

Constitution for the Student Government Association of Western Kentucky University

We, the students of Western Kentucky University, in order to form a legitimate body of students to address student needs, interests, and opinions toward all aspects of university life, promote student well-being and involvement, encourage diversity and tolerance between all groups and individuals, and to create proper channels through which student opinions, recommendations, and requests may be expressed to university administrators, do hereby ordain and establish this Constitution of the Student Government Association of Western Kentucky University.

1. THE STUDENT GOVERNMENT ASSOCIATION

- 1.1. All enrolled students of Western Kentucky University are considered members of the Student Government Association consequently possessing the right to vote in all elections of the Student Government Association.
- 1.2. The Student Government Association shall consist of three branches: the executive branch, the legislative branch, and the judicial branch.
- 1.3. The right for any student to be present at any meeting of any branch of student government shall not be restricted.
- 1.4. The right to view all records of any branch of student government shall not be restricted.
- 1.5. The Student Government Association shall abide by Western Kentucky University's Non-Discrimination Clause:
 - 1.5.1. "Each student has the right to a campus environment free of discrimination and/or harassment. Federal guidelines protect students against these practices and are covered by Title IX, Title VI, and Section 504. Any student who feels he/she is being discriminated against and/or harassed on the basis of race, sex, religion, national origin, or a disability should report the incident in accordance with the Student Grievance Procedure outlined in this Handbook. Assistance in filing a report of harassment may be obtained from the Office of Student Life, located in Room 442, Potter Hall, or the Office of Equal Opportunity/504/ADA Compliance, located in Room 13, Wetherby Administration Building".
- 1.6. This document shall function as the ultimate source of legitimacy and authority for the Student Government Association of Western Kentucky University in all its business, action, and function.

2. THE EXECUTIVE BRANCH

2.1. There shall be a President, Executive Vice President, and Administrative Vice President, and an Executive Staff consisting of a Chief of Staff, Director of Public Relations, Director of Information Technology, and Director of Academic and Student Affairs.

2.2. To qualify for and hold an executive office, a person must meet the following requirements:

2.2.1. Have a grade point average of no less than 2.5 cumulative.

2.2.2. The President, Executive Vice President, and Administrative Vice President must have individually accumulated a minimum of thirty (30) credit hours at Western Kentucky University at the time of candidacy, and must be a full-time student at the time of candidacy.

2.2.3. Be in good standing with the University.

2.2.4. Be enrolled as a full-time student during the term of office and shall not be a member of the faculty.

2.2.5. The President, Executive Vice President, and Administrative Vice President shall have completed one year of membership as an elected or appointed officer in the Student Government Association or may be granted an exemption by Judicial Council.

2.3. Duties of the President. The President shall:

2.3.1. Take office at least two (2) weeks prior to the end of the academic year and assume all duties for the office of President.

2.3.2. Take over the position of Student Regent on June 30.

2.3.3. Serve as the chief executive of the Student Government Association.

2.3.4. Be the official representative of the student body.

2.3.5. Enforce the provisions of this Constitution, the Bylaws, and any enactments of the Student Government Association.

2.3.6. Report to the Senate weekly.

2.3.7. Establish special committees within the Senate as needed with the approval of a majority of the Senate.

2.3.8. Make Judicial Council appointments with the approval of two-thirds (2/3) majority of the Senate.

2.3.9. Make University Senate appointments with the approval of two-thirds (2/3) majority of the Senate.

- 2.3.10. Submit appointees to University committees where student representation is requested by the University with approval by a majority vote at the next Senate meeting.
- 2.3.11. Appoint a member of the Senate to represent the student body at Bowling Green City Commission meetings.
- 2.3.12. Administer the oath of office to the officers and members of the Senate in the absence of a Justice of the Judicial Council.
- 2.3.13. Make executive decisions deemed necessary when the Senate is not in session.
- 2.3.14. Establish and post set office hours of a minimum of twelve (12) per week during regular business hours.
- 2.3.15. Serve as the chair of the Executive Cabinet.
- 2.3.16. Be a voting member of the Executive Cabinet.

2.4. The Duties of the Executive Vice President. The Executive Vice President shall:

- 2.4.1. Assume all duties of the President in the absence of the President, except those of Student Regent.
- 2.4.2. Serve as the Student Body Vice President.
- 2.4.3. Be the student member of the Student Life Foundation.
- 2.4.4. Maintain and coordinate regular contact with student organizations and the student body.
- 2.4.5. Maintain and coordinate relations with auxiliary services, at the discretion of the officeholder.
- 2.4.6. Report to the Senate weekly.
- 2.4.7. Serve as an ex-officio non-voting member of all Senate committees except for the Public Relations committee.
- 2.4.8. Establish and post set office hours of a minimum of ten (10) per week during regular business hours.
- 2.4.9. Serve as Vice-Chair of the Executive Cabinet.
- 2.4.10. Be a voting member of the Executive Cabinet.

2.5. The Duties of the Administrative Vice President. The Administrative Vice President shall:

- 2.5.1. Record minutes of the Student Government Association Executive Cabinet meetings.

- 2.5.2. Supervise and be responsible for the financial affairs of the Student Government Association.
 - 2.5.3. Make complete and detailed financial reports to the Senate and executive officers at the first Senate meeting of every month, as well as weekly reports of the financial status of the Student Government Association.
 - 2.5.4. Expend funds as authorized by the Senate.
 - 2.5.5. Keep a complete record of all financial transactions.
 - 2.5.6. Work with the President and Executive Vice President in establishing and presenting a full, detailed budget to the Senate by the first meeting. The budget shall be in the hands of the Senate for at least seven (7) days before it is voted upon.
 - 2.5.7. Submit financial records for an official audit.
 - 2.5.8. Report to the Senate weekly.
 - 2.5.9. Perform other duties as designated by the Senate in the area of financial affairs.
 - 2.5.10. Establish and post set office hours of a minimum ten (10) per week during regular business hours.
 - 2.5.11. Maintain appropriate files of all Student Government Association business; maintain records of all past and current legislation recording passage or failure; and make such business available to the University archives.
 - 2.5.12. Serve as the chairperson of the Organizational Aid Board.
 - 2.5.13. Be a voting member of the Executive Cabinet.
- 2.6. Duties of the Chief of Staff. The Chief of Staff shall:
- 2.6.1. Be appointed by the President and approved by a two-thirds (2/3) majority of the Senate.
 - 2.6.2. Serve directly under the supervision of the President.
 - 2.6.3. Coordinate the actions of the Executive Staff.
 - 2.6.4. Supervise the office assistants not members of the Executive Branch.
 - 2.6.5. Advise and assist the elected Executive Cabinet members.
 - 2.6.6. Report to the Senate weekly.
 - 2.6.7. Establish and post set office hours of a minimum of ten (10) per week during regular business hours.
 - 2.6.8. Be a voting member of the Executive Cabinet.

2.7. Duties of the Director of Public Relations. The Director of Public Relations shall:

- 2.7.1. Be appointed by a consensus of the Executive Cabinet and approved by the Senate.
- 2.7.2. Serve directly under the Chief of Staff as a member of the Executive Staff.
- 2.7.3. Provide publicity for Student Government Association meetings, activities and programs.
- 2.7.4. Maintain communication channels with the media.
- 2.7.5. Advertise to the entire student body filing dates, campaign requirements, and election procedures at least two (2) weeks before filing dates.
- 2.7.6. Assist all committees of the Student Government Association concerning public relations.
- 2.7.7. Be an ex-officio non-voting member of the Public Relations committee.
- 2.7.8. Coordinate campus activities relating to the Student Government Association.
- 2.7.9. Report to the Senate weekly.
- 2.7.10. Establish and post set office hours of a minimum of ten (10) per week during regular business hours.
- 2.7.11. Be a voting member of the Executive Cabinet.

2.8. Duties of the Director of Information Technology. The Director of Information Technology shall:

- 2.8.1. Be appointed by a consensus of the Executive Cabinet and approved by the Senate.
- 2.8.2. Serve directly under the Chief of Staff as a member of the Executive Staff.
- 2.8.3. Be responsible for the creation and/or maintenance of the Student Government Association website.
- 2.8.4. Be responsible for all information technology tasks.
- 2.8.5. Report to the Senate weekly.
- 2.8.6. Establish and post available hours of a minimum of five (5) per week during regular business hours.
- 2.8.7. Be a voting member of the Executive Cabinet.

2.9. Duties of the Director of Academic and Student Affairs. The Director of Academic and Student Affairs shall:

- 2.9.1. Be appointed by a consensus of the Executive Cabinet and approved by the Senate.
- 2.9.2. Serve directly under the Chief of Staff as a member of the Executive Staff.
- 2.9.3. Be concerned and focused upon issues regarding academic and student affairs.
- 2.9.4. Coordinate student government association special events.
- 2.9.5. Be concerned with various aspects of university policy and facilitate communication with the Student Government Association when appropriate.
- 2.9.6. Serve as an ex-officio non-voting member of the Academic and Student Affairs committees.
- 2.9.7. Report to the Senate weekly.
- 2.9.8. Establish and post office hours of a minimum of five (5) per week during regular office hours.
- 2.9.9. Be a voting member of the Executive Cabinet

2.10. There shall be an Executive Cabinet which shall consist of the President, Executive Vice President, Administrative Vice President and the Executive Staff. The Executive Cabinet shall:

- 2.10.1. Carry out the policies and directives established by the Senate in accordance with this Constitution.
- 2.10.2. Make proposals on matters of policy and recommend plans of action for consideration by the Senate.
- 2.10.3. Perform any other duties that may be designated by the Senate.
- 2.10.4. Have veto power over all legislation passed by the Senate with each officer having one vote. A successful veto requires a majority vote of the Executive Cabinet. The sponsoring committee of the vetoed legislation must be given a written explanation within forty-eight (48) hours as to why that legislation was vetoed. The President shall present reasons for the veto at the next regular meeting of the Senate. If legislation is not vetoed, the Senate Secretary will stamp it approved.

2.11. Vacancies

- 2.11.1. In the event that the President is unable to fulfill the term of office due to illness, withdrawal, or failure to maintain the requirements of office, the office of the President, with the exception of the position of Student Regent, shall be fulfilled by the Executive Vice President.

- 2.11.2. In the event that the President is unable to fulfill the term of office due to illness, withdrawal, or failure to maintain the requirements of office, the position of Student Regent, shall be fulfilled by a constitutionally qualified person elected by the student body in a special election (as mandated by KRS 164.321).
- 2.11.3. Judicial Council shall have discretion over the timeline, applications, and campaigning for the special election.
- 2.11.4. In the event that any executive officer other than the President is unable to fulfill the term of office, due to illness, withdrawal, or failure to maintain the requirements of office, the position shall be fulfilled for the remainder of the term by a constitutionally-qualified person appointed by the President with the approval of a two-thirds (2/3) vote of the Senate.
- 2.11.5. In the event that both the President and Vice President cannot fulfill their terms, due to illness, withdrawal, or failure to maintain the requirements of office, both positions shall be fulfilled by constitutionally qualified persons elected by the student body in a special election.

2.12. Impeachment

- 2.12.1. Any executive officer may be removed from office for failure to uphold any provision of this Constitution or for any just cause.
- 2.12.2. For impeachment proceedings to be initiated, a written endorsement of at least twenty percent (20%) of the Senate membership is required.
- 2.12.3. Impeachment proceedings shall be in a special session of the Senate and be presided over by the Chief Justice of the Judicial Council.
- 2.12.4. A final vote in a special session of the Senate may not be called until at least fourteen days after proceedings are initiated. The impeachment procedure shall be by a two-thirds (2/3) vote of the full membership of the Senate acting as a judicial body.

3. THE LEGISLATIVE BRANCH

- 3.1. The name of the Legislative Branch shall be the Student Senate, referred to as the Senate. The Senate shall:
 - 3.1.1. Be the official voice of the student body of Western Kentucky University.
 - 3.1.2. Establish policies and programs necessary for the proper functioning of the Student Government Association in compliance with the principles and provisions embodied in this Constitution.
 - 3.1.3. Approve the budget with recommendation for final approval by the University administration.

- 3.1.4. Function as a judicial body during impeachment proceedings.
- 3.1.5. Approve Constitutional appointments with the appropriate vote.
- 3.1.6. Establish special committees within the Senate as need determines with approval of a majority vote.
- 3.1.7. Have the authority to propose modifications of University policies affecting the activities and welfare of the student body.
- 3.1.8. Have the authority to establish Bylaws.
- 3.1.9. Have the power to override any veto imposed by the Executive Cabinet by a two-thirds (2/3) vote.
- 3.2. To qualify and hold the position of Senate officer, a person must meet the following requirements:
 - 3.2.1. Have a grade point average no less than 2.5 cumulative
 - 3.2.2. Be in good standing with the University.
 - 3.2.3. Be enrolled as a student during the term of office and shall not be a member of the faculty.
 - 3.2.4. The Speaker of the Senate shall be elected from the Senate serving during the Spring Semester for the next academic year.
- 3.3. Duties of the Speaker of the Senate. The Speaker of the Senate shall:
 - 3.3.1. Preside over all Senate meetings or appoint a member of the Senate to preside in the case of absence.
 - 3.3.2. Serve as the Coordinator of Committees. The Coordinator of Committees shall:
 - 3.3.2.1. Meet regularly with the chairs of all standing and ad hoc committees to regularly examine their progress.
 - 3.3.2.2. Work to prevent duplication of committee activities and legislation and direct legislative ideas to the proper committee.
 - 3.3.2.3. Coordinate with the Executive Cabinet in all lobbying efforts of passed legislation.
 - 3.3.3. Call special meetings of the Senate provided twenty-four (24) hours notification is given.
 - 3.3.4. Establish special committees within the Senate as needed with the approval of a majority vote of the Senate.
 - 3.3.5. Preside over all impeachment proceedings for members of the Judicial Council.

- 3.3.6 Establish and post set office hours of a minimum of six (6) per week during regular business hours.
- 3.3.7 Attend regular Executive Cabinet meetings serving as an ex-officio non-voting member.
- 3.3.8 Upon assumption of office, the Speaker of the Senate shall be at least a sophomore in good standing with the University and have served at least one academic year as a senator.

3.4. Duties of the Secretary of the Senate. The Secretary of the Senate shall:

- 3.4.1. Be appointed by the Speaker of the Senate and approved by the Senate.
- 3.4.2. Record minutes and take roll of the Senate meetings.
- 3.4.3. Shall keep an accurate record of all Senators' qualifications.
- 3.4.4. Distribute the Constitution and Bylaws at the first meeting of Senate.
- 3.4.5 Maintain appropriate files of all Student Government Association business; maintain records of all past and current legislation recording passage or failure; and make such files and records available to University archives.
- 3.4.6 Supervise and manage Senate committee secretaries.
- 3.4.7 Forward appropriate legislation to the faculty, staff and administrators of Western Kentucky University.
- 3.4.8 Notify the Judicial Council and Speaker of the Senate of excessive absences on the part of Senate and/or committee members, and be responsible for notifying members in question of the pending judicial review within the time frame of three (3) Senate meetings.
- 3.4.9 Establish and post set office hours of a minimum of five (5) per week during regular business hours.

3.5. To qualify for and hold a Senate seat, a candidate must meet the following requirements:

- 3.5.1. Have a grade point average of no less than 2.5 cumulative.
- 3.5.2. Be in good standing with the University.
- 3.5.3. Be enrolled as a student during the term of office and shall not be a member of the faculty.

3.6. The Senate shall be composed of the following:

- 3.6.1. Four (4) senior class senators.
- 3.6.2. Four (4) junior class senators.

- 3.6.3. Four (4) sophomore class senators.
- 3.6.4. Four (4) freshman class senators.
- 3.6.5. Two (2) graduate student senators.
- 3.6.6. One (1) Gatton Academy student senator.
- 3.6.7. Seventeen (17) at-large senators.

3.7. The election procedures of the Senate shall be:

- 3.7.1. That all but the four (4) freshman senators and three (3) at-large positions shall be elected in the spring.
- 3.7.2. That the four (4) freshman senators and three (3) at-large positions shall be elected in the fall elections.
- 3.7.3. That the one (1) Gatton Academy student senator shall be elected in the fall election.
- 3.7.4. If the graduate and Gatton Academy student position(s) will not be filled in the spring or subsequent fall elections, they shall change to at-large positions in the same fall elections.

3.8. Vacancies:

- 3.8.1. Vacancies in the Senate after the fall elections shall be filled by an appointment from the President and approval by the majority of the Senate.

3.10. Impeachment:

- 3.10.1. Any member of the Senate may be removed from office for failure to uphold any provision of this Constitution or for any just cause.
- 3.10.2. For impeachment proceedings to be initiated, a written endorsement of at least twenty percent (20%) of the Senate's membership is required.
- 3.10.3. Impeachment proceedings shall be in a special session of the Senate and shall be presided over by the Chief Justice of the Judicial Council.
- 3.10.4. A final vote in a special session of Senate may not be called until at least fourteen (14) days after proceedings are initiated. The impeachment procedure shall be by two-thirds (2/3) vote of the full membership of the Senate acting as a judicial body.

3.11. Committee Head Removal.

- 3.11.1. Any Committee Head may be removed from office for failure to uphold any provision of this Constitution or for any just cause.

3.11.2. Committee Head Removal shall follow the same protocol as Senate Impeachment proceedings.

3.11.3. If the Committee Head of any committee is removed, the Vice-Chair of said committee shall be the acting Committee Head until a new Committee Head can be appointed in accordance with this Constitution.

3.12. Vote of No Confidence:

3.12.1. The Speaker of the Senate may be removed from office for failure to uphold any provision of this Constitution or for any just cause.

3.12.2. Removal of the Speaker of the Senate shall follow the same protocol as Senate Impeachment proceedings.

3.12.3. If the Speaker is removed, the committee head of the Legislative Research Committee shall be the interim Speaker until a new Speaker can be elected in accordance with this Constitution.

3.12.4. The new Speaker shall be elected within two (2) Senate meetings of the removal of the previous Speaker.

4. THE JUDICIAL BRANCH

4.1. The judicial authority of the Student Government Association shall be vested in the Judicial Council.

4.2. To qualify for and remain as a member of the Judicial Council, a person must meet the following requirements:

4.2.1. Be in good standing with the University.

4.2.3. Be a student during the entire term of office and not be a member of the faculty.

4.2.4. Have a minimum grade point average of 2.5 cumulative.

4.2.5. Not be a member of any other branch of the Student Government Association during the term of office.

4.3. Organization and terms of office:

4.3.1. The Judicial Council shall be composed of five (5) Justices appointed by the President with the approval of a two-thirds (2/3) vote of the Senate.

4.3.2. The members of the Judicial Council shall be appointed to take office no later than two (2) weeks after the beginning of the fall term. Any vacancies shall be filled within two (2) weeks of the resignation.

4.3.3. The Chief Justice of the Judicial Council shall be appointed by the President of the Student Government Association from the five (5) members with approval of a majority vote of the Senate.

4.3.4. All Judicial Council records and minutes shall be posted for two (2) weeks and then filed in the Student Government Association office.

4.4. The Chief Justice of the Judicial Council shall:

4.4.1. Be the presiding officer of the Judicial Council.

4.4.2. Have completed one year of membership as an Associate Justice of the Judicial Council or may be granted an exemption by the Senate.

4.4.3. Schedule meetings of the Judicial Council.

4.4.4. Administer the oath of office to the officers of the Student Government Association. In the absence of the Chief Justice, an Associate Justice or the President may administer the oath of office.

4.4.5. Preside over all impeachment proceedings for members of the executive and legislative branches.

4.4.6. Call special meetings of the Judicial Council provided twenty-four (24) hours notice is given.

4.5. The Judicial Council shall:

4.5.1. At its first meeting select one (1) Justice as clerk to record minutes and post all records in the Student Government Association office.

4.5.2. Designate a Justice to report to the Senate twice a month.

4.5.3. Interpret the Constitution and Bylaws of the Student Government Association upon request.

4.5.4. Have the power of judicial review over actions of the Executive Cabinet and the Senate upon request by any duly registered student of Western Kentucky University not in the Judicial Council.

4.5.5. Head and adjudicate all cases of appeal concerning elections and qualifications for candidacy.

4.5.6. Establish general procedural rules and ethical considerations for the Judicial Council.

4.5.7. Enact and review Election Codes subject to the approval of a majority vote of the Senate.

4.5.8. Establish such committees as deemed necessary for elections.

- 4.5.9. Review all Constitutional amendments before the Senate's vote.
- 4.5.10. Take appropriate action, in accordance with the attendance policy, against those who have been brought up for review.
- 4.5.11. Meet no less than twice a month.

4.6. Impeachment

- 4.6.1. Any member of the Judicial Council may be removed from office for failure to uphold any provision of this Constitution or for any just cause.
- 4.6.2. For impeachment proceedings to be initiated, a written endorsement of at least twenty percent (20%) of the Senate membership is required.
- 4.6.3. Impeachment proceedings shall be in a special session of the Senate and shall be presided over by the Speaker of the Senate.
- 4.6.4. A final vote may not be called until at least fourteen (14) days after proceedings are initiated. The impeachment procedure shall be by a two-thirds (2/3) vote of the full membership of the Senate acting as a judicial body.

5. CONSTITUTIONAL COMMITTEES

- 5.1. Standing committees, and ad-hoc committees if created by the Senate, are the legislative vehicles for the Senate, and are thus to be considered part of the legislative branch.
 - 5.1.1. All committees, standing and ad-hoc, shall be headed by a committee chairperson.
 - 5.1.2. Committee heads shall be appointed by the President and approved by the majority of the Senate.
 - 5.1.3. To qualify and hold the position of committee head, an individual must be an elected or appointed member of the Legislative Branch.
- 5.2. The Legislative Research Committee shall:
 - 5.2.1. Be composed of any students and Senate members wishing to serve.
 - 5.2.2. Collect and review all proposed legislation prior to the second reading before the Senate.
 - 5.2.3. Ensure that all proposed legislation has been properly researched by the author and require the mandatory presence of at least one author at Legislative Research Committee meetings.
 - 5.2.4. Determine the constitutionality of all proposed legislation and decide whether or not any conflict exists with a previous piece of legislation.

5.2.5. Perform duties as delegated by the Senate or the consensus of the Executive Cabinet.

5.3. The Student Affairs Committee shall:

5.3.1. Be composed of any students and Senate members wishing to serve.

5.3.2. Serve the student body on all non-academic affairs and address cultural issues on campus.

5.3.3. Perform duties as delegated by Senate or the consensus of the Executive Cabinet.

5.4. The Academic Affairs Committee shall:

5.4.1. Be composed of any students and Senators wishing to serve.

5.4.2. Serve the student body on all academic matters.

5.4.3. Perform duties as delegated by the Senate or the consensus of the Executive Cabinet.

5.5. The Public Relations Committee shall:

5.5.1. Be composed of any students and Senators wishing to serve.

5.5.2. Provide publicity for all Student Government Association meetings, activities, and programs.

5.5.3. Assist all Student Government Association committees concerning public relations.

5.5.4. Assist the Director of Public Relations in maintaining the communication channels with the media.

5.5.5. Perform duties as delegated by Senate or the consensus of the Executive Cabinet.

5.6. The Campus Improvements Committee shall:

5.6.1. Be composed of any students and Senators wishing to serve.

5.6.2. Serve the student body by addressing the physical development of Western Kentucky University.

5.6.3. Perform duties as delegated by the Senate or the consensus of the Executive Cabinet.

6. ORGANIZATIONAL-AID BOARD

6.1. The Organizational-Aid Board shall:

- 6.1.1. Be composed of ten (10) members appointed by the Administrative Vice President and approved by the Executive Cabinet and by the majority of the Senate.
- 6.1.2. Dispense aid to student organizations.
- 6.1.3. Be chaired by the Administrative Vice President.
- 6.1.4. Submit its recommendations for organizational aid to the Senate.

7. ADVISOR

- 7.1. The advisor of the Student Government Association shall be the Vice President of Student Affairs or a delegated representative.

8. FINANCES

- 8.1. The Student Government Association shall be financed in accordance with the policies and procedures specified by the chief fiscal officer of the University, and in accordance with Kentucky state law.

9. TERM OF OFFICE

- 9.1. All executive officers shall assume office or receive their appointments at least two (2) weeks prior to the end of the academic school year and shall serve for one (1) academic year.
- 9.2. All Senate members elected in the spring shall assume office no later than two (2) weeks after the beginning of the fall term and shall serve for one (1) academic year.
- 9.3. All Senate members elected in the fall shall assume office no later than two (2) weeks after the fall elections and shall serve for one (1) academic year.
- 9.4. All Judicial Council Justices shall assume office no later than two (2) weeks after the beginning of the fall term and shall serve for one (1) academic year.

10. AMENDMENTS

- 10.1. This Constitution may be amended by a two-thirds (2/3) vote of the full membership of the Senate and subsequent referendum by a majority of the student body voting.