

# **The Constitution of the Student Government Association Virginia Polytechnic Institute and State University**

(Last Updated: April 2018)

## **Preamble**

We, the undergraduate members of the Student Body of Virginia Polytechnic Institute and State University, desire: to provide an effective organization for the administration of student activities; to promote academic freedom and responsibility; to establish and protect student rights; to improve the quality of student life; to unify the student voice; to foster awareness of the student's position in the campus, local, state, and national communities; to provide a liaison between the undergraduate student body, faculty, and administration of the university. We hereby establish this Student Government Association and ordain this Constitution.

## **Article I – NAME OF THE ORGANIZATION**

- A. The name of this organization shall be the "Student Government Association of Virginia Polytechnic Institute and State University." The organization shall be henceforth referred to in this document as the Student Government Association.

## **Article II – FUNCTIONS**

- A. To express unified undergraduate student views on university affairs and student interests.
- B. To establish, within the law applicable to Virginia Polytechnic Institute and State University, an effective means for advising and responding to the Board of Visitors, University Council, University Commissions, University Committees, the Administration, the Faculty Senate, the Staff Senate, the Graduate Student Assembly, and the public on University affairs.
- C. To participate in the formulation of university policies across colleges, divisions, or centers at the University.
- D. To consider policies, programs, and other matters that the administration, college faculties, student organizations, and individuals of the University may propose.
- E. To afford avenues and procedures whereby communications within the University may flow freely, fully, and systematically.
- F. To help create, maintain, and protect a university environment conducive to the richest growth of scholarship, learning, teaching, research, and respect for dignity and rights.
- G. To accept and share responsibility with the Administration and Faculty in all efforts to improve the stature and value of the University.

## **Article III – DEFINITION OF MEMBERSHIP**

- A. The Undergraduate Student Body, which consists of all currently enrolled undergraduate students, shall be entitled to vote in Student Government Association elections and referendums.
- B. The membership of the Student Government Association consists of all elected and appointed officials of the Executive, Legislative, and Judicial Branches as referred to in this document.
- C. No student may serve as a voting member, appointed member, or officer in more than one of the following at one time: the Legislative Branch, the Executive Branch (excluding committees), or the Judicial Branch.
- D. No otherwise qualified student may be excluded from membership on the basis of age, color, disability, gender, national origin, political affiliation, race, religion, sexual orientation, gender identity, gender expression, and veteran status.
- E. All members of the Executive Branch, Judicial Branch, and Legislative Branch are subject to impeachment by the Legislative Branch upon review of their actions by a two thirds (2/3) vote. Specific processes and exceptions of impeachment are found in their respective sections of the Bylaws.

- F. All members of the Executive Branch, Judicial Branch, and Legislative Branch are subject to impeachment by the undergraduate student members of their respective constituencies upon review of their actions by a simple majority referendum. Specific processes and exceptions of impeachment are found in their respective sections of the Bylaws.

#### **Article IV – EXECUTIVE BRANCH**

- A. The Elected Executive officers of the Student Government Association shall be the President and the Vice President.
- B. The Appointed Executive officers of the Student Government Association shall be the Secretary and Treasurer, for confirmation by the Legislative Branch.
- C. The President is the recognized spokesperson of the Student Government Association.
- D. The President of the Student Government Association shall have the following powers and duties:
1. To preside over meetings of the Executive Branch.
  2. To be a voting Student Representative on the Commission on Student Affairs and on the University Council.
  3. To appoint the Secretary and Treasurer.
  4. To appoint students to a Cabinet of advisors.
    - a. The Cabinet shall have the purpose of discussing cross-branch matters and reflect on the current events of the organization. The members of Cabinet shall be enumerated in the Bylaws of the Student Government Association.
  5. To head the selection committee to appoint directors for the Executive Branch per the Bylaws.
  6. To communicate to the Legislative Branch all appointments and official actions.
  7. To fill any vacancies occurring in the General Assembly.
  8. To appoint Student Government Association members to sit on all University Committees and Commissions.
  9. To execute a veto of legislation passed by the Legislative Branch.
  10. To act as a liaison of the Student Government Association to the Administration of Virginia Polytechnic Institute and State University, and the Town of Blacksburg.
  11. To attend Blacksburg Town Council meetings or appoint a proxy to represent the Student Government Association.
  12. To execute all powers and duties found in this Constitution and in the Bylaws of the Student Government Association.
- E. The Vice President of the Student Government Association shall have the following powers and duties:
1. To execute the powers and duties of the President of the Student Government Association in his or her temporary absence.
  2. To be a voting Student Representative on the University Council.
  3. To prepare a report of the accomplishments of the Student Government Association in conjunction with the Secretary, the Chair of the Legislative Branch, and the Chief Justice, which shall be distributed to the Board of Visitors, University Council, University Commissions, University Committees, the Administration, the Faculty Senate, the Staff Senate, the Graduate Student Assembly, and the Student Government Association at the end of each semester and posted on a public forum.
  4. To perform such duties as the President of the Student Government Association shall assign him or her.
- F. The Secretary of the Student Government Association shall have the following powers and duties:
1. To record attendance and minutes at each meeting of the Executive and Legislative Branch and have minutes placed on a public forum.
  2. Maintain and transition all official documents of the Student Government Association.
  3. To communicate all necessary information concerning meeting times and places to any interested individuals upon request.

4. To make available any Student Government Association documents to any individual upon request, per all applicable policies or laws.
  5. To perform such duties as the President of the Student Government Association shall assign him or her.
- G. The Treasurer of the Student Government Association shall have the following powers and duties:
1. To be responsible for the execution of all financial transactions of the Student Government Association.
  2. To establish and maintain financial records in accordance with the uniform accounting system of Virginia Polytechnic Institute and State University.
  3. To prepare and present the proposed Student Government Association budget for the following fiscal year, beginning July 1, to the Legislative Branch for approval by majority vote.
  4. To allow access to the financial records of the Student Government Association to any interested individual upon request.
  5. To keep the Student Government Association duly informed of the Student Government Association budget through an update at the first weekly meeting of the Legislative Branch each month.
  6. To be a voting representative on the Student Budget Board, or appoint a proxy in the case of absence.
- H. The President, Vice President, Secretary, and Treasurer shall have the same discussion rights as all other members of the Legislative Branch.
- I. The nomination and election of the Executive officers shall be conducted as prescribed in the Election Code of the Student Government Association.
- J. Vacancies occurring in any term of office of the President, Vice President, Secretary or Treasurer shall be filled in accordance with the following rules and procedures enumerated in the Bylaws.
- K. The Undergraduate Representative to the Board of Visitors shall be a recognized member of the Student Government Association. Their duties are listed in the Board of Visitor Regulations.
- L. Additional members of the Executive Branch shall be enumerated in the Bylaws of the Student Government Association.

## **Article V – LEGISLATIVE BRANCH**

- A. All legislative powers granted herein shall be vested in the Legislative Branch, which will be composed of the General Assembly. Any reference to a vote of the Legislative Branch shall be interpreted to mean a vote in the General Assembly.
- B. The General Assembly
1. The membership of the General Assembly shall consist of elected student members from each of the undergraduate Colleges, as well as a number of representatives elected from the undergraduate population at large.
    - a. All members of the Undergraduate Student Body are eligible for election to the General Assembly provided that they meet all qualifications prescribed in the Election Code of the Student Government Association.
    - b. The nomination and election of the members of the General Assembly shall be conducted as prescribed in the Election Code of the Student Government Association.
  2. The undergraduate students of each College shall be represented by at least two (2) representatives, who shall be elected by their respective academic colleges through the public Student Government Association election process. Additional representation shall be as prescribed by the Bylaws of the Student Government Association to as closely as possible ensure proportional representation across all of the undergraduate academic colleges.
  3. The entire undergraduate student population shall be represented by a number of at-large representatives, who shall be elected by the general undergraduate student body. The maximum total number of at-large representatives shall be as prescribed by the Bylaws of the Student Government Association, and shall not be set at higher than one and half times the total number of

academic college representatives delineated in the Bylaws of the Student Government Association. The minimum total number of at-large representatives shall be prescribed by the Bylaws of the Student Government Association, and shall not be set lower than half of the total number of academic college representatives delineated in the Bylaws of the Student Government Association.

4. Representatives to the General Assembly have the responsibility to seek out the opinion of their constituents. Having done so, they shall make decisions and vote on matters brought before the General Assembly according to their own reasoned judgment guided by the opinions of the College that they represent, or in the case of at-large representatives, the opinions of the broader student population. Additional powers and responsibilities of representatives can be found in the Bylaws of the Student Government Association.
5. If at any time membership of the General Assembly falls below the minimum total number for either at-large or academic college representatives outlined above, representatives may be appointed by the President of the Student Government Association to fill the vacancies, and confirmed by a majority vote of the General Assembly. Unelected vacancies above the minimum requirements will be filled as dictated by the Bylaws of the Student Government Association.

C. Officers of the General Assembly

1. The Chair of the General Assembly shall be elected by the General Assembly to preside over all meetings. The powers and responsibilities of the Chair shall be to preside over the General Assembly and to cast a tie-breaking vote in the event one is necessary.
2. The Vice Chair of the General Assembly shall be elected by the General Assembly to preside over all meetings in the absence of the Chair. The Vice Chair shall also assume the position of the Chair in the event that the position is vacated, in addition to other powers and responsibilities outlined in the Bylaws.
3. The General Assembly may vote to remove from office the Chair of the General Assembly, the Vice Chair of the General Assembly, any committee chair or vice chair, and/or any member of the Legislative Branch who willfully neglects assigned duties and responsibilities.

D. The Legislative Branch shall review and approve an annual proposed Budget prepared by the Treasurer, by majority vote.

E. Standing Legislative Committees may be established by the Legislative Branch in accordance to the Bylaws.

F. Except in certain circumstances enumerated below, the General Assembly shall be required to conduct two (2) readings, each during a different meeting, before voting on legislation or bills.

1. If the legislation or bill is presented under emergency circumstances where it would be without effect if not voted on until after the second reading, the Legislative Branch may make the determination by a two thirds (2/3) vote on a motion to suspend this rule.
2. A second reading may be suspended for changes to the Constitution or Bylaws only by a unanimous vote.

G. The Student Government Association shall have an Advisor(s) from the staff, faculty, or administration at Virginia Polytechnic Institute and State University. The General Assembly may issue a statement of no confidence in an advisor with a two thirds (2/3) vote in the body. A statement of no confidence expresses a finding that an advisor has been seriously deficient in the performance of his or her duties.

## **Article VI – JUDICIAL BRANCH**

A. The judicial power of the Student Government Association and the administration of the Student Government Association elections shall be vested in the Judicial Branch. The Judicial Branch shall have original jurisdiction:

1. In cases involving the interpretation of the Constitution and Bylaws of the Student Government Association.
2. In cases involving impeachment proceedings of any member of Student Government Association, except for those in the Judicial Branch.

- a. Cases involving impeachment of a member or members of the Judicial Branch shall be handled by an Ad Hoc Committee as defined in the Bylaws of the Student Government Association.
  - 3. In cases involving alleged campaign violation(s) in Student Government Association elections.
- B. The Judicial Branch shall have the responsibility of administering the Student Government Association Elections as follows:
  - 1. To investigate and report to the Chief Justice on the eligibility of students to obtain Executive officer or General Assembly positions within the Student Government Association.
  - 2. To determine the number of representatives in each College in the General Assembly according to the guidelines set forth in the Election Code of the Student Government Association.
  - 3. To schedule, organize, and carry out procedures for Student Government Association Elections.
  - 4. To organize an election commission consisting of members from the Legislative Branch, Executive Branch, Judicial Branch, and non-members of the Student Government Association.
- C. Composition of the Judicial Branch
  - 1. The Judicial Branch shall consist of a Chief Justice, five (5) Associate Justices, and two (2) Clerks of Court.
  - 2. All members of the Judicial Branch must be approved by a two thirds (2/3) vote by the Legislative Branch.
  - 3. The Chief Justice shall be appointed by a committee consisting of the incoming President (Chair), Vice President, and the outgoing Chair of the Legislative Branch. The outgoing Chief Justice, so long as they are not reapplying, shall also sit on this committee.
  - 4. The Associate Justices of the Judicial Branch shall be selected through an application and interview process conducted by a committee chaired by the Chief Justice with representatives from both the Executive Branch and Legislative Branch.
    - a. In the event that vacancies arise during the year, the positions shall be filled through an application and interview process within fifteen class days of the vacancy. This process will be conducted by a committee of representatives from each branch of the Student Government Association. Appointments will be confirmed by the Legislative Branch.
  - 5. The terms of the members of the Judicial Branch shall be one (1) year.
  - 6. In the event the position of Chief Justice becomes vacant, the Head Associate Justice shall assume the position and the powers and responsibilities with it. In the event of a vacancy in both positions, the President will appoint a new Chief Justice giving priority to prior applicants.

**Article VII – AMENDMENTS TO THE CONSTITUTION AND BYLAWS**

- A. Notice of a proposal to amend the Constitution of the Student Government Association shall be presented in writing to the Legislative Branch and referred to the Cabinet for review. The Cabinet will be required to present the amendment and their opinion to the Legislative Branch within fourteen (14) days of the original presentation of the amendment.
- B. After the Cabinet presents the amendment and their opinion, the amendment shall be considered at no fewer than two (2) meetings of the Legislative Branch prior to voting. A second reading may only be suspended by unanimous vote. A copy of the proposed amendment shall be made available to each voting member of the General Assembly. A three fourths (3/4) vote shall be required for approval of the proposed amendment.
- C. Proposed amendments to the Constitution of the Student Government Association, which have been approved by the Legislative Branch, shall be submitted to a referendum vote of the Undergraduate Student Body. Notice of the referendum shall be given and copies of the proposed amendment shall be made available to the Undergraduate Student Body at least one week in advance of voting.
- D. Amendments to the Constitution of the Student Government Association become effective upon approval by two third (2/3) vote of the participating Undergraduate Student Body and a voting majority in the Commission on Student Affairs, in accordance with Policy 8012, section 4.2, which states in reference to

University Chartered Student Organizations, "The constitution shall contain provisions for its own amendment and for approval by the appropriate university governance body."

- E. Notice of a proposal to amend the Bylaws of the Student Government Association shall be given in the agenda and considered at no fewer than two (2) meetings of the Legislative Branch prior to voting. A second reading may only be suspended by unanimous vote. A copy of the proposed amendment shall be made available to each voting member of the General Assembly. Amendments to the Bylaws of the Student Government Association become effective upon a two thirds (2/3) vote in the Legislative Branch.
- F. In the case of a change in the University Council Constitution, which necessitates an amendment to the Constitution and/or Bylaws of the Student Government Association, the Legislative Branch will be notified by the Judicial Branch no later than fourteen (14) days from the date the change is passed by the appropriate bodies.

#### **Article VIII – RIGHTS OF MEMBERS OF THE UNDERGRADUATE STUDENT BODY**

- A. All members of the Undergraduate Student Body shall be able to bring an issue to popular vote by submitting to a Clerk of Court a petition bearing the signatures, official student email addresses, and dates of signature of at least 5% of the Undergraduate Student Body. Action on such a request shall be forthcoming within fourteen (14) days from the date said qualified request was received by the Judicial Branch.
- B. The constituents of any elected official may request a recall election of said elected official of the Student Government Association by submitting to a Clerk of Court a petition bearing the signatures, official student email addresses, and dates of signature of at least 5% of the Undergraduate Student Body. Petitions must be received by a Clerk of Court fourteen (14) days from the date that the election results are announced. A recall election must occur within fourteen days from the date said qualified request was received by the Judicial Branch.
- C. All members of the Undergraduate Student Body shall be able to propose an amendment to the Constitution of the Student Government Association per the guidelines outlined in this document and the Bylaws.