



# CONSTITUTION

## OKLAHOMA STATE UNIVERSITY STUDENT GOVERNMENT ASSOCIATION

Organized in 1915  
Amended Fall 2015

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## **PREAMBLE**

We, the students at Oklahoma State University (OSU) Stillwater Campus, as members of the Student Government Association (SGA) in order

- to provide a form of government for the supervision of student activities;
- to provide a forum for the expression of student views and interests;
- to maintain academic freedom, academic responsibility, and student rights;
- to improve student cultural, social and physical welfare;
- to promote the development of better educational standards, facilities and teaching methods;
- to help promote national and international understanding and fellowship at the student level;
- and
- to foster the recognition of the rights and responsibilities of the student to the school, the community, and humanity . . .

do hereby ordain and establish this Constitution for the Student Government Association of the Oklahoma State University Stillwater Campus.

## **ARTICLE I. The Legislative Branch**

**SECTION 1.** All legislative powers herein granted shall be vested in a Student Senate of the SGA.

### **SECTION 2.**

- [1] The Student Senate shall be composed of fifty (50) senators, twenty-five (25) of those being elected Senators of the academic colleges and twenty-five (25) of those being elected Senators of the living groups. Each Senator shall have one vote (1). Apportionment of Senate seats shall be enumerated in Article IV.
- [2] No undergraduate student shall be a Senator who shall not be a full-time student at OSU, who shall not have completed at least twelve (12) credit hours from any institution of higher education (excepting advance placement credit hours), who shall not have a cumulative grade point average of at least 2.0 on the 4.0 scale, and who shall not be a member of the constituency in which he/she shall be chosen.
- [3] No graduate student shall be a Senator who shall not be a full time student at OSU, who shall not have a cumulative grade point average of at least 3.0 on a 4.0 scale, and who shall not be a member of the constituency in which he/she shall be chosen.

**SECTION 3.** The SGA Student Senate shall have the power

- [1] To draft and act upon legislation of Senate committees or members;
- [2] To discuss and debate matters of concern to the Oklahoma State University community and to issue statements of student opinions on those matters;
- [3] To hear and act upon constituency grievances;
- [4] To review and recommend status for campus organizations;
- [5] To review disciplinary problems of campus organizations and to invoke proper disciplinary actions or policies thereto related;
- [6] To approve or reject Presidential appointments of all policy oriented personnel and justices of Judicial Branch, including the Chief Justice of the Student Supreme Court;
- [7] To amend the Bylaws to this Constitution by a two-thirds (2/3) vote of the Senate;
- [8] To aid and/or assist any campus organizations and/or programs;
- [9] To authorize the disbursement of the Unallocated Activity Fee Fund;

- [10] To require reports at least twice a year from all committees arising under the authority of the SGA;
- [11] To, by process of law, establish or abolish executive committees to be administered under the direction of the SGA President;
- [12] To, by process of law, establish or abolish any SGA positions not specifically defined by this Constitution;
- [13] To override a veto of the SGA President by a two-thirds (2/3) vote of those Senators present at the next official meeting after the veto;
- [14] To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution of the SGA.

**SECTION 4.** The SGA Student Senate shall

- [1] Hold open meetings at least twice every full month of classes during the Fall and Spring Semester, with the first such meeting being on the Wednesday evening of the second week of the respective semester, unless the Senate shall by law appoint a different day;
- [2] Establish those rules for itself that are necessary for its proper and orderly conduct of its business;
- [3] Approve a SGA Budget;
- [4] Direct and supervise all SGA elections;
- [5] Establish a set of Bylaws to this Constitution by a two-thirds vote of the Senate.
- [6] Establish all Senate committees, including the Internal Affairs(IA) Committee and the Committee on Student Organizations (CSO); and
- [7] Choose its Chair and other officers, including a Vice Chair for each Standing Committee.

**SECTION 5.** Every piece of legislation which shall have passed the Senate, and shall, before it becomes an official document of legislation and/or law, be presented to the SGA President;

- [1] If he/she approves, he/she shall sign it;
- [2] If he/she does not approve, he/she shall return it, with his/her objections, to the Senate, which shall proceed to reconsider it.
- [3] If after such reconsideration two-thirds (2/3) of the Senate agrees to pass the piece of legislation, it shall become an official document of legislation and/or law.
- [4] If any piece of legislation shall not be returned by the SGA President within four (4) school days after it shall have been presented to him/her, the same shall be an official document of legislation and/or law, in like manner as if he/she had signed it.

**SECTION 6.**

- [1] The Senate Chair shall, at stated times, receive for his/her services, a compensation, which shall neither be increased nor diminished during the period for which he/she shall have been elected.
- [2] The Senate shall be the judge of the elections, returns, and qualifications of its own members, and a majority of the Senate shall constitute a quorum to conduct business.
- [3] No money shall be drawn from the SGA Treasury, but in consequence of appropriations made by law, provided that the SGA annual budget is considered law.
- [4] No Senator, who represents any constituency that does not contribute their activity fees to a fund under the control of the SGA, shall be able to vote on any Senate legislation relating to the appropriation or control of such monies.

- [5] In the event that a vacancy occurs in the office of an SGA Senator, the respective constituency council or association shall be officially notified within one week of the vacancy, and that council or association, shall fill the vacancy by designating an appointee from that constituency.
- [6] In the event that no constituency council or association exists, or that constituency council or association fails to select an appointee within four (4) weeks of official notification of the vacancy, the SGA Steering Committee of the Senate shall appoint a qualified student from that respective constituency.

#### **SECTION 7.**

- [1] The President and all other SGA officers, including Senators, Executives, and the Justices of the Supreme Court, shall be liable and subject to impeachment.
- [2] The grounds for impeachment shall include, but shall not be limited to, the following: willful neglect of duty; corruption in office; violation of the SGA Constitution, Bylaws, or enacted legislation; or misconduct committed while in office.
- [3] The Senate, when sitting for the purpose of impeachment or removal, shall be divided as follows: The Twenty-five (25) Senators which shall be elected from the living groups shall compose the Body of Impeachments, and shall have the sole power of impeachment; the Twenty-five (25) Senators which shall be elected from the academic colleges shall compose the Body of Trials, and shall have the sole power to try all impeachments. When sitting for these purposes, all Senators shall be on oath or affirmation.
- [4] The Senate Chair shall preside over the Body of Impeachments, with the exception of his or her impeachment; the Chief Justice of the SGA Supreme Court shall preside over the Body of Trials, with the exception of his or her impeachment when the most senior Justice shall preside.
- [5] The articles of impeachment shall be approved by the Body of Impeachments after receiving a two-thirds (2/3) vote of those members present. The Senate Chair will sign and attest to the articles of impeachment upon their passage. The decision to remove the impeached officer shall be approved by the Body of Trials after receiving a two-thirds (2/3) vote of those members present. The Chief Justice shall sign and attest to the order to remove upon its passage.
- [6] The Senate, when sitting for the purpose of impeachment or removal, shall have the sole and exclusive power to interpret the SGA Constitution as it pertains to the provisions of Article I, Section 7, specified herein. The Supreme Court shall have no jurisdiction, whether original or appellate, over impeachment and removal cases. The Supreme Court shall be further prohibited from issuing any writs or rulings pertaining to the procedures for impeachment and removal, or to the validity of particular impeachment and removal decisions.
- [7] The Senate shall pass such Bylaws as are necessary for carrying into effect the procedures for impeachment and removal, and other provisions of this Section.

## **ARTICLE II. The Executive Branch**

### **SECTION 1.**

- [1] The executive power shall be vested in a President of the SGA. He/she shall hold his/her office during the term of one (1) year, and together with the Vice President, chosen for the same term, shall be elected as enumerated in Article IV.
- [2] No person except a full-time student (as defined by the OSU Academic Regulations section 2.2) who shall have successfully completed two semesters (excluding summer session) as a full-time student at the Stillwater campus of OSU, having completed at least thirty-six (36) undergraduate hours at any college or university, shall be eligible to the Office of SGA President or SGA Vice-President.
- [3] In case of removal of the President from office, or of his/her death, resignation, or inability to discharge the powers and duties of the office, the same shall devolve on the Vice President. The Senate may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the inability be removed or a President shall be elected.

### **SECTION 2.** The SGA President shall have the power:

- [1] To nominate, and by and with the advice and consent of the Senate, to appoint SGA executive branch members, Justices of the SGA Supreme Court, and all other officers of the SGA whose appointments are not herein otherwise provided for, specifying their duties and term of office; the Senate may, by law, vest the appointment of such inferior officers, as they think proper, in the President alone;
- [2] To remove from office any appointee within the executive branch, by filing a written document with the Attorney General outlining the reasoning for the removal from office, and by gaining the advice and consent of the SGA Senate for removal of quasi-legislative or quasi-judicial executives;
- [3] To call an assembly of the students after gaining the consent of the Senate, and to preside over any assemblies of all Oklahoma State University students;
- [4] To preside over meetings of the Executive Council;
- [5] To call, with concurrence of two-thirds of the Senate, referendum on any matters deemed worthy of consideration by the SGA as a whole.
- [6] To call special sessions of the SGA Senate;
- [7] To give, with concurrence of the Executive Council, SGA endorsement to any special event or project planned by any student organization;
- [8] To be responsible for communication between the students and the faculty, and for communication between the students and the administration; in accordance with official positions as set forth by the SGA.

### **SECTION 3.** The President shall

- [1] Give to Senate, at their first meeting of each semester, information of the State of the Campus, and recommend for their consideration such measures as he/she shall judge necessary and expedient, and shall take care that the laws be faithfully executed;
- [2] Submit an annual budget to the Senate for approval.

**SECTION 4.** The Vice President shall perform programming functions of the Executive Branch.

**SECTION 5.** The Treasurer shall

- [1] Maintain all SGA financial records;
- [2] Submit to the Senate an oral and written report at least twice each school semester month, containing all account balances and all expenditures since the time of the previous report Chair a written report outlining the month's expenditures and profits and loss, which shall be included in the Senate Agenda for the last meeting each school month as well as an oral report to be presented to the Senate at the last meeting of each school semester month;
- [3] Formulate the semi-annual financial report, with the President and Vice President.

**SECTION 6.** The Attorney General shall

- [1] Maintain the SGA Legal Code; and
- [2] Verify student signature on any and all petitions of Article VI, submitted to the SGA from the student body.

**SECTION 7.**

- [1] The President, Vice President, and Treasurer shall, at stated times, receive for their services, a compensation, which shall neither be increased nor diminished during the period for which they shall have been elected (or appointed).
- [2] The President, or a designee thereof, shall have the power to officially represent the members of the SGA in both University and Extra-University matters.

### **ARTICLE III. Judicial Branch**

**SECTION 1.**

- [1] The judicial power of the SGA shall be vested in one Supreme Court and such inferior courts as the Senate may from time to time establish. The Justices of the Supreme Court and inferior courts shall hold office until such Justices graduate or retire from the court. The office of a Justice who is an undergraduate student terminates upon receiving a Bachelor's degree from OSU. The office of a Justice who is a graduate student terminates upon receiving a Master's or similar graduate degree from OSU. Former Justices must repeat the appointment and confirmation process in order to serve a second term.

**SECTION 2.**

- [1] The Judicial power shall extend to all cases, in law and equity, arising under this Constitution and the laws of the SGA or laws which shall be made under its authority; to all cases of Judicial Review; to all cases affecting SGA officers; and to controversies to which the SGA shall be a party; and to controversies between two or more student organizations which are recognized or registered by the SGA.
- [2] The Student Supreme Court shall have original jurisdiction only in cases affecting SGA officers and those in which the SGA shall be a party. The Student Supreme Court shall have appellate jurisdiction in cases of Judicial Review and other aforementioned cases, both as to law and fact, with such exceptions and under such regulations as the Senate shall make.

- [3] Individual Justices must disqualify themselves from hearing or ruling upon any case or petition of which they are a party.

**SECTION 3.** The Judicial Branch shall have the power to submit a budget to the Executive Branch to be included in the budgetary process, and shall have the power to nominate, and by and with the advice and consent of the Senate, to appoint such judicial officers as it deems necessary.

**SECTION 4.**

- [1] All OSU Students, and student organizations recognized or registered with the SGA, shall be subject to this Constitution and the legislation of the SGA which shall be made in pursuance thereof.
- [2] Justices of the Supreme Court, and judges in student organizations recognized or registered with the SGA, shall be bound hereby to all parts of this Constitution, the constitutions and legislation of other student organizations to the contrary notwithstanding.

**ARTICLE IV. Elections**

**SECTION 1.**

- [1] The times, places, and manner of holding elections for senators shall be prescribed herein and prescribed in such regulations as the Senate shall make; the Senate may at any time by law make or alter such regulations.
- [2] All members of the OSU SGA are entitled to vote in the general, runoff, and special elections of the Student Government Association; the SGA membership qualification shall be that the students must be registered in resident instruction at OSU, Stillwater campus.
- [3] The elections shall be under the direction of the Election Agency, the membership and duties of which shall be defined by the Student Senate.

**SECTION 2.**

- [1] Elections for Senator shall be held during the fall semester for the Senators of academic colleges, with the exception of the College of Veterinary Medicine; during the spring semester for the Senators of living groups and the College of Veterinary Medicine. Elections for President and Vice President shall be held during the spring semester.
- [2] Annual senatorial apportionment shall be determined using the method of equal proportions. Should that method prove to be unfeasible, the apportionment shall be determined in the following manner: The number of students enrolled at OSU shall be divided by twenty-five (25), the number of Senators to be chosen in each election. This result shall then be divided into the population of each living group or the enrollment of each college to obtain the necessary number of Senators for each constituency (with a fraction over one-half (1/2) counting as one (1)).
- [3] The enumeration of apportioned seats shall be calculated and presented to the Student Senate for approval at least thirty (30) days prior to each general election. Each college shall have at least one (1) Senator; each living group shall have at least one (1) Senator.

- [4] Until the Senate enumerates otherwise, the colleges having senatorial representation are the College of Agricultural Sciences and Natural Resources; Arts and Sciences; The Spears School of Business; Education; Engineering, Architecture and Technology; Human Sciences; and The University College. Until the Senate enumerates otherwise, the living groups having senatorial representation are the living groups of Greek; Off-Campus; and Residence Halls.

#### **ARTICLE V. Department of Leadership and Campus Life Requirements**

- [1] At the beginning of each fall semester, the SGA shall report a list of names of its officers and advisors to the Department of Leadership and Campus Life; shall promptly report any changes to said list of names to said department; and shall file an "Affirmation of Compliance" with said department.
- [2] The SGA funds accumulated from activity fee allocations shall be deposited with the OSU banking services, which shall be audited yearly.
- [3] It shall be the understanding of the Department of Leadership and Campus Life and the Committee on Student Organization that any failure to submit such materials aforementioned, either through continued negligence or willful omission, may result in the suspension of the charter of the SGA.

#### **ARTICLE VI. Recall and Initiative Petitions**

##### **SECTION 1.**

- [1] The student body shall have the power to recall any elected officer serving under this Constitution.
- [2] The petition to recall shall not be valid unless it contains the signatures of a number of students equal to over fifty (50) percent of the number of votes cast for that office, providing that those signing the petition are bona fide members of the constituency involved. All recall petitions must state the reason for the recall action, and will be delivered to the SGA Attorney General, who shall within three (3) days notify the person named in the recall petition of its existence.
- [3] One week after the person named has been notified, the Student Supreme Court shall declare the petition valid or invalid based upon the validity of the signatures contained in the petition and the validity of the charges against the officer. If the petition is deemed valid, the Election Agency shall hold a new election within one week after the decision of the Student Supreme Court.

##### **SECTION 2.**

- [1] The student body of OSU shall have the right to initiate any act within the power of the Student Senate, and to amend the SGA Constitution, through valid petition.
- [2] An initiative petition shall not be valid unless it contains the signatures of at least one-hundred (100) students enrolled at the OSU Stillwater campus.



- [3] The Attorney General shall determine the validity of the petition, and shall consult the OSU Registrar for verification of the enrollment status of students listed on the petition. Appeal of the Attorney General's decision can be made to the Supreme Court.
- [4] The SGA Election Agency shall schedule an election on the issue in not less than five (5) or more than fifteen (15) OSU school days after the Attorney General has determined the validity of the petition. -Public notice of such an election shall be given not less than four (4) school days before it shall take place. A majority of the votes cast at the election shall be sufficient to pass the bill.
- [5] The Senate shall establish further requirements for valid petitions through amendments to the SGA Bylaws or enacted legislation.

### **ARTICLE VII. Amendments**

- [1] The Senate, when two-thirds (2/3) of the members deem it necessary, shall propose amendments to this Constitution; or
- [2] Based on its submission, a petition to the Senate signed by at least five-hundred (500) students enrolled at the OSU Stillwater campus shall propose amendments to this Constitution; or
- [3] The Senate, when three-fourths (3/4) of the members deem it necessary, shall call a convention that shall propose amendments; or
- [4] Based on its submission, a petition to the Senate signed by at least five-hundred (500) students enrolled at the OSU Stillwater campus shall call a convention that shall propose amendments; which
- [5] In any aforementioned case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by a majority of those students voting either in a general election at which such amendments shall be on a ballot, or in a special election for the sole purpose of amending this Constitution.
- [6] Typographical, grammatical, and formatting errors in the SGA Constitution shall be amended through amendments to the SGA Bylaws or legislation passed by a two-thirds(2/3) vote of the Senate, and shall be considered ratified and valid to all intents and purposes upon enactment of the legislation.

### **ARTICLE VIII. Transfer of Function and Joint Councils**

#### **SECTION 1.**

- [1] This Constitution shall go into effect upon approval by majority of those students voting in an all-purpose election.
- [2] All legislation passed prior to the adoption of this Constitution and not in conflict with any of its provisions shall continue in effect, unless rescinded by the SGA Senate.
- [3] The first general election held under the provisions of this Constitution shall be in November following its adoption.
- [4] This Constitution specifically enables the establishment of Joint Councils for the purposes of resolving differences and pursuing common interests. Such Councils shall include, but shall not be limited to: a Student-Faculty Council, a Student-Administration Council, a University Council, or a Council of Students, Administration and Faculty. A Student-Administration

Council shall be formed to resolve problems within the SGA that cannot be properly solved within the framework of the SGA Constitution, Bylaws, Supreme Court rulings, and enacted legislation.