



Constitution of the Student Body of the University of South Florida Sarasota – Manatee

We, the Student Body, of The University of South Florida Sarasota-Manatee, in order to provide effective student representation before all vested bodies of influence, for the purpose of giving guidance and stewardship concerning the allocation of our student finances to serve in the best interest of our student body; and to provide ourselves with the highest caliber of enriching and educational activities and services do hereby ordain and establish this Constitution.

Article 1: Membership and Rights of Students.

Section 1: All students by virtue of their registration of The University of South Florida Sarasota-Manatee as their home campus, or by enrollment in classes on the Sarasota-Manatee Campus or North Port site are members of the Sarasota-Manatee Student Body. The Student Body shall establish a Student Government Association which shall govern and represent the interests of the Student Body. This Student Government Association shall in turn be held accountable to and maintained by the Student Body. The Student Government Association hereinafter may be referred to as “Student Government”, “SG”, or “SGA.”

Section 2: The Student Government shall be comprised of the Executive, Legislative and Judicial Branches; in addition to any functional groups and entities defined within this Constitution and accompanying Bylaws. The powers and responsibilities of the Student Government shall be promulgated by the Constitution and Bylaws, which shall not conflict with the regulations of the University of South Florida, the Florida University System or any other municipal, state or federal law.

Section 3: The differential treatment of a student based upon factors including, but not limited to, race, creed, religion, gender, age, sexual orientation, national origin, marital status, parental status, citizenship status, disability, personal wealth or any combination thereof, is deemed unacceptable. The denial of due process or the infringement of the substantive rights of any student shall not be tolerated.

Section 4: During terms of service, all members of Student Government shall be enrolled for a minimum number of distinct classes (independent of any lab components), within the University of South Florida system. The required number of enrolled classes shall be defined within the proceeding Articles relevant to each branch of Student Government. Additionally, all members of Student Government must be in Good Academic Standing with a cumulative and institutional grade point average of 2.0 (on a 4.0 scale), and may not be subject to disciplinary probation, suspension or expulsion during their term of service, unless otherwise specified in the proceeding Articles relevant to each branch of Student Government.

Article 2: The Executive Branch

Section 1: The Executive Branch shall consist of the Student Body President; Student Body Vice-President; Secretary; Treasurer; Student Senate President; Student Activities Board President; all department, office and agency employees; and all executive appointees. No member of the Executive Branch shall hold a second office in any other branch of Student Government during their term of office in the Executive Branch.

Section 2: All Executive Officers shall be required to be enrolled in no less than one (1) class (independent of any lab components) during each Fall and Spring semester (the Summer semester is excluded) of their term, within the University of South Florida system and have declared Sarasota

- Manatee as their home campus. Additionally, all Executive Officers must maintain a grade point average of 2.5 (on a scale of 4.0), that is cumulative and institutional during each semester of their term.

Section 3: Responsibilities and Powers of the Student Body President

Subsection 3A: All executive powers of the Student Body shall be vested in the Student Body President. The Student Body President shall have the power to nominate and, with the advice and consent of the Student Senate, appoint all department, office, bureau and agency directors, with the exception of the Student Activities Board. All other members of the Executive Branch may be appointed by the Student Body President without the advice and consent of the Student Senate unless otherwise provided by the Constitution or Bylaws.

Subsection 3B: The Student Body President shall be responsible for the oversight of all agencies, offices and departments of Student Government.

Subsection 3C: The Student Body President shall nominate, and with the advice and consent of the Student Senate, appoint all executive officer positions vacated mid-term as outlined in the Constitution and Bylaws.

Subsection 3D: The Student Body President shall nominate, and with the advice and consent of the Student Senate, appoint justices to all vacant seats within the Student Supreme Court as outlined in the Constitution and Bylaws.

Subsection 3E: The Student Body President shall recommend students for appointments to, or removal from, University-wide Councils, committees and boards with the advice and consent of the Student Senate as outlined in the Constitution or Bylaws.

Subsection 3F: The Student Body President shall represent the Student Body before any representative body of which it is a member as outlined in the Constitution or Bylaws.

Subsection 3G: The Student Body President shall sign or veto, within ten (10) business days, all statutes and appropriations passed by the Senate. The President's failure to act during this specified time shall be deemed approval of such legislation and appropriations. The Student Senate may override, by a two-thirds majority, a veto by the Student Body President.

Subsection 3H: The Student Body President shall address the Student Senate at least once each semester and on other occasions at the invitation of the Student Senate President.

Subsection 3I: The Student Body President may call for a referendum of the Student Body, subject to approval of the Student Senate by a two-thirds majority.

Subsection 3J: In the event that the Student Body President resigns or is impeached, the position shall be filled by the order of succession: Student Body Vice-President; Student Senate President; Secretary; Treasurer; Student Activities Board President. In the event that all such positions are vacated, the office of Student Body President shall be filled by the most senior Student Senator, based upon time served, until an emergency election may be held.

Section 4: Responsibilities and Powers of the Student Body Vice-President

Subsection 4A: The Student Body Vice-President shall, in the absence of the Student Body President, hold all powers, perform all assigned duties, and be subject to all restrictions embodied by that office.

Subsection 4B: The Student Body Vice-President shall perform such other duties, pertaining to the Student Government, as may from time to time be assigned by the Student Body President.

Subsection 4C: The Student Body Vice-President shall serve as the head of the Inter-Club Council and preside over all of its meetings and events as outlined in the Constitution and Bylaws.

Section 5: Responsibilities and Powers of the Student Senate President

Subsection 5A: The Student Senate President shall be responsible for presiding over all meetings of the Student Senate and completing an agenda prior to each meeting.

Subsection 5B: The Student Senate President serves as the collective representation of the Student Senate in the Executive Branch.

Subsection 5C: Voting Powers of the Student Senate President

Subdivision 5C1: The Student Senate President shall be a voting member of the Executive Branch.

Subdivision 5C2: The Student Senate President shall hold no voting power within the Student Senate, except in the case when a tie-breaking vote must be cast.

Subsection 5D: The Student Senate President shall lead the Student Senators in carrying out the legislative duties of the Student Senate and the Student Government, along with proposing all legislative changes, resolutions and amendments to the Executive Board.

Section 6: Responsibilities and Powers of the Secretary

Subsection 6A: The secretary shall be responsible for the maintenance of all records and correspondence of the Student Government within the office.

Subsection 6B: The Secretary shall be responsible for recording the minutes of Executive Board meetings.

Subsection 6C: The Secretary shall perform other duties, pertaining to the Student Government, as may from time to time be assigned by the Student Body President.

Section 7: The Responsibilities and Powers of the Treasurer

Subsection 7A: The Treasurer shall be responsible for maintenance of accurate expenditure records and ensuring proper usage of the Activity and Service Fee money as prescribed in the Florida Statutes.

Subsection 7B: The Treasurer shall, in cooperation with the Budget Committee, prepare and present the proposed budget for the next fiscal year to the Student Senate for approval as outlined in the Constitution and Bylaws.

Subsection 7C: The Treasurer shall perform other such duties, pertaining to the Student Government, as may from time to time be assigned by the Student Body President.

Section 8: The Responsibilities and Powers of the Student Activities Board President

Subsection 8A: The Student Activities Board President shall be responsible for presiding over all meetings of the Student Activities Board and completing an agenda prior to each meeting.

Subsection 8B: The Student Activities Board President shall serve as the collective representation of the Student Activities Board in the Executive Branch.

Subsection 8C: Voting Powers of the Student Activities Board President

Subdivision 8C1: The Student Activities Board President shall be a non-voting member of the Executive Branch.

Subdivision 8C2: The Student Activities Board President shall hold voting power within the Student Activities Board as outlined in the organizational Bylaws of the Student Activities Board.

Subsection 8D: The Student Activities Board President shall lead the Student Activities Board in carrying out the duties of organization and execution of campus and community events, along with proposing all such events to the Executive Board.

Subsection 8E: The Responsibilities and Powers of the Student Activities Board

Subdivision 8E1: The authority to organize and execute campus and community events shall be vested in the Student Activities Board.

Subdivision 8E2: The Student Activities Board shall establish its own meeting times, rules and procedures to be outlined in their organizational Bylaws.

Article 3: The Legislative Branch

Section 1: The Legislative Branch shall consist of the Student Senate. No member of the Legislative Branch shall hold a second office in Student Government during their term of office in the Legislative Branch.

Section2: All members of the Legislative Branch shall be required to be enrolled in no less than one (1) class (independent of any lab components) if an undergraduate student or post-graduate student, during each Fall and Spring semester (the Summer semester is excluded) of their term, within the University of South Florida system and have declared Sarasota - Manatee as their home campus.

Section 3: The Responsibilities and Powers of the Student Senate

Subsection 3A: The legislative authority of the Student Body shall be vested in the Student Senate.

Subsection 3B: The Student Senate shall be composed of representatives of each of the Colleges of the University of South Florida Sarasota-Manatee.

Subdivision 3B1: Each College shall be represented by no less than two (2) seats in the Student Senate regardless of the number of students enrolled in that College.

Subdivision 3B2: For the purpose of guaranteeing representation to all students, the combined Freshmen and Sophomore Classes, and the students with an undeclared major shall be grouped as the "Undeclared College" and enjoy all the benefits of participation in the Student Government as any other College of the University of South Florida Sarasota-Manatee.

Subdivision 3B3: Students who are pursuing a double major must choose which College they wish to represent of those which compose their majors when declaring their candidacy for election or mid-term appointment.

Subdivision 3B4: If enrollment in a College of the University of South Florida Sarasota-Manatee exceeds four hundred (400) students, then that College shall be represented by one (1) Student Senator for every two hundred (200) students enrolled.

Subdivision 3B5: In the event that all Student Senator Seats representing a given College are vacant and no students have applied to the Student Senate for a mid-term appointment, then the Dean of that College shall have the power to appoint

a replacement. In the case of the “Undeclared College”, that representative must be a freshman, sophomore or upper classman with an undeclared major, and will be appointed by the Dean of Students. That replacement shall be defined as any one (1) student currently enrolled in that College who meets all eligibility requirements as outlined in the Constitution and Bylaws.

Subdivision 3B6: In order to guarantee representation of the North Port site for the duration of its existence, two (2) seats in the Student Senate shall be reserved for representatives who are enrolled in no less than fifty percent (50%) of their classes there for the duration of their term. These seats will not add to the total number of available seats and may come from any College at the University of South Florida Sarasota - Manatee. The representatives of these seats shall be the two (2) North Port site applicants that receive the greatest number of votes during the election. All other seats shall be determined as per the Bylaws regarding election practices. If at a future point in time the North Port site ceases to exist, this Subdivision shall be null and void.

Subsection 3C: The Student Senate shall have the authority to enact, amend or repeal statutes of Student Government by a simple majority vote. The Student Senate shall also have the authority to enact non-binding resolutions, conclusions, memorials and its own Bylaws.

Subsection 3D: The Student Senate shall have the authority to enact and repeal, by a two-thirds majority vote, Bylaws governing the election of all Student Government Officers.

Subsection 3E: The Student Senate may, by a two-thirds majority vote, propose a constitutional amendment for consideration by the Student Body.

Subsection 3F: The Student Senate may, by a simple majority vote, approve Executive Appointees of the Student Body President. The Student Body President must inform the Student Senate President in writing within one (1) business day of the initial appointment. Failure to act on any such Executive appointment within twenty (20) business days shall be deemed as approval of the appointment.

Subsection 3G: The Student Senate may, by two-thirds majority vote, override a veto by the Student Body President. Additionally, legislation initially passed with a two-thirds majority can never be subject to a veto by the Student Body President.

Subsection 3H: The Student Senate shall have the authority to approve and allocate all Activity and Service fee appropriations by a majority vote unless specified otherwise within the Constitution and Bylaws.

Subsection 3I: The Student Senate shall have the power to impeach any member of the Executive or Legislative Branches of Student Government except those expressly prohibited by the Constitution and University of South Florida Administrative Policy.

Subsection 3J: The Student Senate shall establish its own meeting times, rules and procedures. The Student Senate shall assemble in open meetings at intervals of no greater than ten (10) business days for the deliberation of legislation and the business of the Student Body.

Subsection 3K: The Student Senate shall provide for compilation and publication of all legislation currently in effect.

Subsection 3L: The Student Senate shall have the authority to appoint any internal committee deemed necessary for the operation of the Student Senate, and to remove any committee chair. No member of the Student Senate may Chair more than one standing committee.

Subsection 3M: The Student Senate shall establish means through which the Student Body can actively participate in the formulation of policies that affect them.

Article 4: The Judicial Branch

Section 1: The Judicial Branch shall take the form of a Student Supreme Court composed of Justices, of which there shall be no less than three (3), and no more than five (5). The Justices shall be divided into Chief Justice, Senior Associate Justice and Associate Justices. No member of the Judicial Branch shall hold a second office in Student Government during their term of office in the Judicial Branch.

Section 2: The judicial power of the Student Body shall be vested in the Judicial Branch. The Student Supreme Court shall have jurisdiction over all cases and controversies, excluding those delegated to other entities by the University Board of Trustees, involving the Student Body and Student Government, including the power to declare any act of Student Government Unconstitutional. Any decision or ruling may be appealed as outlined in the Constitution and Bylaws.

Section 3: The Student Supreme Court shall try all cases of impeachment brought by the Student Senate.

Section 4: The Student Supreme Court shall adopt rules for its practice and procedure, including the seeking of appellate review. Those rules as they apply to appellate review may be repealed via an act of the Student Senate by a two-thirds majority vote.

Section 5: The Justices of the Student Supreme Court shall be appointed by the Student Body President and confirmed by a two-thirds majority vote of the Student Senate. If the office of Chief

Justice is vacant, the Student Body President may choose a Chief Justice from the Associate Justices. The office of Senior Associate Justice shall be held by the eldest Associate Justice.

Section 6: All Justices shall be required to be enrolled in no less than one (1) class (independent of any lab components) during each Fall and Spring semester (the Summer semester is excluded) of their term, within the University of South Florida system and have declared Sarasota – Manatee as their home campus. Additionally, the Chief Justice must maintain a grade point average of 2.5 (on a scale of 4.0) that is cumulative and institutional during each semester of their term.

Section 7: Any justice of the Supreme Court may only be impeached for failure to fulfill the duties of the office and/or failure to meet the requirements outlined in A1S4 and A4S6 of the Constitution. In cases of impeachment, the Justice shall be tried by a Judicial Review Committee consisting of nine (9) students, with five (5) being appointed by the Student Body President and four (4) by the Student Senate.

Section 8: The Responsibilities and Powers of the Chief Justice.

Subdivision 8A: The Chief Justice shall lead the court during all legal proceedings which require review by a panel of Justices.

Subsection 8B: The Chief Justice shall assign dockets to individual Justices for review.

Subsection 8C: All opinions of the Supreme Court shall be reviewed by the Chief Justice before they are made final.

Subsection 8D: The Chief Justice shall serve as the representative of the Judicial Branch to the Student Body.

Section 9: The Responsibilities and Powers of the Senior Associate Justice.

Subsection 9A: The Senior Associate Justice shall, in the absence of the Chief Justice, hold all powers and perform all duties embodied by that office.

Subsection 9B: : The Senior Associate Justice shall perform such other duties, pertaining to the Judicial branch, as may from time to time be assigned by the Chief Justice.

Article 5: The Election Process and Voting Rights.

Section 1: Voting Rights

Subsection 1A: All students who have registered the University of South Florida Sarasota – Manatee as their home campus may vote in all elections.

Subsection 1B: All students currently enrolled in at least one (1) class on the Sarasota-Manatee Campus or North Port Site may vote in all elections which take place during the period of their enrollment.

Section 2: Types of Elections

Subsection 2A: The Student Government shall hold general elections each year and mid-term or interim elections as needed to address the needs of the Student Body.

Subsection 2B: A member of the Student Body may call for a campus-wide referendum election providing that a petition signed by at least twenty (20) percent of the number of students that voted in the last general election or ten (10) percent of the Student Body, whichever is greater, is submitted as specified by the Constitution and Bylaws. Enrollment figures shall be determined by the Registrar's Office at the time of the referendum.

Subsection 2C: Recall Elections

Subdivision 2C1: Any student has the right to call for a campus-wide Senatorial recall election provided that a petition signed by at least ten (10) percent of the number of students that voted in the most recent general election is submitted as specified by the Constitution and Bylaws; all students who sign the petition must be enrolled in the college represented by the Senator. If there are fewer students enrolled in the college represented by the Senator than voted in the last general election, the petition must be signed by all members of that college.

Subdivision 2C2: Any student has the right to call for a campus-wide recall election of an Executive Officer provided that a petition signed by at least ten (10) percent of the Student Body is submitted as specified by the Constitution and Bylaws. Enrollment figures shall be determined by the Registrar's Office at the time of the recall.

Section 3: Election Timing and Taking Office

Subsection 3A: All general elections shall take place throughout the week before Spring Break; in the event that inclement weather or similar factors prevent this, the general election shall be held in the second week following Spring Break.

Subsection 3B: If no clear winner is determined in the general election, a runoff will take place between the tied candidates for each office the week following the general election. In the event of another tied result, another runoff will take place the following week. If no clear winner has been determined by the week before the Spring Commencement, the Student Senate shall select a winner from candidates that tied in the most recent runoff election.

Subsection 3C: All elected representatives shall take office the Monday following Spring Commencement.

Section 4: Term Limits

Subsection 4A: All Executive Officers shall serve a one (1) year term of office. No Executive Officer may seek a second term until they have successfully completed twenty-four (24) credit hours in the University of South Florida system. No Student Body President, Student Body Vice-President or Student Senate President may serve more than two (2) consecutive terms within the same office.

Subsection 4B: All Student Senators elected in a general election shall serve a one (1) year term of office. All student senators appointed mid-term shall serve until the next general election. No Student Senator may seek a second term until they have completed eighteen (18) credit hours in the University of South Florida System, unless they were appointed midterm.

Article 6: Supremacy of the Constitution and Subsequent Legislation.

Section 1: This Constitution shall supersede all previous constitutions, legislation and other governing documents of the Student Government and Campus Organizations.

Section 2: This Constitution shall be subordinate to all Federal, State, and Local laws, and the policies of the University of South Florida.

Section 3: The order of supremacy of legislation shall be

1. The Constitution and its Amendments
2. The Bylaws
3. Legislation of the Senate
4. Executive Orders of the Student Body President

Article 7: Anti-hazing and Non-discrimination Policy

Section 1: The University of South Florida Sarasota – Manatee is a diverse community that values and expects respect and fair treatment of all people. The University strives to provide a work and study environment for faculty, staff and students that is free from discrimination and harassment on the basis of race, color, marital status, sex, religion, national origin, disability or age, as provided by law. The University protects its faculty, staff, and students from discrimination and harassment based on sexual orientation.

Section 2: The University of South Florida prohibits any form of hazing of its students, at any time, or at any location. The University will respond swiftly to investigate reports of alleged hazing received from any source, and will promptly determine whether to proceed with campus

disciplinary action, to forward a report to appropriate law enforcement officials for prosecution as a criminal matter, or both. To that end, hazing is a violation of the Student Code of Conduct and illegal as defined in the Florida State Statute 1006.63. A faculty member, staff member or student who observes hazing of any person or persons who may be USF students should immediately report the matter to the Dean for Students office, the Coordinator of Student Affairs or to the Campus Police. Students who know, or suspect, that hazing has taken place are strongly encouraged to report it to the Dean for Students. Employees of USF are required to report such information. "Hazing" as defined by §1006.63, Florida Statutes, means any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a postsecondary institution, regardless of a person's willingness to participate. "Hazing" includes, but is not limited to, pressuring or coercing the student into violating state or federal law; any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance; or other forced physical activity that could adversely affect the physical health or safety of the student; and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. In addition to Florida Statutes §1006.63, hazing as defined by the USF system also includes, but is not limited to, the forced use of alcohol; morally degrading or humiliating games and activities; physical and psychological shocks; deception; verbal abuse; personal servitude; kidnapping; deprivation of privileges granted to others in the organization by use of force or duress; and any other activities which are contrary to academic achievement, the stated purpose of the local and/or (inter)national organization, and/or the mission, policies or regulations of the USF system or applicable state law."

Article 8: Amendments:

Section 1: All amendments to the Constitution must be approved by the Student Senate per S3A3.E. Town hall meetings shall be held no less than two (2) weeks prior to the election in which they will be voted upon so that the Student Body may be informed of their content.

Section 2: Amendments to the Constitution shall be listed at the end of this document.

The Student Body Constitution of University of South Florida Sarasota – Manatee

was ratified by the Student Body on April 13th 2012