Rolls, and Voting Records); maintain, organize and review relevant Student Senate references (such as governing documents and parliamentary references); and perform any other task the Speaker or Student Senate as a whole may request of them. This role will be appointed by the Speaker of the Senate. The Senate Secretary shall not be a sitting Senator or have voting privileges.

Section 8: Impeachment and Removal

A member of the Student Senate may be impeached and removed for just cause. (a) A senator may be impeached for dereliction of duty by a two-thirds vote of the members currently occupying office of the Student Government Association Supreme Court and removed from office by an affirmative two-thirds vote of the Student Government Association Student Senate currently occupying office.

Section 8.1: Impeachment and Removal of Commissioners:

A commissioner may be impeached and removed for just cause. (a) A commissioner may be impeached for gross neglect of duty by a two-thirds vote of the members currently occupying office of the Student Government Association Supreme Court and removed from office by an affirmative two-thirds vote of the Student Government Association Student Senate currently occupying office.

Section 9: Vacancies and Replacement

If any Senate seat in a constituency becomes vacant, the Executive Vice President and Speaker of the Senate will nominate a member of the constituency and the Senate will confirm the nominee for the unexpired balance of the term. If the office of Speaker becomes vacant, then the Student Senate will hold an emergency meeting to appoint a new Speaker and the Executive Vice President will preside until a Speaker is confirmed.

Section 9.1: Vacancies and Replacement of a Commissioner

If any Commissioner seat becomes vacant, the President and Speaker of the Senate will appoint a new commissioner to serve the unexpired balance of the term. The commission will elect a sitting member of the commission to serve as the temporary Commissioner until the seat has been permanently filled.



Article IV

Executive Branch

Section 1: Composition of Executive Branch

The President, Executive Vice President, Vice President for Finance, and Chief of Staff will comprise the executive branch of Student Government Association. The student body will elect the President and Executive Vice President on a ticket annually in the Spring. The Vice President of Finance will be elected by a two-thirds vote of the Student Senate following the election of the President and Executive Vice President. The Chief of Staff and Executive Secretary will be appointed by the President. Executive officers will serve terms of one year ending at the annual end-of-year Student Government Association Banquet. Executive officers may hold no other position in the Student Government Association.

Section 1.1 Composition of Board of Directors

The Board of Directors will consist of the Director of Diversity, Equity and Inclusion, Director of Marketing and Communication, Director of Programming, Director of Service and Philanthropy and Executive Secretary. Directors will be nominated by the President and confirmed by a majority vote of Student Senate. The Board of Directors' terms will end in conjunction with the President. Directors may hold no other elected positions in the Student Government Association.

Section 2: Authority

The Student Government Association executive branch will have all powers necessary and proper to fulfill their duties and the mandates of the Student Government Association Student Senate. The President of Student Government Association will act as chief executive officer of Student Government Association, spokesman for the student body, serve as the decision maker for the Executive branch, and fulfill the requirements of that office as required by the University. The President will also have the power to reach binding agreements with other departments and organizations and individuals with the signature of the Vice Presidents. The President and Executive Vice President may each call the Student Government Association Student Senate into emergency session when necessary. The Executive Vice President of Student Government Association will act as the President's deputy, serve as the liaison between the Executive Branch and Legislative Branch, chair of the Student Senate, and oversee the commissioners in conjunction with the Speaker of the Senate. The Vice President of Finance of Student Government Association will ensure that accounts are properly kept, bills promptly paid, and revenues fully received, while overseeing a finance board to allocate student organization grants, overseeing the Student Activity Fee and creating the annual operating budget. The Chief of Staff will be tasked with overseeing the Board of Directors and working to implement the vision set by the President in conjunction with the Board of Directors.

Section 3: Executive Authority Over Legislation

The Executive Vice President and Senate Secretary will transmit legislation adopted by the Student Government Association Student Senate to the President within five school days of the legislation's adoption. Within five school days of the President's receipt of the legislation, the President may enact the legislation by signing it or veto the legislation by informing the Speaker in writing. If the President vetoes the legislation, then the Student Senate may override the veto by a two-thirds vote. If the President does not sign or veto the legislation within five school days, then it will take effect as if the President had signed it.

Section 4: Impeachment and Removal of an Executive Officer or Board of Director

The President, Executive Vice President, Vice President of Finance, Board of Directors or other executive officers may be impeached for gross neglect of duty by a two-thirds majority vote of the Student Government Association Supreme Court. and removed from office for just cause upon the conviction of impeachment in the form of a resolution in the



Student Senate and an affirmative two-thirds vote of the Student Government Association Student Senate. All appointed positions not confirmed by the Senate serve at the discretion of the President.

Section 5: Executive Vacancies

If the office of Executive Vice President or Vice President of Finance becomes vacant, the President will nominate a replacement to serve the unexpired balance of the term with the two-thirds confirmation of the Student Senate. If the office of President becomes vacant, the Executive Vice President will become President. In the event that the offices of President and Executive Vice President become vacant simultaneously, the Vice President of Finance will become President. In the event that the offices of President, Executive Vice President and Vice President of Finance become vacant simultaneously, the Speaker of the Senate will become President. The Student Senate will provide in the bylaws for succession if the offices of President, Executive Vice President, Vice President of Finance and Speaker of the Senate become vacant simultaneously.

Section 5.1: Board of Director Vacancies

In the case of a vacancy of a Board of Director, the President will nominate a candidate with the required specifications and the Student Senate shall confirm the individual with a majority vote.

Article V

Student Government Association Judiciary

Section 1: Terminology of the Branch

All institutions of the Student Government Association Judicial branch and officers appointed thereto shall be referred to collectively as the "Judicial branch," or simply "the branch" when appropriately indicated. The SGA Supreme Court constitutes an institution within the Judicial branch and shall be referred to specifically as the "Supreme Court," or simply "the Court" when appropriately indicated. The Election Oversight Commission (EOC), composed of members of the Judicial branch, will be referred to as such when operating in its official capacities. The Judicial branch, under the administration and guidance of the Supreme Court, shall establish formal manners of reference for other officers and institutions of the branch within their formalized processes and procedures.

Section 2: Composition

The Student Government Association Supreme Court and judicial commissions as Student Senate may establish will comprise the judicial branch of Student Government Association. Seven justices, including one Chief Justice, nominated by the President and confirmed by the Student Senate, will comprise the Student Government Association Supreme Court. Justices of the Supreme Court will serve terms based upon the calendar year. The Chief Justice will have an unlimited term length, three justices will have two-year term lengths, and three justices will have one-year term length. Justices will continue in office until their term length is up, they resign or until removal from office by impeachment before their official term length has expired. Justices will be filled by nominations of the President and confirmed by the Student Senate for a term set by the Student Senate. Justices may not hold any other office in the Student Government Association.

Section 3: Authority

The Judicial branch of the Student Government Association shall retain the authority to rule on all matters, issues, and controversies relevant to SGA and its various subordinate or associated organizations, constituting the branch's powers of judicial review and adjudication of appeals. This constitution, clarifying bylaws of the SGA, and the policies of the University shall serve as the foundation for all rulings and decisions originating from the Judicial branch. The Judicial branch of SGA, in exercising its duties of adjudication and review, shall not infringe on the oversight authority of the Senate or Executive branch unless to rule on an issue of constitutionality or abuse of power of one of those bodies. The Judicial branch shall have special responsibility for the oversight of SGA elections, the adjudication



of election disputes, and the certification of election results. The Judicial branch may also be given responsibility over the University's general conduct review processes at the discretion of the Dean of Students.

Section 4: Duties of Judicial Officers

The Chief Justice will preside over meetings of the Student Government Association Supreme Court, administer the Oath of Office to Student Government Association officers, and coordinate the internal business of the judiciary. The Chief Justice will also appoint members of the judiciary to serve on such judicial boards and commissions as required by the University and appoint a Clerk of the Court and such similar officers that the Court determines necessary. If the Chief Justice is not present, the justices will vote on a temporary replacement. The justices will elect a sitting justice to serve as Chief Justice with two-thirds affirmation of the court. Associate Justices will faithfully execute the duties inherent in their office.

Section 5: Bias

No member of the judiciary may hear a matter in which they have a personal interest or bias. If a member of the judiciary considers that for some reason one of the other members of the judiciary should not hear a particular matter, they will give that member notice accordingly. If in any case the member of the judiciary and the Chief Justice disagree, a decision of the Supreme Court will resolve the matter of bias.

Section 6: Branch Procedures and Due Process

The Judicial branch shall clearly establish internal rules of procedure. Such rules and procedures may be subject to the scrutiny and oversight of the Senate for violations of petitioners' rights or practices that compromise the integrity of due process. The Judicial branch shall publish its processes and procedures for review from the general University population and the other institutions of the Student Government Association. The Judicial branch shall retain the right to adjust its processes and procedures as the duties of the branch necessitate. Any specific regulation of the branch's processes and procedures will be detailed in relevant sections of the SGA Bylaws. No bylaw shall be established which compromises the independence of the Judicial branch as an adjudicating institution or affords any other branch of SGA unequal power over its operations.

Section 7: Impeachment and Removal from Office

Members of the judiciary may be impeached and removed for just cause. (a) Members of the judiciary may be impeached for gross neglect of duty by a two-thirds vote of the elected or confirmed members currently occupying office of the Student Government Association Executive Cabinet and Board of Directors and removed from office by an affirmative two-thirds vote of the Student Government Association Student Senate currently occupying office. (b) Removing an impeached justice will require an affirmative two-thirds vote of the Student Government Association Student Senate currently occupying office. (c) Student Senate may provide for other methods of removing members of the judiciary not serving on the Supreme Court.

Article VI

Advisors

Section 1: General.

The Student Government Association shall have advisors from the Division of Student Affairs, who shall serve as resources and offer consultation.

Section 2. Faculty and Staff Advisors.

The Student Government Association may have faculty and staff advisors, chosen by the Student Government Association Branch Leaders.



Section 3. Ex-Officio Membership.

Advisors shall be ex-officio, non-voting members of all branches and all committees.

Section 4. Student Senate Advisor.

The Advisor of the Student Senate shall meet with committees, including but not limited to ad-hoc committees, at least once a month.

Article VII

Constitutional Adoption, Supremacy, and Amendment

Section 1: Ratification of this Constitution

The Student Government Association Student Senate will adopt this constitution by a two-thirds vote. The Student Senate has the authority to specify when this document and its articles are to be put in place.

Section 2: Amendments to this Constitution

Amendments to this Constitution should be presented to the Student Body Supreme Court and confirmed by a two-thirds vote of the Student Senate.

Section 3: Constitutional Supremacy

This Constitution will be the supreme authority for the governance of the Student Government Association. No bylaw or resolution may be in conflict with this constitution, the University's regulations, or the local, state and federal laws.

Article VIII

University Compliance

Section 1: Statement of University Compliance

This organization shall comply with all Butler University regulations, and local, state and federal laws.

Section 2: Personal Gain Clause

This organization, if raising funds, shall ethically raise and distribute profits from organizational functions to either the organization or to members who provide a service that directly benefits the organization. Individual members may not receive compensation from for-profit companies if acting as a representative of a student organization.

Article IX

Bylaws

Section 1: Bylaw Adoption and Amendment

The Student Senate may adopt bylaws to supplement the Constitution and eliminate ambiguities. New bylaws or amendments to existing bylaws must be advertised two weeks before their final consideration by the Student Senate.

Section 2: Elections

The Student Government Association Student Senate will adopt bylaws governing Student Government Association elections with a two-thirds vote per the recommendation of the Election Oversight Commission within the judicial branch. Bylaws governing the elections must be ratified four weeks in advance of the election date.