

Undergraduate Student Government Constitution

As the official representative of the Clemson University Student Body, Student Government was created to be and still acts as the liaison between the students and the administration, faculty and staff. From its inception in 1957, Student Government has sought to be the chief student advocate in all areas of campus life. In addition to serving as the governing body of the student population, Student Government also participates heavily in the daily affairs of the University. Through interaction with University officials and representation on University committees and councils, Student Government representatives provide continuous input to the administration and offer many recommendations with regard to student sentiment. Student Government also provides a wide array of services and programs for the mutual benefit of all Clemson students, from the Homecoming Pageant in the Fall to Clemson Sweep in the Spring.

Every Clemson student is represented through the elected and appointed members of the Executive, Legislative, and Judicial Branches of Student Government, and those representatives welcome and encourage visits from students who wish to voice their ideas, opinions, and concerns. As the chief student advocate on campus, Student Government is dedicated to the service of all Clemson students and the enhancement of the Clemson experience. The active student input is the most vital ingredient in the functioning of the Clemson University Student Government.

Preamble

The Undergraduate Students of Clemson University do establish this Constitution for the preservation and improvement of a democratic Undergraduate Student Government at Clemson University.

Article I - Legislative

Section 1: Legislative Power

The legislative power shall be vested in a Student Senate. However, no legislation enacted by the Student Senate may be in conflict with current federal, state, or local laws.

Section 2: Membership

Membership of the Student Senate shall be composed of at least one eligible Senator from each college and class.

Section 3: Officers

The Student Senate shall elect therein a Senate President, Senate President Pro-Tempore, Senate Secretary and Senate Clerk. The Student Body Vice President shall serve as a voting member of the Student Senate.

Section 4: Powers of the Student Senate

The Student Senate shall have the power to:

1. Enact by a majority vote resolutions, bills and rules amendments.
2. Propose amendments to this Constitution and the Supreme Constitution by a two-thirds vote.
3. Override the veto of the Student Body President by a two-thirds vote.
4. Confirm all but temporary summer appointments made by the Student Body President by a two-thirds vote.
5. Remove any officer of Student Government for malfeasance by a two-thirds vote.
6. Formulate the procedure to be used in all Student Government elections, referendums, and special votes.
7. Provide for publication of legislation.
8. Act upon petitions for recognition by student organizations.
9. Approve requests from organizations seeking funded recognition.
10. Create committees as needed.
11. Establish Student Senate rules of procedure.

Section 5: Legislation

All bills passed by the Student Senate must bear the signature of the Vice President for Student Affairs to become effective. Once effective, only General Bills shall become By-Laws of this Constitution.

Legislation requiring the signature of the Student Body President that is not signed within 15 days or vetoed and returned to Student Senate within 15 days shall be sent to the Vice President for Student Affairs as if signed by the Student Body President. In the case of legislation passed less than 15 days before the final Student Senate meeting in the Spring semester, the Student Body President shall have until the first Student Senate meeting in the following Fall semester to either sign or veto and return the legislation. Legislation not signed or vetoed and returned to the first Student Senate meeting of the Fall semester shall be sent to the Vice President for Student Affairs as if signed by the Student Body President.

Article II - Executive

Section 1: Executive Power

The executive power shall be vested in a President and a Vice President elected by the Student Body. In the event that the President becomes incapable of serving the office of the President, the Vice President shall assume full executive power.

Section 2: Powers of the Student Body President

The Student Body President shall have the power to:

- A. Recommend legislation.

B. Veto Student Senate legislation requiring his signature within 15 days of passage through the Student Senate.

C. Create committees as needed.

D. Make temporary summer appointments without Student Senate confirmation.

E. Appoint the non-elected members of the President's Cabinet with Student Senate approval.

F. Appoint persons to any other positions required by legislation with Student Senate approval.

Section 3: Powers of the Student Body Vice President

The Student Body Vice President shall have the power to assist the Student Body President in the appointment of the President's Cabinet and any other positions required by legislation.

Section 4: President's Cabinet

The President's Cabinet shall include the Student Body Vice President, Student Senate President, C.O.D.A Director, Transfer Council Director, and three appointed officers. The three appointed officers shall include the Attorney General, Student Body Treasurer, and Chief-of-Staff. Additional cabinet members may be required to be appointed by the by-laws of the Executive Branch. Any additional Cabinet members not required to be appointed by the by-laws may be given a temporary one-year appointment and added to the Cabinet upon recommendation of the Student Body President and a two-thirds vote of the Student Senate

Article III - Judicial

Section 1: Judicial Power

This judicial power shall be vested in a Supreme Court and in such lesser courts as the Undergraduate Student Senate shall establish.

Section 2: Attorney General

The Attorney General, appointed by the Student Body President, shall serve as the chief administrative officer of the Judicial Branch. The Attorney General is charged with the duty of protecting the rights of the Undergraduate and Graduate Student Body.

Section 3: The Supreme Court

The Supreme Court shall have appellate jurisdiction over all cases involving violations of student regulations. The Supreme Court shall also have jurisdiction over controversies enumerated in the Supreme Constitution.

Article IV - Amendments

Section 1: Proposal

Amendments to this Constitution may be proposed by legislation of the Student Senate or by petition of ten percent of the Student Body.

Section 2: Referendum

Amendments proposed must be approved by the Undergraduate Student Body in a referendum by two-thirds of those voting and signed by the Vice President for Student Affairs.

Article V - Impeachment

A. Impeachment proceedings may be initiated against any member of Undergraduate Student Government.

B. Impeachment procedures may be initiated by any Senator's motion to impeach.

C. An impeachable offense may be defined as but is not limited to: 1) being placed on disciplinary probation or 2) not fulfilling his or her elected/appointed responsibilities as defined in the Student Body Handbook.

D. Any Senator who brings up the motion to impeach shall present a formal written statement of the charges, which will be read before the Senate upon bringing up the motion.

E. The written statement of charges shall consist of:

1. Name of the accused and office held.
2. Specific reasons for impeachment (charges).
3. Three signatures of current Senators in office.

F. There will then be a five to fifteen minute period of question and answer directed towards the Senator presenting the motion concerning the written statement. Once the five to fifteen minute period has expired, the body will move into a period of debate.

G. Upon passing of closure of debate, the body will move into voting. A simple majority is required.

H. If the motion is passed, a special meeting of the Senate will be called for the impeachment trial.

I. Rule 3 of "Rules of Senate" (Order of Business) will not apply to this meeting.

J. The meeting will be called no earlier than one (1) week and no later than two (2) weeks after the motion to impeach has been passed.

K. Any Senator who is absent from this special meeting will receive one (1) Senate absence.

L. Orders of the Day:

1. President of the Senate will preside. If the President is the accused then the Senate President Pro-Tempore will preside.

2. The Senator who motioned for the impeachment trial will have ten (10) minutes to re-read the letter of formal charges and then speak on the letter.

3. The accusing Senator is allowed to yield his/her remaining time to other witnesses.

4. Once time has expired the Senate Body will move into a period of question and answer with the accuser(s) and his/her witnesses until there is a passing motion to end question and answer. Question and answer will begin with the defendant(s) and then move to the Senate at large.

5. After the completion of the question and answer of the accusing Senator(s) and witnesses, the defendant(s) will have fifteen (15) minutes to present his/her case.

6. The defendant(s) is allowed to yield his/her remaining time to other witnesses.

7. Once time has expired the Senate Body will move into a period of question and answer with the defendant(s) and his/her witnesses until there is a passing motion to end question and answer. Question and answer will begin with the accuser(s) then move to the Senate at large.

8. After the completion of question and answer, the Senate will be cleared of all non-Senators excluding the Attorney General. There will then be a period of pro/con. Once pro/con has ended (by the passing motion of a Senator) there will be an immediate vote. This motion requires a two-thirds majority of current membership to pass.

9. The accusing Senator(s), defendant(s), and witnesses will pledge the oath: "I affirm that I will tell the entire truth to the best of my knowledge."

10. Any person testifying who commits perjury will be subject to High Court prosecution under the Student Regulations.

M. The entire special meeting will be held in executive session, not including any defendants or witnesses, who will be let in one at a time. The Attorney General of the Judicial Branch will also be present at the special meeting.

N. Any appeals must be made to the Supreme Court within five (5) University business of the passing vote to impeach.

O. The vacant office(s) shall be filled in the same manner in which they were originally filled or through currently defined and approved vacancy procedures.

P. Any person removed from office by impeachment is ineligible to hold any office in Student Government.

Article VI - Supremacy

The Supreme Constitution of the Clemson University Undergraduate and Graduate Student Bodies, this Constitution, the Bill of Rights and responsibilities attached hereto and all the By-Laws enacted by the Student Senate, or that shall be enacted, in accordance with this Constitution and the Supreme Constitution of the Clemson University Undergraduate and Graduate Student Bodies, shall be the supreme governing authority of the Clemson University Undergraduate Student Body. All elected members and appointed officers and directors within Undergraduate Student Government shall be bound by the Supreme Constitution of the Clemson University Undergraduate and Graduate Student Bodies and this Constitution, and that all by-laws and the Bill of Rights attached to the previous Constitution shall be given full effect and attached to this Constitution.