

# PREAMBLE

The Missouri Western State University Student Government Association (SGA) is committed to enhancing campus life & promoting a positive image of the University. To this end, the Student Government strives to:

PARTICIPATE in the fulfillment of the University's mission & values: service, quality, enthusiasm, freedom, respect, & courage.

ADVOCATE for the views of the student body by working with the University administration to formulate University policy & by serving as members on University committees,

FACILITATE communication & mutual understanding between the Student Association, faculty, staff, & administration.

## STUDENT BILL OF RIGHTS

Right to equality - All students shall have the right to be treated as equals by administration, faculty, staff, & other students. No one individual shall be discriminated against on the basis of age, race, creed, color, religion, gender, sex, sexual orientation, national origin, disability, or veteran status.

Right to expression - Students shall have a right to express themselves in accordance to the law & code of conduct. Students shall further have the right to peacefully protest without fear of reprimand.

The right to be heard - Students shall have the right to attend & speak in all Student Government Association meetings. Students are entitled to be informed of these meetings. Students shall be given representation.

Right to healthful services - Students shall have the right to treatment at an affordable cost. Students shall be offered free counsel to find resources of health. Students have the right to a healthy environment.

Right to a defense - Students have the right to counsel in the law & the student code of conduct. Students have a right to call witnesses in their defense, & to have an advisor present during conduct or other hearings.

Right to a fair academic process - Students have the right to a fair academic process. The SGA may entertain or investigate concerns with the process.

Right to justification - Students have the right to know the rationale for all changes in policy & procedure of the Student Government Association & University.

Right to pride - Students have the right to express pride in Missouri Western State University. Students shall be encouraged & offered free opportunities to express pride.

Right to investigation - The students have the right to have honest investigations of all issues brought to the Student Government Association.

Right to reform - Students have the right to a fair process to create change as outlined by the Student Government Association Constitution.

Right to Due Process - Students have the right to instruction of the disciplinary functions at Missouri Western State University. Students shall be made aware of any allegations of conduct violations, & shall be presumed to not be in violation of the student code of conduct until they are found to be in violation through established disciplinary functions. Students have the right to appeal decisions of the University or SGA. Students shall have the right to be informed of their rights.

1



# ARTICLE I – Definitions

The term **the SGA** shall mean the Student Government Association.

The term the University shall mean Missouri Western State University.

The term the Association shall mean the student body of Missouri Western State University.

The term **RSO** shall mean Recognized Student Organization.

The term **FOC** shall mean Financial Oversight Committee

The term PLC shall mean President's Leadership Council

# ARTICLE II – ORGANIZATIONAL STRUCTURE & OVERVIEW

The SGA consists of three branches (Legislative, Executive, & Judicial). An overview of the functions & membership of each Branch is provided below.

### **Section 1: Legislative Branch**

The Legislative Branch, which is known as the SGA Senate, functions as the main voting Branch of the SGA & is charged with serving as the primary student voice for all University students; managing the SGA fee; promoting & sponsoring services for the student body; assuring the procedures in this Constitution are upheld; passing legislation, Bylaws, & Constitutional Amendments; & recognizing & supporting student organizations. The Legislative Branch is chaired by the SGA Vice President & is made up of twenty elected senators. The Legislative Branch is outlined in greater detail in SGA Constitution Article III.

### **Section 2: Executive Branch**

The Executive Branch, which is known as the Executive Board, functions to provide general oversight & management of the SGA. The Executive Board shall consist of the SGA President, SGA Vice President & all appointed SGA directors. The Executive Board shall be chaired & managed by the SGA President. The Executive Branch is outlined in greater detail in SGA Constitution Article IV.

## Section 3: Judicial Branch

The Judicial Branch functions as a mechanism of ensuring the fairness of SGA, consistency of SGA's governing documents, & that members of the Association receive due process. The Judicial Branch shall consist of the Chief Justice & a rotating pool of Justices. The Judicial Branch shall be chaired & managed by the Chief Justice. The Judicial Branch is outlined in greater detail in SGA Constitution Article V.

## ARTICLE III – LEGISLATIVE BRANCH

## **Section 1: Membership**

The legislative powers of the SGA shall be vested in the SGA Senate, & it shall consist of twenty senators. The SGA Senate shall maintain a Parliamentarian. A quorum of the SGA Senate shall be required for official business to be acted upon. A quorum shall be defined as half, plus one of SGA Senate voting members.

### A. Qualifications of Candidates for Senators

To be eligible to be an SGA Senator, a candidate must be enrolled at the University, have & maintained throughout the duration of their term at least a 2.25 (on a 4.00 scale) cumulative grade point average. To be eligible to be an SGA Senator a candidate must have attended two consecutive SGA Senate meetings during



the semester of their application. Additionally, in order to serve in a SGA appointed position, candidates must be in disciplinary good standing with the University & must remain in good standing for the term of their position.

- B. Senator Elections (See SGA Constitution Article VI)
- C. Removal of a Senator
  - 1. Any SGA Senator may be removed from office through two-thirds approval of all SGA senators (with the exception of the Senator in guestion of removal).
  - 2. Any SGA Senator may be removed from the SGA Senate due to failure of meeting the qualifications of an SGA Senator during their term of office.
  - 3. Any SGA Senator may be removed from the SGA Senate if they have three unexcused absences.
  - 4. Any SGA Senator may be removed by the SGA Advisor or their designee if minimum requirements are not met as stated in Article III, Section 1A.

### D. Replacement of an SGA Senator

Should, for any reason, an SGA Senator position became vacant, the SGA President at their discretion, may appoint an Associate Senator (see Article III, Section 5) to fill the open SGA Senator position. In the event there are no associate senators, the SGA President may appoint any student that meets the requirements to be a senator (See Article III, Section 1A) to fill the open position. The person appointed by the SGA President shall assume the position upon the approval of a majority of the SGA Senate voting members.

### Section 2: Powers of the SGA Senate

- A. The SGA Senate shall be the main voting body of the SGA & shall enact such legislation as its members deem necessary in order to carry out legislative functions. All actions must be reviewed & approved by the University administration as stated by the SGA Bylaws.
- B. The SGA Senate shall be responsible for approving the SGA budget.
- C. The SGA Senate shall be the only voting body within the Association that may pass Bylaws to accompany the SGA Constitution. The SGA Bylaws shall not conflict with the SGA Constitution or standing University policies & procedures.
- D. The SGA Constitution Amendments are made through initiative & referendum & must be ratified according to the procedures in Article XI of the SGA Constitution.
- E. The SGA Senate shall, by a majority approval of the SGA Senate, recognize any qualified group from the Association petitioning to be recognized by the SGA as a RSO.
- F. SGA Senate Committees are defined by the SGA Bylaws, SGA Executive Board and/or Senate voting members. The purpose of the SGA Senate Committees is to be proactive in dealing with Association matters.
- G. The SGA Senate must approve policies of the Executive, Legislative, & Judicial branches with a two-thirds majority vote before those policies become binding.

#### Section 3: Parliamentarian of the SGA Senate

The SGA Senate shall, at the earliest opportunity in the fall semester (at least by the third meeting of the SGA Senate during the fall semester), appointed by a majority approval of the Senate, any person they choose to serve as the SGA Senate Parliamentarian. The Parliamentarian shall serve as an advisor to the Presiding Officer of the Senate in making decisions concerning rules of procedures of the SGA Senate meetings & in interpreting the provisions of this Constitution & the SGA Bylaws. The Parliamentarian should inform the Presiding Officer of the Senate of any situation in which they feel that the rules are not being properly followed. In the event the position of Vice President becomes vacant, the



Parliamentarian shall assume the responsibilities of the position until the SGA President is able to appoint a qualified replacement. See Article IV, Section 4.A.

### Section 4: Legislation of the SGA

The order of authority of all SGA legislation shall be in the following order:

- A. SGA Constitution
- B. SGA Bylaws
- C. SGA Policies
- D. SGA Bills
- E. SGA Resolutions

#### Section 5: Associate Senators

Members of the Association shall become associate senators when all twenty SGA Senate seats are filled. Associate senators may replace vacant senators' seats. Applicants for the position of associate Senator must attend at least two consecutive meetings during the semester of application. The appointment of all associate senators must be approved by a simple majority approval of the Senate. Associate senators shall be given the same privileges, powers & duties as senators with the exception of the power to vote. In addition, associate senators may be removed or replaced under the same criteria as senators.

## ARTICLE IV – EXECUTIVE BRANCH

## **Section 1: Executive Board Membership**

A. SGA President (Elected Position)

The SGA President shall be the chief Executive Board member, & all other members of the Executive Board shall report to them. It shall be the duty of the SGA President to represent the Association & the SGA in all matters. They shall also enforce all provisions of this Constitution & its Bylaws & all other rules of the SGA. They shall also make recommendations to the SGA Senate on matters as they deem necessary for action. The SGA President is the only member of the Association that has the authority to veto any & all legislation. The SGA President shall also perform other such duties assigned by SGA Policy.

B. SGA Vice President (Elected Position)

The SGA Vice President shall be the second ranking chief Executive Board member & the presiding officer over the SGA Senate. The SGA Vice President shall assist the SGA President in the performance of their duties & shall perform the duties of the SGA President in their absence. They shall also supervise all the SGA Senate Standing & Special Committee Chairpersons & keep a record of all the SGA Senate Standing & Special Committee meetings. The SGA Vice President shall also perform other such duties assigned by the SGA President or SGA Policy. The SGA President supervises the SGA Vice President.

C. Appointed Directors

Appointed Directors shall be appointed as specified by SGA Governing documents. They shall perform duties assigned by the SGA President or SGA Policy. The SGA President supervises the Appointed Directors.

D. Appointed Assistant Directors

Appointed Assistant Directors shall be appointed as specified by SGA Governing documents. They shall perform duties assigned by the SGA President or SGA Policy. The SGA President supervises the Appointed Assistant Directors.

#### Section 2: Ex-Officio Members of the SGA Executive Board



Ex-Officio Members are members of SGA by virtue of their position or status. They are not members of the Senate, thus are not allowed to vote or participate in legislation debates. They are to attend SGA Senate weekly to report & provide insight through open discussion & inform through announcements.

- A. Student Governor (Appointed by the Governor of Missouri)
  The Student Governor shall represent the student body on the Board of Governors. The President of the University or their designee will advise the student governor.
- B. Assistant Director(s) of Homecoming (Appointed Position[s])
  The Assistant Director(s) of Homecoming shall be charged with coordinating all Homecoming activities in conjunction with the Center for Student Involvement. Additionally, the Assistant Director(s) shall be responsible for handling all projects assigned to them by the SGA President or by an SGA Senate resolution.
- C. SGA Staff SGA Staff shall be appointed as specified by SGA Governing documents. They shall perform duties assigned by their supervisors, the SGA President, or SGA Policy. Their supervisors shall be specified in the SGA Policy or Bylaw creating their position.

### **Section 3: SGA Executive Board Advisement**

Advisement of the SGA President, SGA Vice President, SGA Appointed Directors, SGA Appointed Assistant Directors, SGA Staff & SGA ex-officio members is determined by the Vice President for Student Affairs.

### Section 4: Qualifications for & Removal of the SGA President & the SGA Vice President

#### A. Qualifications

A candidate for the SGA President & the SGA Vice President must be enrolled at the University, have & maintain throughout the duration of their term at least a 3.00 (on a 4.00 scale) cumulative grade point average. They must attend the University as a full-time student (twelve credit hours for an undergraduate/eight credit hours for a graduate) during the term of their office. They must have attended the University for at least two full semesters prior to the semester in which they would take office. Additionally, in order to serve as the SGA President & the SGA Vice President, candidates must be in good disciplinary standing with the University & must remain in good standing for the term of their position.

# B. Removal of the SGA President & the SGA Vice President

The SGA President & SGA Vice President shall be subject to recall by a petition of ten percent of the members of the Association, or by three-fourths approval of the SGA Senate, either of which shall put the question of impeachment on a ballot before all members of the Association. The officer shall be removed upon two-thirds affirmative vote by the Association in favor of the removal of the officer. The SGA President and/or the SGA Vice President may be removed by the SGA Advisor or their designee if minimum requirements are not met as stated in Article IV, Section 4A.

### C. Replacement of the SGA President

If for any reason, the SGA President position should become vacant, the SGA Vice President shall assume the office of the SGA President until which time the SGA Senate may determine either to hold a special election or confirm the SGA Vice President as the replacement the SGA President.

## D. Replacement of the SGA Vice President

If, for any reason, the SGA Vice President position should become vacant, the SGA President shall select a Senator who is qualified for the office of the SGA Vice President to fulfill the unexpired term of the SGA Vice President. The candidate for the office of SGA Vice President must be approved by two-thirds approval of the SGA Senate before taking office.



### E. Term of Office

The term of office for the SGA President and Vice President shall be defined as the summer, fall, and spring semesters subsequent to the semester in which the Presidential election is held.

## Section 5: Appointed Directors, & Appointed Assistant Directors Appointments

The SGA Appointed Directors & Appointed Assistant Directors will be selected as follows:

- A. The SGA President, in consultation with the SGA Vice President, may appoint the SGA Directors & Assistant Directors. These officials shall take office prior to the final Senate meeting of the spring semester & serve for one year from the date of appointment.
- B. All appointed members of the SGA Executive Board must be approved by a two-thirds approval of the SGA Senate.

### Section 6: Qualifications for & Removal of the SGA Appointed Directors & SGA Appointed Assistant Directors

#### A. Qualifications

All appointed Directors & Assistant Directors must be enrolled at the University, have & maintained throughout the duration of their term at least a 2.50 (on a 4.00 scale) cumulative grade point average. They must attend the University as a full-time student (twelve credit hours for an undergraduate/eight credit hours for a graduate) during the term of their office. Additionally, in order to serve in an SGA appointed position, candidates must be in good disciplinary standing with the University & must remain in good disciplinary standing for the term of their position.

B. Removal of the Appointed Directors & Assistant Directors

All Appointed Directors & Assistant Directors may be removed from their position by the recommendation of the SGA President in consultation with the Executive Board & the SGA Advisor or their designee. If an Appointed Director or Assistant Directors are found in violation of the SGA Constitution or Bylaws, it may be cause for removal from their position. Additionally, the Appointed Directors & Assistant Directors work at the pleasure of the SGA Senate & may be dismissed by a two-third approval of the SGA Senate. All Appointed Directors & Assistant Directors may be removed by the SGA Advisor or their designee if minimum requirements are not met as stated in Article IV, Section 6A or the SGA Policies.

# ARTICLE V – JUDICIAL BRANCH

## Section 1: Judicial Branch Membership

A. Chief Justice of the Judicial Branch

The Chief Justice shall be the chair of the Judicial Branch & responsible for the maintenance, operation, and supervision of the Judicial Branch. They shall be appointed as specified by SGA Governing documents. They shall perform duties assigned by the Constitution, Bylaws, or SGA Policies.

B. Justices of the Judicial Branch

The Justices of the Judicial Branch shall be appointed as specified by SGA Governing documents. They shall perform duties assigned by the SGA Constitution, Bylaws SGA Policies. Additionally, in order to serve in a SGA appointed position, candidates must be in disciplinary good standing with the University & must remain in good standing for the term of their position.

#### Section 2: SGA Judicial Branch Advisement

Advisement of the SGA Judicial Branch shall be primarily conducted by the SGA Advisor. The SGA advisor shall advise based upon the SGA Constitution as exists during the time of advisement. The primary goal of said advisement shall be to provide guidance regarding matters of confidentiality, University conduct processes, & how they are applicable as it pertains to the SGA & its' Governing documents.



## Section 3: Qualifications for Appointments & the Removal of the Chief Justice & Justices of the Judicial Branch

#### A. Qualifications for Chief Justice

In order to be eligible, a candidate must have attended two consecutive SGA Senate meetings during the semester of their application. The Chief Justice must be enrolled at the University, have & maintain at least a 3.00 (on a 4.00 scale) cumulative grade point average throughout the duration of their term. Additionally, they must attend the University as a full-time student (Twelve credit hours for an undergraduate/eight credit hours for a graduate) throughout the duration of their term.

#### B. Qualifications for Justices

The Justices must be enrolled at the University & maintain throughout the duration of their term at least a 2.50 (on a 4.00 scale) cumulative grade point average.

### C. Confidentiality

All members of the Judicial Branch shall be required to sign confidentiality agreements & take confidentiality trainings in order to be aligned with University policies. Completion of confidentiality agreements & training must take place before any appointments. Breach in confidentiality will result in the removal of the Judicial Branch member & the possibility of additional Student Code of Conduct hearings.

## D. Appointment

The Chief Justice & four Justices shall be appointed by the SGA President & must then be ratified by vote from the SGA Senate. Two-thirds approval from the Senate body is needed for ratification.

## E. Removal

The Chief Justice or any Justice may be removed from their position via a two-thirds vote of the SGA Senate. Any University conduct issues will be cause for the SGA Advisor to suspend the Chief Justice or Justice from their position immediately with potential for permanent removal.

### F. Replacement a Judicial Branch member

If, for any reason, a Judicial Branch position should become vacant, the SGA President must, at the next SGA Senate Meeting, begin the appointment process for a replacement as specified in the SGA Governing Documents.

### G. Term of Office

The term of office for the Chief Justice & the Justices shall be one year beginning at the first Senate meeting of a new Senate Session. The appointed Chief Justice & Justices will serve for the fall & spring semesters.. The current Judicial Branch & the SGA Advisor or their designee will train & educate the newly appointed persons on their duties.

## H. Powers

- 1. The powers of the Judicial Branch shall be vested in the Chief Justice & Justices of the Judicial Branch.
- 2. The Judicial Branch shall review any & all grievances submitted to the SGA.
- 3. The Judicial Branch may review the actions of the Legislative Branch, Executive Branch, & Student Staff of the SGA to determine if their actions are in line with the SGA Constitution, Bylaws, Procedures, & Policies.
- 4. The Judicial Branch shall create sanctions for those found in violation of the SGA Constitution, Bylaws, Procedures, & Policies. Such sanctions may be appealed as outlined in the SGA Bylaws.
- 5. The Judicial Branch shall operate in accordance with the SGA Constitution, Bylaws, Policies, & Procedures in addition to University Policies.



- 6. The Judicial Branch may declare actions by the Association & SGA Senate unconstitutional & thereby unenforceable.
- 7. The Judicial Branch shall not be responsible for hearing cases of a criminal nature.

## ARTICLE VI – ELECTIONS

#### **Section 1: Election Procedures**

The procedure for the SGA elections is stated in the SGA Bylaws. Any changes in the election procedures are subject to a two-thirds approval of the SGA Senate. The Judicial Branch shall be charged with the responsibility of implementing SGA election procedures & facilitating student referenda. (See SGA Bylaws)

#### Section 2: Election of the SGA President & SGA Vice President

The SGA President & SGA Vice President, shall be elected annually in an election to be held at a time designated by the Judicial Branch. The SGA President & the SGA Vice President, elected in the spring elections, shall assume the title of President-elect & Vice President-elect during the last week of classes, at a time to be determined by senate the meeting before. If the SGA President position is not filled, the Senate will select a student from the Association that meets the requirements of SGA President. If the student accepts the nomination, the nomination shall be submitted to the Association for ratification. Presidential nominations must be sent to the Association for ratification one week before the final meeting of the SGA Senate held in that semester.

### **Section 3: Senate Elections**

The twenty SGA Senators positions shall be filled annually during the spring semester in an election to be held in conjunction with the SGA President & Vice President elections. The SGA Senators elected in the spring elections shall take office at the final meeting of the SGA Senate held in the semester in which they are elected & shall hold office for one year from the date of appointment.

## **Section 4: Primary Elections**

Primary elections shall be held for any office where there are more than two candidates.

### **Section 5: Constitutional Education**

All the SGA Executive Board members must attend a Constitutional Education Meeting held no later than two weeks prior to taking office at the last Senate meeting. This convention must be hosted by the current SGA Executive Board, Legislative, Judicial Branch members, & the Parliamentarian & will be a training process to educate all incoming members on how to perform their duties.

# ARTICLE VII – SGA Funding

### Section 1: SGA Fee & Fixed Allocations

The SGA budget shall be made up of the SGA fee collected by the University each semester. The money collected is University money & must be spent in accordance with both state & established University accounting policies & practices. Additionally, each year ten percent of the SGA fee shall be allocated directly to the Division of Student Affairs. This money will be divided among the areas within Student Affairs & shall be strictly used to support student programming & initiatives that benefit all University students. Center for Student Involvement, Center for Multicultural Education, International Student Services & Student Leadership Development should take first priority. The SGA Executive Board shall serve in an advisory role to Student Affairs in terms of the disbursement & use of the SGA Student Affairs allocation. Each year the Vice President for Student Affairs or their designee shall report to the SGA Senate an accounting of the SGA Fee expenditures before the last meeting of the spring semester. The Division of Student Affairs shall report a comprehensive plan of student fee expenditures at the first meeting of the fall semester. The SGA will provide funding to secure the position of an Administrative Coordinator. This position will provide the SGA support with budgeting, programming, communications, & assist all students of the Association. SGA shall also provide allocated funding to a campus activities



board to be used for providing activities open to all University students. The campus activities board shall report to the SGA senate with a proposed budget for the year & a report of expenses at the end of the spring semester.

## Section 2: SGA Budget

The SGA Executive Board drafts the SGA budget during the spring semester. The SGA Director of Finance shall present the SGA budget to the SGA Senate during the final meeting of the spring semester. The approved budget shall be for the academic year following the vote. The SGA Senate may, by two-thirds approval of the SGA Senate, approve the budget as presented to them. If the SGA Senate does not approve the budget as presented by a two-thirds approval of the Senate, then the Executive Board shall change & re-submit the budget to the SGA Senate again at the next meeting of the SGA Senate. Once the SGA Senate has approved the budget, it must be submitted to the University administration for approval.

# ARTICLE VIII – RULES OF PROCEDURE

The most current edition of Robert's Rules of Order for parliamentary procedure shall be used as a guide to govern the procedure & proceedings of all meetings of all branches of the SGA, but shall never take precedence over any provisions of this Constitution, the SGA Bylaws, or any policy or resolution of any branch of the SGA.

## ARTICLE IX – MEETINGS

## **Section 1: Executive Board Meetings**

The SGA Executive Board shall meet at least two times per month during the fall & spring semesters upon the call of the SGA President. All meetings shall require three class days prior written notice by the SGA President or their designee.

## **Section 2: SGA Senate Meetings**

The SGA Senate shall meet at least one time per month during the fall & spring semesters upon the call of the SGA Vice President or the SGA President. All meetings shall require three class days prior written notice by the SGA Vice President. An unexcused absence to an SGA Senate meeting shall count against meeting attendance requirements for the SGA Senators as described in the SGA Bylaws Article III, Section 2C.

## **Section 3: Senate Standing Committee Meetings**

The Senate Standing Committees shall meet at least two times per month during the fall & spring semesters upon the call of the Committee Chairperson or the SGA President. All meetings shall require three class days prior written notice by the Committee Chairperson or the SGA President. An unexcused absence to a Senate Standing Committee meeting shall count against meeting attendance requirements for the SGA Senators as described in the SGA Bylaws Article III, Section 2C.

### Section 4: Judicial Branch Meetings

The SGA Judicial Branch shall meet as required & as called for by the Chief Justice of the Judicial Branch.

## ARTICLE X – INITIATIVE & REFERENDUM

Any legislation passed by the SGA or any issue, shall be placed on a ballot before all members of the Association upon securing a petition of at least ten percent of the members of the Association or two-thirds approval of SGA Senate calling for such an election. If the petition or legislation does not specify a special election date then the matter shall be placed on the next general election ballot.

In the event that the said petition is properly executed & presented to the SGA President, the Judicial Branch shall place the issue on a ballot before all members of the association for acceptance or rejection by the members of the association at either the next general election of the SGA or in a special election as called for by the Judicial Branch.

# **ARTICLE XI - RATIFICATION & AMENDMENTS**

Section 1: Ratification



This constitution shall become effective upon approval by two-thirds of the votes cast by the members of the Association, & shall become effective immediately following the certification of the election. Upon this time the former constitution will become null & void with the exception of the SGA Bylaws.

## **Section 2: Amendments**

Amendments to this constitution may be proposed by either a three-fourths approval of the SGA Senate or by a petition (see Article X). Upon the execution of either of these methods the amendments must be put to a vote of the entire Association for acceptance by two-thirds vote of approval.

### **Section 3: Other Provisions**

The SGA Constitution may be edited by the SGA Advisor or their designee without a vote of the Association or the SGA Senate on matters of grammar, spelling, style, & formatting that do not affect the meaning of any part of this Constitution.