

**Concord University**  
**Student Government Association Constitutional Bylaws**

**Preamble**

The Student Government Association of Concord University (SGA), seeing the need for further explanation of duties for the officers, committees, and representatives of SGA, do hereby set down the following bylaws for operation of this body.

**Article I: Qualification for Membership**

- Section I. Before Election or Appointment, each office below must meet the following requirements:
- A. Executive Officers:
    - i. 2.0 GPA.
    - ii. One full semester of experience in any of the three branches of the SGA.
  - B. The Concord University Board of Governor's Member, Public Defender, and the Faculty Senate Representative:
    - i. 2.0 GPA.
    - ii. One full semester of experience in any of the three branches of the SGA.
  - C. Chief and Prime Justice:
    - i. 2.0 GPA.
    - ii. One full semester of experience in the Judicial Branch of the SGA.
  - D. Justices:
    - i. 2.0 GPA.
    - ii. No greater sanction than 2 weeks social probation or a warning letter home.
  - E. Senators:
    - i. 2.0 GPA (excluding freshman senators).
    - ii. Must be a member of the constituency they are representing.

**Article II: Legislative Branch**

- Section I. Elected Senators and Appointed Senators:
- A. All elected and appointed senators shall be known as Senators.
  - B. Duties:
    - i. To represent the best interest of the student body at large.
    - ii. To attend all regular and special meetings of the Student Senate.
    - iii. To be informed on issues pertaining to student affairs at large and the

- SGA.
  - iv. To offer constructive criticism concerning the SGA and its activities.
  - v. To serve on at least one committee of the Student Senate.
  - vi. To sign those forms as necessary for the budgetary process outlined herein under Article V.
  - vii. In the event of a vacancy that exceeds two (2) weeks in a committee head position, a senator may be required temporarily, if requested by the Vice-President, to fill the committee head position until a permanent replacement is found.
- C. Any Senator not meeting their duties shall be subject to removal from office following Article IX of the SGA Constitution.
  - D. Replacements of appointed or elected senators shall occur by a Presidential appointment within two weeks of resignation or removal.

Section II. Organizational Representatives:

- A. Duties:
  - i. To represent the best interest of the members of the organization for which they are representatives.
  - ii. To attend all regular and special meetings of the Student Senate.
  - iii. To be informed on issues pertaining to student affairs and SGA.
  - iv. To offer constructive criticism concerning the SGA and its activities.
  - v. To provide as a liaison between their organization and the SGA.
  - vi. To serve on at least on committee of the Student Senate.
  - vii. To notify the Secretary of the SGA of any change in representative or alternate within two weeks of the change occurring.
- B. Organizational Representatives must be a member of the constituency they are representing at the time of taking office, as determined by the Student Center Office.
- C. Replacements of Organizational Representatives are at the sole discretion of their organization.

Section III. Concord University Board of Governors Representative:

- A. Duties:
  - i. To attend all Board of Governors Meetings.
  - ii. To make weekly written and oral reports to the Student Senate on the activities of the Board of Governors.
  - iii. To relay policy between the Student Senate and Board of Governors.
  - iv. Request input into any matter involving students discussed by the Board of Governors.
- B. The Board of Governor's representative will be appointed by the SGA President no later than the second SGA meeting of the fall semester, and will continue in that office until the following fall or their resignation.
- C. If the Board of Governor's representative is not meeting their duties, they shall be subject to removal from office following Article IX of the SGA Constitution.
- D. The replacement of the Board of Governors representative shall occur by a Presidential appointment.
- E. In the event of a vacancy of this position during a meeting of the Board of Governors, the SGA President shall be responsible for fulfilling this role or designating someone to do so until a permanent replacement is found.

Section IV. Faculty Senate Representative:

A. Duties:

- i. To attend Faculty Senate meetings.
- ii. To make weekly written and oral reports to the Student Senate on the activities of the Faculty Senate.
- iii. To relay policy between the Student Senate and Faculty Senate.

B. The Faculty Senate representative will be appointed by the SGA President, with Student Senate approval, no later than the second SGA meeting of the fall semester, and will continue in that office until the following fall or their resignation.

C. If the Faculty Senate representative is not meeting their duties, they are subject to removal from office following Article IX of the SGA Constitution.

D. The replacement of the Faculty Senate representative shall occur by a Presidential appointment.

E. In the event of a vacancy of this position during a meeting of the Faculty Senate, the SGA President shall be responsible for filling this role or designating someone to do so until a permanent replacement is found.

Section V. Committee Chairperson:

A. Duties:

- i. Be responsible for the running of their respective committee.
- ii. Make weekly verbal reports on committee activity to the Student Senate.
- iii. File weekly written reports on committee activity and weekly meeting attendance in the SGA Office in committee binder.

B. Committee chairpersons for standing committees shall be appointed by the Vice President of the SGA.

C. Committee chairpersons for ad hoc and temporary committees shall be appointed by the President of the SGA.

D. Committee chairpersons failing to meet their duties may be removed by the appointing officer in writing to both the SGA and the chairperson.

E. The replacement of the committee chairperson shall occur by the officer delegated in Section B or C.

Section VI. The term of office for all officers and representatives of the Student Senate shall begin sworn in and shall continue for the duration of the academic year, until resignation, or until a successor is sworn into office.

Section VII. Resignation from Office:

A. The resignation of any of the officers or representatives of the Student Senate must be presented in writing to the President or Secretary of the Student Government Association.

B. Any resignations and office vacancies shall be announced by the receiving official at the next regular Student Senate meeting.

C. The acceptance of minutes by the Student Senate which record the verbal resignation of an officer and the swearing in of a replacement shall be considered written resignation by any officer or representative.

Section VIII. Organizational Recognition and Attendance:

A. Recognition of an organization is accomplished through the following:

- i. Submission of an organizational constitution and bylaws to the Student Center office and Student Government Association office.
- ii. Completion of an advisor form, including all necessary information and signatures.
- iii. Inform the Secretary of the SGA of their intent to provide representation of their organization within the Student Senate.
- iv. The organization may not be related to any specific class, recognized and University-funded athletic team, or any group under discipline by the University administration.

B. Initiation of Voting and Budgetary Privileges:

- i. Voting privileges shall be granted to a recognized organization upon the start of the fifth Student Senate meeting attended, within their first recognized semester.
- ii. Budgetary privileges shall be granted at the start of the organization's second recognized semester, provided they have complied with the SGA's attendance policy.

C. Attendance Policy:

- i. Attendance of all members is required at all meetings. Attendance is defined as presence for the duration of the meeting.
- ii. No more than two unexcused absences shall be permitted per semester.
- iii. To avoid possible sanctions, any member shall be given the option of justifying their absence to the Secretary. This justification shall be submitted on the proper form within one week after the missed meeting. The Secretary shall decide on the validity of the excuse. If the excuse is in question, the Secretary shall take the excuse to the executive branch for a final decision.
- iv. To leave a meeting before its adjournment, without giving proper notice to the Secretary, shall result in an unexcused absence.
- v. Upon receipt of a third unexcused absence, an organization's voting privileges shall be immediately frozen, and withheld for the duration of the semester in which the absences were accrued.
- vi. By a  $\frac{3}{4}$ th majority vote, the Student Senate may remove any voting sanctions placed on an organization.

D. Suspension of Budgetary Privileges:

- i. Upon the third unexcused absence from a Student Senate meeting, the organization's allocations for the current semester shall be immediately frozen and budgetary privileges shall be revoked for one semester following the semester in which the absences accrued.
- ii. Budgetary privileges will be reinstated at the start of the second semester of the revoked year, provide the organization has complied with the SGA attendance policy, from the date of the sanctions, to the beginning of the second semester of the revoked year.
- iii. Continued neglect to comply with the SGA attendance policy shall extend the length of budget suspension, with one semester being added for each two additional absences.
- iv. By a  $\frac{3}{4}$ th majority vote, the Student Senate may remove any budgetary sanctions imposed on an organization.

Section IX. Special Rules of Order for the Student Senate:

- A. Members shall stand when giving a report to the Student Senate.
- B. There shall be no talking among members when business is being discussed before the Student Senate.
- C. First priority for seating at the Student Senate tables shall be for Executive members, Senators, and Student Senate officers.
- D. If the Chair of the Student Senate wishes to debate any motion, they must vacate the chair until the motion is disposed of.
- E. Members of the Student Body who are not members of the Student Senate shall have the right to discuss any motion.
- F. Representatives of the press, after proper recognition by the Chair, have the privilege to put a direct question to the Chair or any person who has participated in the debate of the current motion through the Chair. Representatives of the press shall not have the right to debate any motion unless they are also a member of the Student Body.
- G. Invited speakers must be invited by the President or by any member with the prior consent of the President. Invited speakers shall, as a portion of the President's report, be granted as much time as they require presenting the information they were invited to introduce. Following their presentation, invited speakers shall, through the Chair, answer direct questions put by any member or privileged guest.
- H. Guests and invited speakers shall have the right to present information or debate any motion only when requested by the Chair or any member with the consent of the Chair.
- I. The Student Senate shall loosely follow, in cases where procedure is not clearly documented within the SGA Constitution or Bylaws, at the discretion of the SGA President, the most recently published copy of Roberts Rules of Order at the time that these Bylaws were authenticated.
- J. By a 2/3<sup>rd</sup>s majority vote, or in special cases as defined in the SGA Constitution, the Student Senate may move into closed session, which will follow the following guidelines:
  - i. Only organizational representatives, student senate officers, executives, SGA advisors, the President of the University, or Board of Governors members may be present during such a session.
  - ii. All other officials, including those of the judicial branch, and any guests shall exit the meeting until the closed session ends.
  - iii. Closed session shall follow all rules of procedure from the SGA Constitution and Bylaws not in conflict with the guidelines in this subsection.
  - iv. No discussion from the closed session shall be recorded in the minutes. Only business that has occurred shall appear in the minutes.
  - v. By a 2/3<sup>rd</sup>s majority vote, Student Senate may exit closed session.

### **Article III: Executive Branch**

Section I. The President, Vice President, Business Manager, and Attorney General shall be Elected Officers of the Executive Branch.

Section II. The President of the SGA shall:

- A. Preside as chair at Student Senate meetings.
- B. Require reports from any or all organizations, committees, or commissions formed by, or funded through SGA.
- C. Call special meetings of the Student Senate, with no less than 24 hours of publicly posted notice of time and place.

- D. Appoint a Faculty Advisor, a Secretary, an Ombudsman, a Parliamentarian, two freshman Senators, Faculty Senate representative, a chairperson to all Student Senate ad hoc and temporary committees, a person to act in the interests of SGA between the spring and fall semesters (as necessary), and any other seats which become vacant within the executive, judicial, and legislative branches (with the exception of the Budgetary Committee).
- E. Coordinate the actions necessary to carry out the will of the majority of the Student Senate as expressed in approved legislation or other actions.
- F. Represent, either in person or by designated representative, the SGA in all transactions with the individuals or organizations outside the structure of the SGA.
- G. Grant individuals the authority to make tentative plans for a proposal once it has been discussed in the Student Senate. Tentative plans are those plans that can be altered or cancelled once they have been presented to the Student Senate.
- H. Form an executive council of subordinates as needed.
- I. Serve as ex-officio member of all committees and commissions of the SGA.
- J. Act on behalf of the Student Senate between the fall and spring semesters, during summer sessions, and at any other extended period where the quorum of Student Senate cannot be met.
- K. The President shall be required to submit a report to the Student Senate at the first meeting of each semester disclosing all decisions made and actions undertaken on the Senate's behalf that would otherwise require a vote.
- L. Maintain posted office hours of at least two hours per week.

Section III. The Vice President shall:

- A. Assume the powers and responsibilities of the President in the event of an absence, resignation, removal, or death, and shall continue to function as President for the remainder of the President's term or until the President returns from an absence.
- B. Act as Secretary in the absence of the Secretary or in the case that the Secretary is unable to serve. This duty shall be subordinate to the duty of act as President.
- C. Perform the duties of the Chief Justice, Attorney General, or Prime Justice throughout the impeachment process, in the event that any of the aforementioned officers are under investigation.
- D. Be the coordinator of all standing committees and commissions of the SGA, including overseeing Homecoming and the Spring Event.
- E. Provide a weekly report for committee attendance and absences.
- F. Appoint the Committee Chairperson of each standing committee of the SGA. In the event of a vacancy that exceeds three (3) weeks in a Committee Chairperson position, the Vice President may require a Senator temporarily to fill the Committee head position until a permanent replacement is found.
- G. Serve as ex-officio member of all committees and commissions of the Student Senate.
- H. Maintain up-to-date copies of the SGA Constitution and Bylaws, signed by the SGA President, Faculty & Staff Advisors, and Attorney General on file in the SGA Office.
- I. Shall maintain office hours of no less than one hour per week.

Section IV. The Business Manager shall:

- A. Prepare an annual budget for the ensuing semester and present it to the Student Senate for approval.
- B. Chair the Budgetary Committee and coordinate it under Article V.
- C. Select two organizational representatives or Senators from two organizations not requesting funds to serve on the Budgetary Committee.
- D. Have no vote on the Budgetary Committee except in the event of a tie.

- E. Have a vote in the Student Senate on all issues involving finance.
- F. Keep record of expenditures and income, and supervise the management of all financial transactions.
- G. Keep a positive balance for SGA.
- H. Make reports at Student Senate meetings of major expenditures, income, and balances at the first meeting of each month.
- I. Oversee the financial records of the SGA in conjunction with the Concord University Director of Business and Finance.
- J. Keep financial records available for public inspection at all times.
- K. Act as President in the absence of the President, Vice President, and Secretary, or in the event they are all temporarily unable to serve.
- L. Maintain posted office hours of no less than two hours per week.

Section V. The Attorney General shall:

- A. Prosecute all the cases that are docketed in the student disciplinary process.
- B. Investigate, at the request of the Student Senate, any irregularities in SGA activity and report their findings to the Chief Justice for appropriate actions.
- C. Provide all witnesses with subpoenas at least 3 days before their scheduled hearing.
- D. Enforce the SGA attendance policy.
- E. Maintain posted office hours of no less than one hour per week.

Section VI. The Secretary, Parliamentarian, and Ombudsman shall be the Appointed Officers of the Executive Branch, along with all others deemed necessary by the President.

Section VII. The Secretary shall:

- A. Keep the minutes of all Student Senate meetings, and maintain a file of actions taken as a matter of public record.
- B. Keep the roll of all members at the Student Senate meetings and meetings of the Executive Branch.
- C. The Secretary shall inform the Attorney General upon the third absence of any member of the Student Senate.
- D. Inform the President of any organization declaring intent to receive recognition in the Student Senate and shall record such actions in that weeks minutes.
- E. Serve as office manager, and:
  - i. Monitor and maintain office supplies. Including butt is not limited to:
    - a. Paper.
    - b. Writing implements.
    - c. Scissors.
    - d. Tape.
    - e. File folders.
    - f. Staplers and staples.
    - g. Paper clips.
    - h. Printer toner.
    - i. A current copy of Robert's Rules of Order.
  - ii. Monitor and maintain office equipment.
  - iii. Inform the Business Manager of the need for additional supplies or for repairs/replacement of equipment.
- F. Act as President in the absence of the President and the Vice President, or in the case that the President and the Vice President are temporarily unable to serve.
- G. Maintain accurate records of who made a motion and who seconded it, and

- H. record organizational votes if required by a motion for role call or division vote. Distribute minutes to all members of the Legislative and Executive Branches, all SGA Advisors, the President of the University, and any student, faculty, staff, or administration members who request them in writing.
- I. Type, print, or photocopy letters, memos, or other materials as required and requested for the SGA.
- J. Maintain posted office hours of no less than two hours a week.

Section VIII. The Parliamentarian shall:

- A. Act as an advisor to the President of the SGA on, but have no power to enforce, Robert's Rules of Order as well as the current Constitution and Bylaws.
- B. Act as President in the absence of the President, Vice President, Secretary, Business Manager, and Ombudsman, or in the event that they are temporarily unable to serve.
- C. Advise the President as to any improper conduct of the members during a Student Senate meeting.

Section IX. The Ombudsman shall:

- A. Investigate any query made by the Student Body.
- B. Make weekly oral and written reports to the Student Senate on their investigations.
- C. Act as President in the absence of the President, Vice President, Secretary, and Business Manager, or in the event that they are all temporarily unable to serve.
- D. Maintain posted office hours of no less than two hours a week.
- E. Serve as a member of at least one of the standing Student Affairs committees.

Section X. Temporary replacements may be made by the SGA President until the Student Senate can approve a permanent replacement.

#### **Article IV: Judicial Branch**

Section I. The Steering Committee shall:

- A. Be made up of the Chief Justice, the Advisor to the Judicial Branch, and a member of the Student Affairs Staff designated by the Director of Student Affairs.
- B. Direct cases to the Student Hearing Board, Student Supreme Hearing Board, or University Hearing Board.

Section II. The Student Supreme Hearing Board shall:

- A. Be made up of nine justices to be appointed by the SGA President whose appointments shall be for the duration of enrollment as a student at Concord University unless they resign or are removed from office. All appointed justices must be present, but may abstain from any vote, in order for any group of justices to act as a Student Supreme Hearing Board.
- B. Hear cases of constitutional interpretation, act as an Appellate Court for the Student Hearing Board, and serve as the Court in the Impeachment Process.
- C. Create any subordinate hearing board as deemed necessary and proper.
- D. Serve as final appeal on all election matters.
- E. Be governed by the procedure set out in Section VIII and IX of this article.

Section III. The Student Hearing Board shall:



- A. Consist of three justices, to include the Chief Justice and/or the Prime Justice, and any one or two of the remaining Justices.
- B. Meet as frequently as necessary to adjudicate cases in a timely matter.
- C. Unexcused absences from any judicial meeting (including Student Hearing Board and Student Supreme Hearing Board) by a Justice throughout each semester shall result in appropriate action as outlined in Article IX of the SGA Constitution.
- D. Be governed by the procedure set out in Section VIII and IX of this article.

Section IV. The Chief Justice shall:

- A. Be voted into office by a majority of the justices from their ranks.
- B. Be chosen the first week of April, and begin a one year term on the second week of April, and may serve consecutive terms.
- C. Be removed from office by a 7/8 vote of no confidence by all of the justices.
- D. Subpoena students as witnesses, upon the request of the plaintiff, defendant, or their respective representatives, when the appearance and testimony of the witness is necessary to insure justice.
- E. Give subpoenaed witnesses at least three days notice through the student's Concord University verified mailing address.
- F. Maintain a record within the SGA Office, signed by the current Concord University postmaster, verifying the date and time in which all subpoenas were submitted into Concord University mail each week.
- G. Coordinate the Judicial Branch in a manner that insures justice to all students of Concord University.
- H. Shall serve on the Steering Committee.
- I. Attend all Student Hearing Board meetings.
- J. Require Justices to recuse themselves in the event of possible conflicts of interests that could taint the impartiality of the Hearing Board.
- K. Schedule the Justices as necessary to complete all docketed cases for a semester and ensure that the Prime Justice only sit when absolutely necessary and not be scheduled in the regular justice rotation.
- L. Fulfill the role of Prime Justice to maintain the database in the absence of the Prime Justice, or in the event the Prime Justice is temporarily unable to serve.

Section V. The Prime Justice shall:

- A. Be voted into office by a majority of the justices from their ranks.
- B. Be chosen the first week of April, and begin a one year term on the second week of April, and may serve consecutive terms.
- C. Be removed from office by a 7/8 vote of no confidence by all of the justices.
- D. Aid the Chief Justice in coordination of the Judicial Branch and act as Chief Justice in the Absence of the Chief Justice or in the event the Chief Justice is temporarily unable to serve.
- E. Act as Chair of the Homecoming Committee and enforce the rules and regulations concerning Homecoming events.
- F. Serve as Election Chair and coordinate the SGA Elections.
- G. Attend all Student Hearing Board meetings and be present during deliberations.
- H. Maintain a record of all subpoenas from the Public Defender and Attorney General.
- I. Keep and maintain an updated database of all Hearing Board decisions for the confidential use of the Student Hearing Board, Attorney general, and Public Defender. The database shall consist of, but not be limited to:
  - i. Date of Hearing Board meeting.
  - ii. Specification of Violation(s).
  - iii. Plea of Defendant.

- iv. Finding of the Hearing Board.
- v. Recommendation, if any, of the Attorney General and/or Public Defender.
- vi. Sanctions, if any, received.
- vii. Any exceptional reasons leading to stated decisions and sanction(s).

- J. Only serve on the Student Hearing Board when performing the duties of Chief Justice; or in exceptional circumstances where no other of the remaining Justices are available to sit.
- K. Serve as a regular justice in all matters involving the Student Supreme Hearing Board.

Section VI. The Public Defender shall:

- A. Be voted into office by majority of the student body during the general election.
- B. Attend all Student Hearing Board meetings and Student Supreme Hearing Board meetings to ensure justice for all students of Concord University.
- C. Represent, if requested, any defendants before the Student Supreme Hearing Board and the Student Hearing Board.
- D. Represent, if requested, any defendant's appeal to, or sanction review of, the proceedings of the Student Supreme Hearing Board.
- E. Subpoena students as witnesses when the appearance and testimony of the witness is necessary to insure justice.
- F. Give at least three days notice to all subpoenaed witnesses.
- G. Maintain posted office hours of no less than two hours a week.

Section VII. The Advisor to the Judicial Branch shall:

- A. Be recommended by the Chief Justice, and be approved by the Student Senate.
- B. Serve as a member of the Steering Committee.
- C. Be present during deliberation of the justices, but shall not direct the actions of the Student Hearing Board and the Student Supreme Hearing board.

Section VIII. Justices of the Judicial Branch must:

- A. Make known to the rest of the sitting justices any organizational or paternal ties prior to the hearing of any case.
- B. Sit as often as required to complete all docketed cases of the Student Hearing Board.

Section IX. All hearing boards herein established shall be governed by these procedures:

- A. Prior to the convening of the Hearing Board:
  - i. The Steering Board shall review individual cases to decide their proper venue for a fair and impartial trial.
  - ii. If the venue should be the Student Hearing Board or Student Supreme Hearing Board, the Defendant, Public Defender, and Attorney General shall be notified of docketed case no less than 144 hours (6 days) of the Hearing Board.
  - iii. The witnesses for the Attorney General and Public Defender shall be notified of docketed cases that involve them no less than 72 hours (3 days) prior to the Hearing Board.
  - iv. Defendants shall be given the opportunity, until the time of the convening of the Hearing Board, to turn in a written plea to the Chief Justice or the SGA Office.
  - v. Immediately proceeding their hearing, each defendant shall have the

opportunity, should they elect to use it, of one attempted plea bargain, as follows:

- a. A plea bargain shall be proposed to the Attorney General by the Defendant or the Public Defender.
- b. If the plea bargain discussed is acceptable, the Attorney General and witnesses for the school may agree to accept a bargain.
- c. In the event of this agreement, the Public Defender, or Defendant, and the Attorney General shall present the plea bargain to the sitting justices. The defendant is not required to sign any paperwork to have the plea bargain discussed.
- d. The sitting justices shall then discuss the charges of the plea bargain and the sanctions proposed, without reading the adjudication report or hearing any testimony for the case from any person. Exceptions shall be granted to this rule when specific details are questioned, such as whether students complied with staff, amounts of substances, etc. Any justice reading the adjudication report or hearing prior testimony shall not sit on the case due to possible bias; the exception to the rule shall be the sitting Chief Justice.
- e. Either sitting justices shall accept the plea bargain as proposed, with no modification, at which point the defendant shall sign paperwork acknowledging guilt; or, the justices may reject the plea bargain, at which point the defendant shall proceed to other options of having their case heard or pleading guilty.

B. Upon convening a Hearing Board:

- i. The Public Defender and the Attorney General may make any initial motions to postpone or dismiss the case or charges prior to the beginning of a case in the event of a schedule conflict during the scheduled trial week.
- ii. The rights of a student under the SGA Constitution and Bylaws shall be read to the defendant. These rights are:
  - a. The right to be represented by themselves or a fellow student, a parent or guardian, or a faculty member of the institution.
  - b. A right to hear and be present during the testimony of all those providing testimony against them, and an opportunity to question these witnesses as to the content or accuracy of their testimony.
  - c. The right to have the case recorded or transcribed, by such device as a tape recorder, for use in the event of an appeal or other circumstances.
- iii. The defendant shall sign paperwork acknowledging their acceptance of a hearing by the Student Hearing Board.
- iv. An initial plea will be taken from the defendant, who may plead:
  - a. Innocent, in which case a hearing ensues as outlined below.
  - b. Guilty, in which case the Attorney General and Public Defender shall submit their recommendations for sanctions and the justices deliberate on sanctions as outlined below.
  - c. Guilty with circumstances, in which case these procedures shall be followed:

1. The defendant, upon admitting guilt, is agreeing to all material presented in the adjudication report.
  2. The defendant shall be able to present any case specific information not presented in the adjudication report. They should be questioned only if information they provide is in conflict with the adjudication report or otherwise confusing.
  3. The Attorney General may have one witness, preferably the party who wrote the adjudication report, present to dispute information presented if factually incorrect or if they have information that would likewise be outside the adjudication report. Also, this witness may be directly questioned on any information provided by the defendant or himself by the justices.
  4. The Attorney General and Public Defender may then recommend specific sanctions.
  5. Following deliberation, behind closed doors, by the justices as to sanctions, the defendant should be presented with their sanctions and sign the adjudication report.
  6. Before dismissal, the defendant should be made aware of the appeals process for a case.
- v. Opening arguments shall be presented by the Attorney General and then the Public Defender outlining the specific details of the case they will each present.
- vi. The Attorney General shall present, individually, the witnesses against the defendant, and shall ask them any questions he deems necessary, within reason and relevance to the hearing. The Public Defender and defendant shall be afforded the opportunity to question these witnesses following the Attorney General's questions. The justices may question these witnesses at any time.
- vii. The Public Defender and defendant shall present, individually, the witnesses for the defendant, and shall ask them any questions he deems necessary, within reason and relevance to the hearing. The Attorney General shall then be afforded the opportunity to question these witnesses following the Public Defender's questions. The justices may question these witnesses at any time.
- viii. Following presentation of witnesses, the Attorney General will present a closing summary of the information presented. The Public Defender shall then be afforded the same opportunity.
- ix. The justices shall then deliberate, behind closed doors, as to the guilt or innocence of the defendant. During deliberation only the sitting justices, Judicial Advisor, and the justice acting as clerk of court shall be present.
- x. Following deliberation, the decision of the justices shall be presented to the defendant, Public Defender, and Attorney General:
- a. In the event of a not guilty decision, the case is dismissed.
  - b. In the event of a guilty decision, the Attorney General and the Public Defender shall present recommendations for sanctions.
  - c. The justices shall, behind closed doors, deliberate on the sanctions for the charges.
  - d. The defendant shall be notified of these sanctions and sign the adjudication report.
  - e. Before the defendant is dismissed, they shall be made aware of the appeal process in place.

- C. Sanctions should take effect no more than one school week after the Hearing Board meets, unless otherwise stipulated in the ruling.

### **Article V: Finance and the Budgetary Committee**

- Section I. The Student Senate, receiving funds through student fees from Concord University, will appropriate funds to recognized organizations among the Concord University student population as approved by the Student Senate. Organizations shall not be judged on the basis of membership requirements or the race, gender, ethnicity, sexuality, or religion of the members of their organization during the budgetary process.
- Section II. The Business Manager shall oversee all appropriations of funds. The Business Manager has the right to freeze or temporarily stop all funding and allocations to preserve the total balance for the SGA if the account falls below \$3,000 due to purchase order delays, overspending, or rollover.
- Section III. Student Senate Funding Policy:
- A. Application Procedure:
- i. All recognized organizations will provide a allocation request each semester whether they are requesting money from the SGA or not. Recognized organizations that are not requesting funding for a particular semester will receive priority consideration for funding the following semester.
  - ii. Allocation requests should be presented by the end of the 3<sup>rd</sup> meeting or no later than the beginning of the 4<sup>th</sup> meeting of each semester. The request must be on the form supplied by the SGA Business Manager for the specific budgetary season. The allocation request must include, but is not limited to, the following:
    - a. An itemized list of the activities and costs for which funding is being requested.
    - b. All fundraising attempts and profits or losses by the organization and any planned fundraisers and estimated profits for the rest of the requesting semester.
    - c. The total number of organizational members currently enrolled as students.
    - d. The signature of the requesting organizations faculty sponsor.
    - e. A statement of how the items or activities for which funding is requested would impact the Concord student body.
    - f. A statement of any funding received from departmental or other resources in specific amounts.
    - g. Any additional information that the organization deems necessary for proper consideration.
  - iii. All allocation requests must be received by the Business Manager or the President in their absence, before the beginning of the fourth regular Student Senate meeting.
- B. Guidelines for Receiving Funding:
- i. If the information required on the allocation request form is missing or

incorrect or not on the proper form, the allocation request will be denied all funding.

- ii. Only those organizations that have submitted their updated membership and advisor form to the Student Center on time (by the 2<sup>nd</sup> meeting of each semester) will be eligible for receiving funding.
- iii. Organizations must have up-to-date bylaws and constitution on file in the SGA Office and Student Center Office.
- iv. Organizations should not become dependant on SGA as their primary source of funding. The Student Senate may deny funding if it believes such a dependency is developing.
- v. Organizations must show an attempt to acquire funds through fundraisers, departments, etc.
- vi. Organizations that receive funding through SGA shall not spend any portion on Homecoming.
- vii. There shall be no funds allocated for shipping and handling, banquets, food costs, awards, and dances except for in the Homecoming and Spring Event budgets.
- viii. There shall be no item listed as miscellaneous on allocation request forms. Allocation requests shall be as specific as possible avoiding general terms (i.e. hardware, building materials).
- ix. Organizations may only submit one allocation request per academic semester except in the case of a critical exception.
- x. The benefit and importance of the event to Concord University, SGA, and the requesting organization shall be evaluated.

C. Amount of Funding:

- i. No organization may receive more than \$1,500 per semester.
  - a. Open campus publications are included in this clause minus their publication costs.
  - b. Homecoming, the Spring Event, and any other activity organized by SGA shall be excluded.
- ii. Organizations may request funds to cover specific costs as follows:
  - a. The Student Senate may allocate no more than \$400 for lodging.
  - b. The Student Senate may allocate no more than \$300 for conference registration.
  - c. The Student Senate may allocate no more than \$400 for University provided travel or \$800 for other travel expenses.
  - d. The Student Senate may allocate \$0.32 per mile for gas.
  - e. The Student Senate may fund for other expenses not enumerated above, but not allocate more than \$75 per student traveling to a conference with an organization.

Section IV. The Budgetary Committee shall:

- A. Consist of the Business Manager, the SGA President, and five Student Senate members, nominated and elected by the Student Senate by means of a plurality, and two representatives or senators from organizations not requesting funds.
- B. Be chaired by the Business Manager who will not vote on allocation except in the event of a tie.
- C. Be empowered with the right to recommend fully funding, not funding, or partially funding any allocation request within the rules of these Bylaws.
- D. Hold publicly scheduled hearings on all allocation requests and allow submitting

- organizations to share additional information about its request.
- E. Allow at least one student member or faculty sponsor to attend the portion of a budgetary meeting where their organization's allocation request is being presented, to present the request to the Budgetary Committee and supply additional information.
- F. Serve from creation until the end of the semester in which they were created.
- G. By unanimous vote, deem an organization to be in appropriately dependent on the SGA and require additional funding sources within one academic year. An organizations failure to comply will result in termination of funding.

Section V. The Budgetary Session:

- A. The hearing shall be held during the 5<sup>th</sup> regular SGA meeting.
- B. The Business Manager shall report on all allocation requests reviewed. If the committee is recommending allocation of funds, that report should include a motion to allocate those funds. If the committee is recommending zero allocation, no motion should be presented. However, an explanation for a zero recommendation shall be given.
- C. Generally, senators will abstain during the vote to consider allocation to an organization of which they are members. Senators making a motion, debating, or voting for allocation of funds to an organization of which they belong, must make that membership known to the Student Senate.
- D. In the absence of a recommendation made by the Budgetary Committee, a member of the Student Senate may make a motion during the new business portion of the meeting to allocate funding. However, a member of the organization in question cannot make the motion.
- E. To overturn or revise a recommendation made by the Budgetary Committee, whether it be for full, partial, or no funding, will require a 2/3 vote of the Student Senate.
- F. Organizations may appeal any allocation, including zero allocation.
  - i. Only organizations that submitted an allocation request on time will be considered for appeal.
  - ii. Appeals of allocations must be made the week after the Budgetary Session and must be submitted in writing to the Business Manager.
  - iii. No appeals will be accepted more than a week after the hearing procedure.
  - iv. The organization appealing may address the Budgetary Committee, at a time scheduled by the committee to be no later than the 6<sup>th</sup> regular SGA meeting, to supply additional information to the committee.
  - v. The Budgetary Committee will present a recommendation the week following the appeal, or no later than the 7<sup>th</sup> regular meeting of the semester.
- G. The Budgetary Process, including the Budget Meeting, Budget Process, recommendations, allocations, and appeals, must be completed by the end of the 7<sup>th</sup> meeting of each semester.

Section VI. Funding for organizations not represented in the Student Senate:

- A. Any Concord University organization, beneficial to students and involving them in the decision making process of the organization, may request funding from the SGA. However, this organization may not be under discipline by the administration of Concord University at the time of the request.
- B. To qualify for funding, an organization must submit an allocation request as any other organization under the sections of the SGA Constitution and Bylaws pertaining to organization funding. The exceptions to this rule are:

- i. Such organizations cannot submit an allocation request as legislation.
  - ii. Such organizations will not be restricted by the \$1,500 cap.
- C. A majority of senators currently holding office must sign a petition showing their support for the allocation request. One senator must also agree to act as the organization's representative during the budgetary process.
  - D. The allocation request shall be considered by the Budgetary Committee as part of the regular budgetary process. Outside of the regular budgetary process, an allocation request will be submitted and considered within one week by a meeting scheduled by the Budgetary Committee, and the recommendation on the request presented by the next regular meeting. An organization representative may present the allocation request to the Budgetary Committee at a time, to be determined, during the intervening week and announced at least 24 hours in advance by the Business Manager.
  - E. An organization which is deemed dependent by the Student Senate shall require a 2/3<sup>ds</sup> majority vote by the body to retain its right to petition for an allocation request after a year of dependency as defined within this Article.
  - F. Any organization requesting money under this section cannot request recognition as a student organization from the SGA for a period of two years following the last time that they received funding under this section. This means that an organization funded this way may not have or utilize voting rights for the duration they are not recognized. The same will hold true for organizations that are recognized as student organizations and then change their status.

Section VII. Critical Contingencies:

- A. Organizations endangered by imminent extinction or an organization faced with unexpected financial needs beyond their control or campus-wide problems which require immediate solutions with absolutely no other means of repair may apply for consideration as a critical exception.
- B. For an allocation request to be considered as a critical exception the Student Senate must first vote by a 3/4 majority to consider it critical. Then, the Budgetary Committee shall review and recommend an allocation to be made. The recommended allotment must pass a Student Senate vote by a 2/3 majority to be allocated.
- C. If the Student Senate votes to consider an allocation request a critical exception, a ten minute recess shall occur for the Budgetary Committee to review the application and return a recommendation.
- D. No organization will be considered a critical exception if they were late with the original allocation request.
- E. When considering a critical exception for an emergency needed for the campus, it is only appropriate that a committee of the SGA request the funds, not an organization.
- F. The \$1,500 cap for critical contingencies can only be exceeded by a unanimous vote by the Student Senate and a unanimous vote to allocate funds.

Section VIII. Follow-Up Procedures:

- A. Documentation, such as receipts, bills, contracts, invoices, and a typed follow-up report including attendance at activities and value of activity to organization and those in attendance must be submitted to the Business Manager to account for the money allocated by the Student Senate and justify future funding of similar events. These documents must be submitted before the last month of each semester (November 30<sup>th</sup> in the fall and April 30<sup>th</sup> in the spring). Failure to comply will result in the organization's loss of budgetary privileges for two semesters.



- i. The Student Senate reserves the right to investigate the use of all funds allocated.
- ii. The Student Senate may recover any unaccounted expenditure by an organization, or the organization will be held liable. If the money is not accounted for within one week after the request to do so, the organization shall lose its recognition in the Student Senate, and all organizational operations with the SGA shall cease for at least two semesters.
- iii. The Student Senate reserves the right to cancel any amount up to the total allocation within two regular meetings after the allocation is made. This cancellation shall occur upon a 2/3 majority vote.
- iv. All campus programs funded by SGA must recognize the funding by the SGA on all forms of promotion including flyers, t-shirts, and other materials. Failure to comply with this policy will result in removal of funding privileges for two semesters.

## **Article VI: Elections**

### Section I. The Election Committee shall:

- A. Consist of the Prime Justice, who shall chair the Committee, two justices, and three members at large from the Student Senate, with all justices and Senate members to be appointed by the Prime Justice with approval of the Student Senate.
- B. The Election Committee shall be chosen no later than five regular meetings before the election, excluding Concord holidays. All members of the committee must meet the following qualifications:
  - i. At least a 2.0 cumulative GPA.
  - ii. Must not be on any disciplinary restrictions or have been convicted more than 2 times by a Student or University Hearing Board.
  - iii. Must not be running for an office in the current Election.
- C. Submit, no later than 4 regular meetings before the election, a set of campaign rules for the election. The Student Senate shall have the intervening week to review the rules and amend them by majority vote at the next regular meeting.
- D. Hear and decide all alleged violations of the Elections Policy (Campaign Violation Complaint).
- E. Safeguard the results of the election in such a manner that the results remain unknown to all persons until they are announced at the first regular Student Senate meeting following the elections. Ultimate responsibility for this duty shall be placed upon the Election Chair.

### Section II. Manner of Elections:

- A. Application for Candidacy:
  - i. Applications for candidacy shall be due to the Election Chair prior to the Candidate Training & Rules meeting.
  - ii. Candidates shall meet the minimum criteria established for the position.
  - iii. All candidates must attend the Candidate Training & Rules meeting to inform candidates about the election process and campaign guidelines. All candidates must attend to be placed on the official ballot.
- B. All election meetings shall be at a time and place as determined by the Election

Chair. The only excused absences from these meetings shall be to attend classes and University required events or by the consent of the Election Chair. Excuses shall include, but not limited to: class, family emergencies, and any absence approved by the Election Committee with prior notification of the committee of an absence.

- C. Campaign Regulations shall include, but shall be expanded by Committee submissions, the following:
- i. Oral campaigning may begin after the Candidate Training & Rules meeting and must terminate by the end of the voting period. Other campaigning, including but not limited to newspaper, radio, television ads, and fliers may begin immediately after the Student Senate meeting of the week before elections.
  - ii. No removal or defacing of other candidate's campaign materials shall be allowed.
  - iii. All signs must be approved by the Election Chair, with the candidate keeping an initialed copy with them as proof of this, and posted according to Concord University posting policy and Residential Life Regulations.
  - iv. Campaign posters must be removed no later than the end of the voting period.
- D. Campaign Violation Complaints:
- i. Campaign Violation Complaints must provide an account of the alleged event and a list of witnesses.
  - ii. Campaign Violation Complaints shall be due no later than 24 hours after the polls close. They shall be submitted in a sealed envelope to the Election Chair.
  - iii. Campaign Violations noticed by the Election Chair or by members of the Election Committee must be investigated.
  - iv. A Campaign Violation Complaint Hearing must be held to deliberate on any alleged violations of this election policy. This hearing shall occur prior to the announcement of the election results.
    - a. During the deliberation process, only the Election Committee and at least one advisor shall be present. Witnesses shall be present only when giving testimony upon the request of the Election Committee.
    - b. If a complaint is found to be justified, a loss of votes may be assessed against the candidate(s) only in the event that the infractions could have had some positive influence on the votes received by the offending candidate. The Election Committee may impose appropriate penalties that have not been enumerated here.
    - c. Reports of the complaints must be disclosed to the Student Senate in a timely fashion.

Section III. SGA elections shall follow this timeline in order to provide candidates with a concise understanding of their responsibilities, and to ensure the highest level of continuity between administrations as possible.

- A. On the Wednesday before Spring Break, there shall be a pre-filing information meeting. This meeting shall be open to all who want to attend. At this meeting, potential candidates will hear job descriptions from the current officers and get an overall view and description of the organization.
- B. The week after Spring Break shall be designated the official filing week, in which

students have until Monday morning to submit notice on official forms for election to the SGA Office. All students must meet job requirements as outlined in this document to file.

- C. The Monday following, there will be a Candidate Training & Rules meeting. Here, Candidates shall be apprised of the current rules for the election.
- D. The Wednesday through Friday after the following Monday shall be the official elections period.
- E. Ballot collection shall be by secret ballot, during the periods between 11am to 1pm and 4pm to 6pm in the Student Center. Students must have a validated student ID to vote.
- F. Winners shall be announced at the following regular Student Senate meeting, and then may be released to any media or organizations requesting them.
- G. The meetings between the announcement of the winners and the next to last meeting of the Senate shall be the “observation” period for the new officers.
- H. The weekend before the year’s final SGA meeting, there shall be an Officer’s Retreat. Here, exiting officers shall pass-on and explain their materials to the incoming officers. In addition, more intensive training for the new officers will be provided as deemed appropriate by the executives of SGA.
- I. During the last SGA meeting, the new President shall be sworn in and the gavel shall be presented.

Section IV. The Homecoming Committee shall:

- A. Provide an efficient, responsive, and responsible structure that will ensure for all Homecoming Candidates and the Concord University Student Body that a fair and impartial Homecoming Election is conducted.
- B. Be comprised of seven students from the student body.
  - i. Two of the seven shall be elected in an at large election by the student body.
  - ii. One shall be the previous year’s Homecoming Queen (if she is no longer a student at Concord University, her position shall be filled by the Vice President).
  - iii. The Prime Justice shall serve as chair of the Homecoming Committee.
  - iv. The SGA President shall appoint, with approval by the Student Senate, the three remaining members.
- C. Create a set of written rules for the election which shall be submitted to the Student Senate for approval at least 3 weeks before the week of elections. The Student Senate shall have the next regular meeting after they are submitted to pass amendments to the rules by simple majority votes.
- D. Serve, if necessary, on a fair and impartial hearing board in all proceedings concerning the election.
- E. The term of the Homecoming Committee shall be from the beginning of the fall semester until two weeks after the Homecoming football game.

### **Article VII: Bylaw Amendments**

Section I. Amendments to the Bylaws of the SGA may be proposed by either of the following procedures:

- A. By petition signed by 5% of the Student Body.
- B. By ½ of the voting membership of the Student Senate.

Section II. The Student Senate shall discuss the proposed amendment at the next regular

meeting following its submission.

Section III. Amendments shall be ratified by a majority vote at the next regular meeting after its discussion.

Section IV. It shall be the responsibility of the Vice President of the Student Government Association to update the Constitution and/or Bylaws in the event of an amendment, with changes being made no later than the first regular meeting after the changes are accepted.

**Article VIII: Oath of Office**

Every student being elected or appointed to office in the Student Senate or Judicial Branch shall be sworn into office by the SGA President using the following oath of office:

*I \_\_\_\_\_ (state your name)  
Pledge to uphold the SGA Constitution and Bylaws  
To execute my duties fully and faithfully  
And represent the interests of Concord's student Body  
To the best of my abilities, in any endeavor I undertake  
During my term of office.*

Officers shall not take on any responsibilities, duties, or privileges of office until they are sworn into office.

**Article IX: Bylaw Authenticity**

In order to provide for a guaranteed authentic, official operating copy of the SGA Bylaws, a watermarked copy of the most current Bylaws, signed and dated by the SGA President, Attorney General, and Faculty Advisor, shall be maintained in the SGA Office by the Vice President of the SGA.

SGA President:	_____	Date:	_____
Attorney General:	_____	Date:	_____
Faculty Advisor:	_____	Date:	_____
Staff Advisor:	_____	Date:	_____