

# **THE CONSTITUTION**

**OF THE  
STUDENT GOVERNMENT ASSOCIATION**

**OF SOUTHWEST MISSOURI STATE UNIVERSITY**

# TABLE OF CONTENTS

<b>PREAMBLE .....</b>	<b>1</b>
<b>ARTICLE I: STUDENT BILL OF RIGHTS.....</b>	<b>2</b>
<b>ARTICLE II: GENERAL ORGANIZATION.....</b>	<b>4</b>
<b>ARTICLE III: EXECUTIVE.....</b>	<b>5</b>
<b>ARTICLE IV: LEGISLATIVE .....</b>	<b>9</b>
<b>ARTICLE V: JUDICIAL.....</b>	<b>13</b>
<b>ARTICLE VI: ELECTIONS.....</b>	<b>15</b>
<b>ARTICLE VII: AMENDMENTS .....</b>	<b>16</b>
<b>ARTICLE VIII: RECALL.....</b>	<b>17</b>
<b>ARTICLE IX: BYLAWS.....</b>	<b>18</b>
<b>ARTICLE X: RATIFICATION .....</b>	<b>19</b>
<b>ARTICLE XI: ENABLING CLAUSE .....</b>	<b>20</b>

## **PREAMBLE**

We, the students of Southwest Missouri State University, in order to form a more effective and representative student government, and to better express the needs and opinions of the student body, do establish this constitution in accordance with the rules of Southwest Missouri State University and the laws of the State of Missouri and the United States of America.

## **ARTICLE I: STUDENT BILL OF RIGHTS**

The purpose of the Student Bill of Rights is to ensure the entire student body of certain unalienable rights. These include, but are not limited to, the following rights:

### **1. Right to Representation**

All students shall have the right to representation in the Student Senate and to all other rights given to constituents in democratic societies, including, but not limited to, the rights of petition and recall.

### **2. Right to Personal Judgment**

All students shall have the right to take reasonable exception to views and ideas presented in any course of study and to reserve their judgment on matters of opinion; students are, however, liable for learning the content of any course in which they are enrolled.

### **3. Right to Protection from Prejudiced Grading**

All students shall have the right to protection from prejudiced academic evaluations based on student views, opinions, political associations, organizational memberships, or biases based on the character of the student. Furthermore, all students shall have the right to appeal grades to instructors, department heads, college deans, and the Vice President for Academic Affairs.

### **4. Right to Secure Records**

All students shall have the right to have their academic and disciplinary records protected from unauthorized access to any person without the written consent of the student, except under compulsion by a University or civil court or the University's Board of Governors, or as allowed by state and federal law.

### **5. Right to Association**

All students shall have the right to join any organization they wish within the membership guidelines of each individual organization. Furthermore, all student organizations shall have the right to express their views on any issue they see fit.

### **6. Right to Academic Freedom**

All students shall have the right to examine and discuss any questions of interest, to practice academic freedom, and to further express their opinions in a peaceful fashion where such expression does not conflict with municipal, state, or federal laws or University regulations.

### **7. Right to Due Process and a Fair Hearing**

All students shall have the right to due process and to a fair and impartial judicial hearing with student peers among the judges.

### **8. Right to Unhindered Access**

All students shall have the right to free and unhindered access to all University structures to the upkeep of which student fees or fines directly contribute, except private offices and other areas where student access could compromise privacy.

**9. Right to Bring Grievances**

All students shall have the right to bring grievances and complaints to the appropriate University officials about any matters the students see fit.

**10. Right to Rights**

These rights, guaranteed under the Code of Student Rights and Responsibilities, shall not be infringed upon by University administrators, faculty, support staff, or fellow students.

## **ARTICLE II: GENERAL ORGANIZATION**

### **Section 1: Title**

The name of this organization shall be the Student Government Association of Southwest Missouri State University; it may also known as the SGA.

### **Section 2: Membership**

It is the policy of Southwest Missouri State University and the Student Government Association not to discriminate on the basis of race, color, religion, sex, national origin, ancestry, age, disability, or veteran status in employment or in any program or activity sponsored by SMSU. It is also the policy of the SGA not to discriminate on the basis of political affiliation or beliefs, marital or parental status, participation in constitutionally protected activities, and/or sexual orientation.

### **Section 3: Organization**

The SGA shall consist of three branches: the Executive Branch, the Legislative Branch, and the Judicial Branch.

### **Section 4: Powers**

The elected and appointed officials of the SGA shall be recognized as the official voice of the student body to represent the students of SMSU. In that capacity, it shall exercise the right to investigate general problems of student life and activity in the University and to report to officials on the local, state, and national levels on matters of student interest.

### **Section 5: Limitation of Service**

No member of the SGA shall serve concurrently in two different branches of the SGA, unless duly noted by this Constitution. [1]

## ARTICLE III: EXECUTIVE

### Section 1: Composition

- A. The Executive Branch of the SGA shall be composed of two parts: the Executive Board (consisting of the President and Vice President of the student body, the Treasurer, and the Chief of Staff and/or Executive Secretary/ies) and the Senior Class President and Executive Commissions.
- B. All executive powers herein granted shall be vested in the President and Vice President of the student body, the Senior Class President, and the Executive Commissions.

### Section 2: Election

- A. Candidates for President and Vice President of the student body will run for their prospective offices as a ticket.
- B. The President and Vice President of the student body and the Senior Class President shall be elected during the second or third week in April each year. They shall assume office during the last meeting of the Senate in the spring semester, which is the first meeting of the next session.
- C. Any candidates for Executive Branch offices must have a minimum cumulative grade point average (GPA) of 2.75 at the time of the election.
  - 1. Hereafter, cumulative GPA can be interpreted to mean transfer as well as SMSU GPA, or SMSU GPA alone for SGA purposes to the benefit of applicants or candidates. A first-semester freshman shall be presumed to have a GPA to campaign for—and hold seat in—the Senate.
  - 2. Failure of any official to maintain the required a 2.5 GPA while in office, shall result in immediate and automatic removal from office. [3]
  - 3. Candidates for President and Vice President must be full-time students as defined by admission guidelines.
- D. To be eligible for Senior Class President, a candidate either must have completed ninety (90) hours by the time of the election or have registered for sufficient classes to have completed ninety (90) hours by the end of the summer semester following the election.
- E. Candidates for President and Vice President of the Student Body must attain at least 500 signatures of current SMSU students. The Elections Commission is responsible for the verification of the students. [4]
- F. Each ticket consisting of a candidate for President and a candidate for Vice President of the student body must submit a written platform to the Elections Commission and to the SGA Senate for publicity, detailing issues they would address during their term, in order to be declared eligible to run.
- G. Candidates for President and Vice President of the student body must attend a training session presented by the current administration.

### **Section 3: Limited Service**

- A. While serving in the office of President or Vice President of the student body, or as the Senior Class President, no person may hold any office in other recognized campus organizations unless duly recognized by this constitution.
- B. No member of the Executive Branch shall serve concurrently in another branch of SGA unless duly recognized by this constitution. The head and members of the following committees and commissions are not allowed to serve in any other branch of the SGA, other than the Executive branch: President and Vice President of the Student Body, Chief of Staff, Executive Assistant, Wyrick Commissions, and Elections Commissions. [1]

### **Section 4: Duties and Powers of the Student Body President**

- A. The President shall regularly give the Senate information concerning the state of the campus and shall recommend such measures as are warranted.
- B. The President may, on extraordinary occasions, convene the Senate. It shall be the responsibility of the President to see that all members of the Senate are contacted and informed of the complete agenda of such a meeting. A formal agenda shall be posted on the presidential bulletin board in the Student Government Association office prior to the meeting.
- C. The President shall serve as the official head of the student body and shall perform all official and social functions pertaining to the presidential office.
- D. The President, or his or her designee, shall ensure that judicial nominations are made in accordance with Article V, Section 3, Paragraphs A and B.
- E. The President shall have the power to veto acts of the Senate in accordance with the procedures, rules, and regulations of such veto acts as provided for in Article IV, Section 11.
- F. The President shall nominate and, with the consent of a majority of Senate seats filled, appoint all executive commission heads, executive assistants, a treasurer, and all other officers whose appointment is not otherwise herein provided for or which shall be established by law. However, the Senate may vest the appointment of such inferior officers deemed proper in the President alone or in the heads of committees.
- G. The President may appoint such secretary/ies as deemed necessary for the proper functioning of the Executive and Legislative Branches.
- H. The President shall, with the consent of the majority of the Senate, have the power to remove any executive appointed official for incompetence or neglect of duty in office.
- I. The President may require written reports of the principal officers of each executive commission on any subject related to the duties of their respective offices.



- J. The President shall serve as an ex-officio member of all executive commissions except the Elections Commission.
- K. The President shall confer with various members of the SMSU administration on matters of student interest.
- L. The President, or his or her designee, shall maintain correspondence (either in person or otherwise) with officials on the local, state, and national governmental levels and with student government officials on other campuses on matters of student interest.
- M. The President shall, in conjunction with the treasurer, annually formulate an SGA budget, which shall be subject to the approval of a majority of Senate seats filled. The President shall present this budget to the Senate one week prior to Senate approval with a written defense explaining the proposed budget. The President shall also prepare a written copy of the approved budget and a written explanation for distribution to the proper member of the SMSU administration.
- N. The President, or his or her designee, shall give the oath of office to student Senators and executive officers other than the Vice President.
- O. The President shall, in conjunction with the advice and a two-thirds ( $2/3$ ) majority vote of the total Senate seats filled, have the power to call special elections.
- P. The President shall serve as the voting chairperson for the Student Leaders Council.
- Q. The President reserves the right to request an advisory opinion of the Campus Judicial Board concerning the interpretation of the Constitution of the SGA. Before the request can become official, the President must notify the Senate in meeting. [5]

#### **Section 5: Duties and Powers of the Student Body Vice President**

- A. The Vice President shall have the power to call sessions of the Senate and shall preside over Senate meetings.
- B. The Vice President reserves the option to allow the Speaker Pro-Tempore to conduct Senate meetings.
- C. The Vice President shall have the power to appoint all committees and committee chairs needed to carry out the work of the Senate. The appointment of chairpersons of various committees shall be subject to the consent of a majority of Senate seats filled.
- D. The Vice President shall be an ex-officio member of all committees of the Senate.
- E. The Vice President shall assume the duties of the President of the student body in the absence of the President.
- F. The Vice President, or his or her designee, shall ensure that all legislation passed by the Senate, which requires the signature of the President, be delivered to the President

within two (2) academic days after passage by the Senate.

### **Section 6: Senior Class Presidential Duties and Powers**

- A. To be eligible for Senior Class President, a candidate either must have completed ninety (90) hours by the time of the election or have registered for sufficient classes to have completed ninety (90) hours by the end of the summer semester following the election.
- B. The Senior Class President shall assist the administration with commencement activities.
- C. The Senior Class President, in conjunction with the senior class advisor and the SMSU Foundation, shall be responsible for the acquisition of the senior class gift, by chairing the Senior Class Gift Commission.
- D. The Senior Class President shall be responsible for arranging and presiding over all senior banquets.
- E. The Senior Class President may, at his or her discretion, give an oral report to recognize and represent the accomplishments of the graduating senior class at each senior banquet.
- F. The Senior Class President shall serve as an official senator in the Senate, representing the Senior Class. [6]

### **Section 7: Other Executives**

- A. In accordance with the procedures, rules, and regulations set forth in Article III, Section 4, Paragraph F, the President shall appoint such commissions as are necessary for the functioning of the Executive Branch.
- B. The Treasurer shall assist the President in formulating the budget of the Student Government Association. The Treasurer shall be in charge of all financial transactions involving the SGA, shall keep a financial record of all monies spent during the school year, and shall, upon request, provide written reports, twice a year, of the financial status of the SGA.
- C. The Secretary/ies shall keep records, present agendas, and carry out correspondence as directed by the President or by his or her designee.

### **Section 8: Vacancy**

In the case of a vacancy, succession of officers shall be as follows: President, Vice President, Speaker Pro Tempore, Sergeant at Arms, elected member of the SGA Senate.

### **Section 9: Impeachment**

- A. The President or Vice President of the student body may be impeached for malfeasance in office or failure to carry out the duties and responsibilities of office as provided in this constitution and its bylaws. Impeachment may be instigated by a petition signed by fifteen (15) Senators and shall be effective by a two-thirds (2/3) vote of Senate seats

filled.

- B. The Campus Judicial Board shall have the sole power to try impeachments of executive officials. Convictions shall be effective by a two-thirds ( $2/3$ ) vote of CJB seats filled. The Senior Class President may be impeached for malfeasance in office or failure to carry out the duties and responsibilities of office as provided in this constitution and its bylaws. Impeachment may be instigated by a petition signed by 3% of the Senior class. [8]
- C. Impeachment of the Senior Class President shall be executed in the same manner as set forth in Section 9, Paragraph B, of this Article. The Campus Judicial Board shall have the sole power to try impeachments of executive officials. Convictions shall be effective by a two-thirds ( $2/3$ ) vote of CJB seats filled. [8]

## **ARTICLE IV: LEGISLATIVE**

### **Section 1: Title**

The legislature of the SGA shall be known as the Student Senate.

### **Section 2: Purpose**

The Senate of Southwest Missouri State University shall assume all legislative responsibilities, duties, and powers herein granted.

### **Section 3: Composition**

- A. The Senate shall be composed of the Vice President and elected Senators as herein provided for.
- B. Senators shall be elected or appointed by official student organizations that have filed a valid constitution and have registered with the Office of Student Activities. Organizations must be recognized University organizations and must be in good standing.
- C. There shall be fifty (50) at-large seats to be divided as follows:
  1. Thirty (30) at-large seats shall be divided by class:
    - 5 - Graduate students
    - 5 - Non-traditional students
    - 5 - Senior students
    - 5 - Junior students
    - 5 - Sophomore students
    - 5 - Freshman students
  2. Twenty (20) at-large seats shall be open to any current SMSU student. Eligibility for these seats requires the signatures and social security numbers of fifty (50) SMSU students. Petitions for class seats must only be from members of that class as defined by the University guidelines.

### **Section 4: Candidacy**

Each candidate for Senate shall have a minimum cumulative GPA of 2.0 (or the equivalent thereof) at the time of the election. Failure to maintain this cumulative GPA while in office will result in immediate and automatic removal from office. For the purpose of this section, a first-semester freshman shall be presumed to have a GPA sufficient to hold a Senate seat.

### **Section 5: Speaker of the Senate**

- A. The Vice President of the student body, or the Speaker Pro Tempore shall be the Speaker of the Senate and shall preside at all meetings of the SGA.
- B. The Speaker of the Senate shall vote only if such a vote is necessary to break a tie.

## **Section 6: Speaker Pro-Tempore**

A. The Senate shall elect from within its membership a Senator to be the Speaker Pro-Tempore. The Speaker Pro-Tempore shall serve as the Speaker of the Senate in the absence of the Vice President when asked to do so by the Vice President or when the Vice President assumes the duties of the President of the student body.

B. Duties and Powers of the Speaker Pro-Tempore

The Speaker Pro-Tempore shall serve as Parliamentarian of the Senate and shall teach parliamentary procedure to Senators and executives.

The Speaker Pro-Tempore shall be responsible for maintenance and changes to the SGA constitution and its bylaws.

The Speaker Pro-Tempore shall chair the Internal Affairs Committee.

## **Section 7: Sergeant at Arms**

The Sergeant at Arms shall be chosen by the Vice President of the student body from within the membership of the Senate. The Sergeant at Arms shall serve as the Parliamentarian when the Speaker Pro-Tempore serves as Speaker of the Senate.

Duties and Powers of the Sergeant at Arms

1. The Sergeant at Arms shall maintain orderly conduct in the Senate chambers.
2. The Sergeant at Arms shall keep a record of the attendance of the Senate.
3. The Sergeant at Arms shall count and handle all votes, including votes cast by secret ballot.
4. The Sergeant at Arms shall serve on the Internal Affairs Committee.

## **Section 8: Meetings**

At the beginning of the academic year, the President must issue an executive order to approve as Senators the first ten (10) students that request to represent their recognized student organizations. After these ten (10) Senators have been sworn in, they will comprise the initial Senate.

The Senate shall hold regular meetings during the fall and spring semesters of each school year. At the discretion of the Speaker of the Senate, or upon petition of one fourth ( $1/4$ ) of the Senate seats filled, the Senate may be convened into special session. The Speaker shall see that all Senate members are personally notified of such a special session. A regular meeting of the Senate may be omitted by a two-thirds ( $2/3$ ) vote of the membership. The Senate shall determine the rules of attendance.

Quorum will consist of a majority of Senators sworn in. If, during official meetings (including special sessions), the Senate members do not need quorum, they may form a committee of the whole. This committee shall report to the full Senate at the next regular meeting.

## **Section 9: Duties and Powers of the Senate**

A. The Senate shall have the power to carry out all obligations, duties, and responsibilities granted in this constitution and its bylaws.

B. The Senate shall keep a record of all of its proceedings. Updated copies of all minutes and legislation of the Senate shall be kept on file in the Senate office and on the SGA web page.

C. The Senate shall have the power to enact all legislation which is necessary and proper to promote the general welfare of the student body.

D. The Senate shall have the power to impeach officials of the SGA. An official shall be subject to impeachment for negligence of duty, malfeasance in office, or failure to uphold this constitution and its bylaws. Removal of impeached officers shall be performed in accordance with the Section on impeachment in the appropriate Article (Article III, IV, or V).

E. The Senate shall have the power, in cooperation with the President and the Treasurer, and in accordance with Article III, Section 4, Paragraph M, to budget and allocate funds assigned to the Student Government Association and other funds that may come into the treasury of the SGA.

F. The Senate shall have the power to provide for all regular meetings of the Senate and to call special sessions by presenting the Speaker of the Senate with a petition bearing the signatures of at least one fourth ( $1/4$ ) of the Senators.

G. The Senate shall have the power to update this constitution. Updating shall entail stylistic changes only.

H. The Senate shall have the power to select faculty or administrative advisors. The Dean of Students shall be a permanent advisor. All elected advisors may be removed by a majority vote of the Senate.

I. The Senate shall have the power to approve, by a majority vote, constitutions of organizations on campus and amendments to those constitutions. In order for a campus organization to be fully recognized, it must have its constitution and amendments approved by the Senate whenever it makes changes to or amends its constitution.

J. The Senate reserves the privilege to act as the official voice of the student body. All other student organizations must adhere to the rules set forth by the Senate. The Senate has the power to revoke the constitution of any student organization with a two-thirds ( $2/3$ ) vote of Senate seats filled. [9]

K. Official SGA representatives to external student government organizations shall be nominated by the Executive Board and approved by a majority of Senators present.

L. The Senate shall have the power, by a two-thirds ( $2/3$ ) vote of Senate seats filled, to call special elections.

M. Each Senator must join and do work for an SGA committee and serve one office hour per week.

N. The Senate reserves the right, with a majority vote of the senators present, to ask the CJB for an advisory opinion concerning the interpretation of this constitution. The request for the advisory opinion shall be delivered to the CJB by the Student Body President. The CJB must follow the procedure set forth in Article V, Section 7, paragraph F. [5]

O. If the Senate is ever named as an applicant or defendant by case in front of the CJB, then the Senate shall have the power to elect from within its own membership, its own representation in front of the CJB. [10]

### **Section 10: Revoking Student Organizations Constitutions**

A. The Senate reserves the privilege to act as the official voice of the student body. All other student organizations must adhere to the rules set forth by the Senate. The SGA has the power to revoke the constitution of any student organization following the procedure set forth in this Section. [9]

B. Any alleged violation of a Senate rule by a student organization must first be heard by the CJB. The CJB shall make write a report to the Senate, the Senate has the power to revoke the constitution of a student organization with a two-third (2/3) vote of Senate seats present. The Student Body President has the right to veto the action of the Senate. The Senate can overturn the President's veto by a three-fourths vote of Senate seats present. [9]

C. Any student organization whose constitution has been revoked by the SGA shall be suspended for at least a one (1) year period. Following the suspension, the organization has the right to apply to become a student organization, providing they follow the procedure set out by the University and Article IV. Section 9, paragraph I of this constitution. [9]

### **Section 10 11: Procedure of Meetings**

All Senate meetings shall be conducted according to Robert's Rules of Order, except as otherwise noted in this constitution or its bylaws.

### **Section 11 12: Presidential Veto**

Each act passed by the Senate shall be presented to the President by the Speaker of the Senate within two (2) academic days. The President may either sign the act or veto it. The President may also veto any clause in that act through the "line-item veto." If the President vetoes the act or any clause in that act, the act must be returned to the Speaker of the Senate within seven (7) days, or the act shall take effect as if it had been signed. After receiving a vetoed act or a line-item vetoed act, the Speaker of the Senate shall read the President's written explanation at the next regular meeting of the Senate. The Senate may override a veto or line-item veto by a two-thirds (2/3) majority vote of those present. A request for an advisory opinion cannot be vetoed. [5]

### **Section 12 13: Informing the Electorate**

Senators shall be responsible for keeping their representative areas informed of all Senate activities and shall represent, as best as possible, the interests of their constituents.

**Section 13 14: Activity Funds Management**

The Senate shall have the authority to oversee all expenditures from University-received funding of student organizations. If an organization is found to have misused funds, the Senate has the power to take away its funding and revoke its constitution. All organizations that receive University funding must be recognized by the SGA.

**Section 14 15: Vacancies**

A vacant Senate seat may be filled with a replacement Senator from the same organization. At Large Senate seats may be filled by the next applicant, on a first come, first serve basis.

**Section 15 16: Impeachment**

A. The Senate shall have the sole power of bringing charges of impeachment.

B. A Senator may be impeached for malfeasance in office or failure to carry out the duties and responsibilities of office as provided in this constitution and its bylaws. Impeachment may be instigated by a petition signed by ten (10) Senators and shall be effective by a two-thirds (2/3) vote of Senate seats filled. The specific causes for impeachment include, but are not limited to the following:

A total of three (3) unexcused absences per semester in the Senate.

Failure to do work in a Senate committee. It is the responsibility of the chair of each committee to ensure that committee members work. If they do not, the committee shall recommend that the Senator be impeached.

C. The Campus Judicial Board shall have the sole power to try impeachments of Senators. The conviction shall be effective by a majority of the Campus Judicial Board. Quorum for the CJB for trying charges of impeachment shall be four (4).



## **ARTICLE V: JUDICIAL**

### **Section 1: Title**

The judicial power of the SGA shall be vested in one supreme Campus Judicial Board (CJB) and in such subordinate courts as the Senate may ordain and establish.

### **Section 2: Purpose**

The CJB shall be established in order to provide students with a representative voice in the regulation of their actions and to encourage their participation in an understanding of the administration of justice.

### **Section 3: Composition**

- A. The CJB shall consist of seven (7) students of Southwest Missouri State University.
- B. The CJB shall be nominated by a committee appointed by the President of the student body. The committee may nominate any of the seven justices to serve as Chief Justice. All nominees shall be full-time students with a 2.50 minimum cumulative GPA. Nominees for the office of Chief Justice must have a 2.75 GPA. Confirmation by a two-thirds (2/3) vote of Senate seats filled is required for the Chief Justice appointment and confirmation of all nominees.
- C. The justices shall serve, pending good behavior, for the remainder of their college careers, but for no more than a total of three (3) years. A justice must maintain at least a 2.5 cumulative GPA to remain on the CJB. The Chief Justice must maintain at least a 2.75 cumulative GPA to remain in the office of Chief Justice.
- D. Before the third (3rd) meeting of the fall semester, the committee shall present nominations for all vacant judicial positions to the Senate. The justices shall take office upon confirmation and upon being sworn in by the President of the University.

### **Section 4: Court Procedure**

A Chief Justice shall preside over the CJB. Each justice shall have one (1) vote on all decisions made by the court. A simple majority of the justices present is required on all decisions unless otherwise noted by this constitution. Quorum shall consist of four (4) justices present. A tie vote shall be considered approval of the decision of the lower court. In cases where there is no lower court decision, a tie vote shall remand the case to the proper administrative authorities. A decision must be rendered within ten (10) academic days after presentation before the CJB.

### **Section 5: Jurisdiction**

All student organizations and all students enrolled in this University are subject to the jurisdiction of this court.

### **Section 6: Duties and Powers of the Campus Judicial Board**

- A. The CJB shall have the power to interpret the constitution and bylaws of the SGA.
- B. The CJB shall provide a court of appeal for campus groups and individuals sentenced by subordinate groups.

- C. The CJB shall have the power of original jurisdiction in the following cases:
1. Conflicts between organizations not otherwise under the jurisdiction of a subordinate student court
  2. All cases involving misdemeanors in the first offense, provided those infringements are not under the jurisdiction of a subordinate court
- D. The CJB shall have the power to try impeachment charges as provided in the sections addressing impeachment in Articles III, IV, and V.
- E. The Chief Justice shall give the oath of office to the President and Vice President of the student body and to the President of the Senior Class.
- F. The Campus Judicial Board has the right to hear advisory opinions brought to it by the Senate, or the Student Body President. In an advisory opinion, the CJB may choose at its discretion to hear oral arguments. If oral arguments are to be heard, then the CJB must take measures to ensure that all sides of the issue must be heard. The CJB shall report back to the Senate its rulings. [5]
- G. No part of this constitution shall be interpreted any part of this constitution to be in conflict with any other part of this constitution. [13]

#### **Section 7: Records**

- A. The CJB shall keep current records of all tried cases on file in the Student Government office for reference to precedents. These records shall include the statement of charge, the defense, the verdict, and the dissenting opinion. A court secretary shall be appointed by the President to keep these records up to date.
- B. The Secretary, or other designee of the Speaker of the Senate, shall present minutes of all SGA meetings to the Chief Justice of the CJB.

#### **Section 9: Vacancies**

Vacancies on the Campus Judicial Board shall be filled in the manner prescribed for the original appointment of members of the CJB.

#### **Section 10: Impeachment**

Members of the Campus Judicial Board may be impeached by a two-thirds ( $2/3$ ) vote of Senate seats filled or by a two-thirds ( $2/3$ ) vote of Campus Judicial Board seats filled.

- B. Members of the Campus Judicial Board may be convicted and removed from office two (2) weeks after impeachment by a three-fourths ( $3/4$ ) vote of Senate seats filled.

#### **Section 11: Notice of Docket and Decisions**

A. It shall be the responsibility of the CJB to notify the other branches of the Student Government Association of upcoming hearings by posting a notice in the SGA office at least 24 hours in advance. [11]

B. The notice of the docket shall include the applicants and defendants names, while protecting the privacy of an individual private student. [11]

C. When a case arises concerning the SGA or other Student Organizations, the CJB shall make available, within 24 hours of the finalization of all opinions, the majority opinion, concurring opinion(s), and dissenting opinion(s) to the rest of the SGA. These decisions shall also be available online within 48 hours of being made available to the SGA. [11]

## **ARTICLE VI: ELECTIONS**

### **Section 1: President and Vice President of the Student Body**

All students of Southwest Missouri State University shall be eligible to vote for the President and Vice President of the student body in an at-large election to be held in April.

### **Section 2: President of the Senior Class**

All students who have completed at least seventy-five (75) credit hours, including all graduate students, shall be eligible to vote for the Senior Class President in an at-large election to be held in April.

### **Section 3: Dates of Elections**

The elections for President and Vice President of the student body and the Senior Class President shall be held during the second or third week in April.

### **Section 4: Time of Elections**

Within these time limits, the specific time of elections shall be determined by the Elections Commission and the bylaws of the SGA.

### **Section 5: Issues**

The issues that may be voted on during the elections are the SGA Constitution, election of the Senior Class President, election of President and Vice President, Wyrick proposals, and other issues deemed necessary by two-thirds ( $2/3$ ) vote of the SGA Senate.

## **ARTICLE VII: AMENDMENTS**

### **Section 1: Proposal**

Amendments to this Constitution shall be proposed upon a majority vote of Senate seats filled or upon recommendation or request of the student body through the presentation of a petition of amendment signed by at least two (2) percent of the student body.

### **Section 2: Procedure**

Proposed amendments to this constitution shall be presented in writing to the Senate in a meeting. After referral to the Senate's Internal Affairs Committee, proposed amendments shall be reintroduced to the Senate after no more than two (2) weeks. They will then be re-read and voted upon by the Senate before being submitted to a referendum.

### **Section 3: Ratification**

Amendments to this constitution shall be ratified only after approval by three-fourths (3/4) of the Senate seats filled and a majority of the votes cast in the general student body referendum.

### **Section 4: Referendum**

A proposed petition amendment defeated in the Senate and not referred to the student body for a vote shall be, upon presentation to the Senate of a petition for amendment containing the signatures of ten (10) percent of the student body calling for a referendum, automatically referred to the student body for a referendum. Such proposed amendments shall be adopted when ratified by a majority of those voting in the referendum.

### **Section 5: Presidential Approval**

The approval of the President of Southwest Missouri State University shall be necessary for the enactment of any and all amendments.

## **ARTICLE VIII: RECALL**

### **Section 1: Student Senate**

Each student organization shall have the power of recall of its Senator. At-large Senators cannot be recalled.

### **Section 2: Senior Class President**

The procedure described in Article VIII, Section 3 shall be effective for recall of the Senior Class President.

### **Section 3: President and/or Vice President of the Student Body**

The President and/or Vice President shall be subject to recall upon presentation to the Elections Commission of a petition signed by three (3) percent of the eligible voters of the student body. Two thirds ( $2/3$ ) of all the votes of a special recall election are required for removal from office.

## **ARTICLE IX: BYLAWS**

Bylaws to this Constitution shall be enacted by a two-thirds ( $2/3$ ) vote of Senate seats filled.

## **ARTICLE X: RATIFICATION**

This constitution shall be fully ratified after its passage by a two-thirds ( $2/3$ ) vote of Senate seats filled, after its passage by a majority of the student body votes in a referendum, and after it is signed by the President of Southwest Missouri State University and approved by the Board of Governors. Future constitutions must be ratified in like manner.



## **ARTICLE XI: ENABLING CLAUSE**

This Constitution will take effect on **January 10, 2005**.

Approved by the SGA Senate, **March 18, 2000**.

Ratified by the student body, **XXX XX & XXX XX, XXXX**

Barbara Burns

President, Board of Governors

Southwest Missouri State University

Dr. John H. Keiser

President

Southwest Missouri State University

Dr. Earle Doman

SGA Advisor and Dean of Students

Chris Curtis

Student Body President

Southwest Missouri State University