



The Student Government Association Constitution

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PREAMBLE

The Student Government Association of the University of Maryland, College Park serves as the representative body for all undergraduate students. We formulate resolutions to address student concerns, assist student groups in their missions and programming, and advocate through the appropriate University, local, state, and national government channels. Through our efforts and outreach, we strive to create a better undergraduate experience and community at the University of Maryland.

ARTICLE I. PURPOSE OF THE STUDENT GOVERNMENT ASSOCIATION

Section 1. This organization shall be the principle undergraduate student governance body for implementing the objectives set forth in the Preamble, subject only to the local, state, and national laws, policies of the University System of Maryland and University of Maryland, College Park, and right of review by the President of the University or his or her specifically designated representative.

Section 2. This organization shall formulate resolutions promoting and governing the activities and interests of the students of the College Park campus and will advise the Maryland General Assembly, the University Senate, the President of the University, and any body whose decisions affect the undergraduate students of the University of Maryland, College Park of student viewpoints concerning all matters affecting student life.

Section 3. This organization shall be responsible for recommending the allocation of Student Activities Fee to the President of the University.

ARTICLE II. GENERAL ORGANIZATION

Section 1. The membership of this organization shall include all undergraduate students of the University of Maryland, College Park.

Subsection A. The Student Government Association does not restrict membership or discriminate on the basis of race, color, creed, sex, sexual orientation, gender identity, gender expression, marital status, personal appearance, age, national origin, political affiliation, physical or mental disability, or on the basis of rights secured by the First Amendment of the United States Constitution. (For definitions of “personal appearance” and “sexual orientation,” see the University’s Code of Human Relations (“Code”))

Section 2. The Student Government Association shall be organized into three branches: Executive, Legislative, and Judicial.

Subsection A. The Legislative Branch shall consist of the Legislature and the Legislative Staff as specified in the Student Government Association By-laws.

Subsection B. The Executive Branch shall consist of the Student Body President, as well as an Executive Board and Executive Cabinet as specified in the Student Government Association By-laws.

Subsection C. The Judicial Branch shall consist of the Governance Board.

Section 3. Conflicts of Interest

Subsection A. All actions taken by the Legislature to modify any salary, or honorarium paid out of the Student Activities Fee, shall take effect at the beginning of the following fiscal year. No action altering honoraria or salaries may be taken within 30 days prior to the Student Government Association Elections and may not resume until the next term.

ARTICLE III. THE LEGISLATIVE BRANCH

Section 1. Organization of the Legislature

Subsection A. All legislative powers granted herein shall be vested in the Legislature whose members shall be elected annually, apportioned on a one-person basis in a ratio of 1 representative per 1800 students in each legislative district. Representation shall be divided into geographic divisions and academic colleges. These divisions shall be reevaluated every five years, next in 2016.

Subsection B. The Speaker of the Legislature shall preside over Legislative meetings, following the Standing Rules of Order of the Student Government Association.

Subsection C. The election of the Speaker of the Legislature shall be the first item of business at the first meeting of the new legislative session. The previous term’s Speaker of the Legislature shall preside over the Legislative meeting until the new Speaker is elected, but may not exercise the right to cast a tie-breaking vote.

Section 2. Powers and Duties

Subsection A. The Legislature shall approve appropriate funding requests for recognized student groups.

Subsection B. The Legislature shall conduct constituent outreach in order to identify student issues and opinions.

Subsection C. The Legislature shall take stances on issues affecting students by passing appropriate legislation.

Subsection D. The Legislature shall include and participate in relevant committees under its jurisdiction.

Subsection E. The Legislature shall have the ability to form ad hoc committees.

Subsection F. The Legislature, by a two thirds (2/3) majority vote, shall approve all Presidential and Vice Presidential appointments.

Subsection G. The Legislature, by a three-fourths (3/4) vote of its membership, may bring impeachment proceedings before the Governance Board for dereliction of duty against appointed or elected officers of any branch or arm of the SGA except for Judicial Branch members.

Subsection H. The duties of the Legislative Branch shall be specifically designated in the By-laws of this Constitution.

ARTICLE IV. THE EXECUTIVE BRANCH

Section 1. Organization of the Executive Branch

Subsection A. All executive powers granted herein shall be vested in the officers of the Executive Branch of the Student Government Association, elected annually, and in the appointed Executive Cabinet members as specified in the Student Government Association By-laws or as delegated to them by the President.

Section 2. Powers and Duties

Subsection A. The Executive Branch shall be charged with implementing all resolutions enacted by the Legislature.

Subsection B. Executive Board members shall be ex-officio non-voting members of the Legislature and shall have no power to introduce legislation.

Subsection C. The Student Body President has the privilege to veto legislation.

Subsection D. The duties of the Executive Branch shall be specifically designated in the By-laws of this Constitution.

ARTICLE V. THE JUDICIAL BRANCH

Section 1. Organization

Subsection A. All judicial powers granted herein shall be vested in the Judicial Branch of the Student Government Association with appellate jurisdiction vested in the Governance Board.

Subsection B. Appointment to the Governance Board shall be the same duration as the legislative year in which they were appointed. At the conclusion of the legislative year, any Justices still eligible may reapply for their seat. Seats vacated before the end of the legislative year, due to resignation or withdrawal from the University, will be filled through appointment by the Student Body President, subject to approval by a two-thirds (2/3) majority vote of the Legislature.

Subsection C. The Governance Board shall be composed of five voting members, one of who shall be chosen by a majority vote of the justices to serve as Chief Justice. The composition of the Board shall conform to the following requirements:

1. Members of the Board shall be undergraduates in good financial and academic standing with the University.
2. A justice may not hold any other appointed or elected position within the Student Government Association his or her tenure.

Subsection D. The Governance Board advisor, or authorized representative, shall be present whenever a case is heard.

Section 2. Powers and Duties

Subsection A. The Governance Board shall have original jurisdiction over the following:

1. The constitutionality of any action taken by the Student Government Association, and any affiliates or members thereof.
2. The constitutionality, according to its individual constitution, of any action taken by an SGA recognized student group or other group or governing body which is recognized under the SGA Constitution or By-laws.
3. Constitutional conflicts between two or more SGA recognized student groups or governing organizations.
4. All Student Government Association election cases arising from Student Government Association By-laws and procedures.

Section 3. Procedure

Subsection A. When the Governance Board is considering a case, the decision must be rendered by a majority of the members present.

Subsection B. The Board shall follow the rules of procedure established in the By-laws.

Subsection C. The Board shall hear all impeachment proceedings by the Legislature and render a final decision.

ARTICLE VI. ADVISORS

Section 1. Representatives of the Office of the Vice President for Student Affairs shall serve as advisors of the Student Government Association.

Section 2. The Governance Board shall have a separate advisor from the Office of the Vice President for Student Affairs.

ARTICLE VII. PROCEDURE

Section 1. This Constitution shall take precedence over any other student instrument governing the undergraduate student body of the University of Maryland, College Park.

Section 2. All recognized student groups and governance organizations shall be under the authority of the Legislature of the Student Government Association. This authority shall be original and final.

Section 3. Student groups and other organizations shall be granted recognition according to the procedures outlined in the appropriate sections of the Student Government Association By-laws.

ARTICLE VIII. FEES

Student Activities Fees should be paid to the University of Maryland, College Park, at the time regular tuition fees are payable. These fees will constitute a general student activity fund to encourage activities determined beneficial to the undergraduate student body by the Student Government Association.

ARTICLE IX. ELECTIONS

Section 1. No registered undergraduate student shall be denied the right to vote.

Section 2. Elections for all Student Government Association positions shall be conducted in compliance with Student Government Association By-laws and regulations.

ARTICLE X. PETITION, REFERENDUM, AND RECALL

All undergraduate students shall have the right of petition, initiative, referendum, and recall in the manner specified by the By-laws.

ARTICLE XI. AMENDMENTS AND BY-LAWS

Section 1. This Constitution may be amended by a three-fourths (3/4) majority vote of the entire membership of the Legislature, or with prior notification, as specified by the Standing Rules of Order of the Student Government Association, a three-fourths (3/4) majority vote of those present and voting.

Section 2. For a constitutional amendment to be enacted, the Student Government Association must provide notification, in a campus-wide email or general circulation campus publication, which shall not necessarily be the verbatim text of the amendment so long as verbatim texts are made available in the Student Government Association office. If a petition requesting referendum, signed by one percent of the undergraduate student body, is not submitted to the Student Government Association before the end of a ten day period, a second vote shall be taken by the Legislature for the amendment to be enacted.

Section 3. If a petition is filed, the amendment shall be brought to a referendum within fourteen days or, failing that, on the earliest date possible. In the event that a majority of votes cast in the referendum are in favor of the amendment, it shall be ratified.

Section 4. By-laws to implement this Constitution shall be amended by a two-thirds (2/3) majority vote of those members present and voting at a meeting of the Legislature.

Section 5. All amendments to the Constitution and By-laws are subject to approval of the Office of the Vice President of Student Affairs.