

Concord University
Student Government Association Constitution

Preamble

We the students of Concord University, being fully aware of the responsibilities, obligations, rights, and privileges we possess as members of the Concord University Community, do hereby adopt this constitution in order to maintain an organization to represent student interests, opinions, and actions at Concord University.

Article I: Name and Membership

- Section I. The official name of this organization shall be: The Student Government Association of Concord University, Athens, West Virginia written herein as SGA.
- Section II. All duly enrolled students of Concord University shall be members of this organization.

Article II: Grant of Authority

- Section I. The administration of Concord University, believing that responsible self government is excellent training and that representative government is a desirable way of arriving at decisions governing student affairs, and the President of Concord University, believing in the same principles of representative government, hereby grants to this organization the answers and authority set forth.

Article III: Components of SGA

- Section I. The SGA shall be composed of legislative branch, and executive branch, and a judicial branch.

Article IV: The Legislative Branch

- Section I. The legislative branch of the SGA shall be known as Concord University Student Senate.
- Section II. The voting power of the Student Senate shall be vested in the following members of the Senate:
- A. Organization Representatives.
 - B. Eleven (11) Senators and at least one to be a commuter and one being a Beckley senator,
 - C. Three (3) Freshmen Senators for fourteen (14) Senators.
 - D. The Concord University Board of Governors Representative.
 - E. The Faculty Senate SGA Representative.
- Section III. The voting powers of the Student Senate shall reside in the following executives:

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- A. The Vice-President.
- B. The President in the event of a tie.
- C. The Business Manager in matters dealing with financial obligations.

Section IV. The following individuals shall attend Student Senate meetings without regular voting privileges:

- A. The SGA Faculty & Staff Advisors.
- B. The Business Manager.
- C. The Attorney General.
- D. The Secretary.
- E. The Ombudsman.
- F. The Parliamentarian.

Section V. The term of office for an elected member of the Student Senate shall be from the swearing in of officers during the last meeting of the Student Senate of a spring semester to the swearing in of duly elected replacements at the last meeting of the following spring semester, or until otherwise removed. In the event of an appointment, the term of office shall be from the date of appointment to the swearing in of new officers at the last meeting of the spring semester, or until otherwise removed.

Section VI. Multiple Office Holding:

- A. No student of Concord University may hold more than one position in any of the three branches of the SGA for which they will be monetarily compensated.
- B. Nonvoting Executive Officers; members of the Judicial Branch, and voting members of the Student Senate shall hold no more than their prospective positions and that of a standing committee chair. The Public Defender of the SGA shall be excluded from this section for the purpose of organization representation.
- C. No student at Concord University shall occupy more than one position in any of the three branches of the SGA for which there are Student Senate voting rights.

Section VII. The Student Senate shall have the power to:

- A. Prepare the budget for expenditure of those monies assigned to the SGA by the President of the University.
 - i. The responsibility to investigate and make recommendations on budgets shall be vested in the Budgetary Committee.
 - ii. Rules and procedures regarding the operation of the Budgetary Committee shall be vested in the Bylaws of the SGA.
- B. Make such rules and regulations as might be required to carry out the articles of the constitution.
- C. Make such recommendations, resolutions, and policy statements concerning the interests of the Concord University Student Body as it finds necessary or desirable.

- D. Require full financial reports from any organization, individual, or combination of individuals receiving funds through SGA, and the authority to recommend to the President of the University, such positive action against such parties as to ensure full accountability of student monies.
Function through such committees as deemed necessary by the SGA President to represent such student needs.
- i. There shall be the following permanent standing committees for the purpose of carrying out the business of the Student Senate:
- a. SGA Student Affairs.
 - b. Safety.
 - c. Dining.
 - d. University Publications.
 - e. Americans with Disabilities Act compliance (ADA).
 - f. Publicity.
 - g. Technology.
 - h. Housing.
 - i. Higher Education Student Affairs.
 - j. Concord University Student Affairs.
 - k. Judiciary Committee
 - l. SGA Ethics
 - m. Green Sustainability
- ii. The Concord University Student Affairs committee shall be a standing committee of the SGA governed by rules established by the Faculty Senate and shall consist of a number of student delegates as delineated by those rules.
- iii. A Budgetary Committee shall be created and governed by rules established in the Bylaws of SGA.
- iv. The President shall establish ad hoc committees as needed to oversee affairs of the SGA.
- v. The Judiciary Committee shall be governed by rules outlined in the SGA bylaws.
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- E. Approve all SGA appointments by a simple majority vote.
- F. Recommend an SGA discretionary fee affirmed by a simple majority, as needed, to the Board of Governors.
- G. Establish a set of rules regarding any and all student elections:
- i. The rules and procedures regarding elections of elected members of the SGA shall be the responsibility of the Election Committee. The functioning of the Election Committee shall be governed by the Bylaws of the SGA.
 - ii. The rules and procedures regarding Homecoming, including Royalty

- iii. elections, shall be the responsibility of the Homecoming Committee. The functioning of the Homecoming Committee shall be governed by the Bylaws of the SGA.

Section VIII. All voting members of the Student Senate and executive officers shall serve on one of its committees.

Section IX. Vacancies within the Student Senate by organizations must be filled by the respective organizations within seven (7) business days after having notified the SGA in writing of its representative's resignation or dismissal.

Section X. All regular meetings of the Student Senate shall be open to the SGA, the Faculty, and the Administration of Concord University. Anyone may address the Student Senate, with recognition from the SGA President, subject to rules and regulations of the body.

Section XI. Three or more unexcused absences within one semester, which includes leaving early, shall terminate duties, responsibilities, and any compensation of the absent member.

Section XII. Any member of the Student Senate may present legislation. All legislation must be presented in written form, with a copy supplied to the Secretary and President prior to the meeting where it is to be presented. Legislation to be copied by the SGA Secretary shall be delivered to the SGA office no less than one business day (24 hours) before it is to be presented to the SGA. The President of the SGA may make exceptions as necessary. Legislation shall be defined as recommendations, resolutions, and policy statements concerning the interest of the student body and shall require:

- A. A means of displaying the document under consideration which is prominently visible to all or, in the absence or insufficiency of this means of distribution to be determined by the Secretary, SGA President, or Student Senate, photocopies for distribution to the Student Senate as specified by the requesting party.
- B. An oral explanation by the presenting party at the Student Senate meeting where the legislation is presented as to cause and purpose of the legislation.
- C. Opportunity for discussion of the presented legislation at a time when a quorum of the Student Senate is present.
- D. A simple majority vote shall be required to accept the proposed legislation.

Section XIII. The distribution of funds assigned to the SGA shall be conducted in accordance with the sections of the SGA Bylaws that govern finance.

Article V: The Executive Branch

Section I. The powers of the Executive Branch shall be vested in the President and delegated appropriately through the Executive Officers.

- Section II. The Executive Officers shall consist of the President, Vice-President, Business Manager, Attorney General, Secretary, Ombudsman, and a Parliamentarian.
- Section III. The President, Vice-President, Business Manager, and Attorney General shall be chosen by an at large election as outlined in the Bylaws of the SGA and shall hold office for one term and may be re-elected at the student body's discretion.
- Section IV. Executives of the SGA who accumulate three or more unexcused absences from the Student Senate meetings shall have their position and all associated rights, duties, and compensation terminated immediately.

Article VI: The Judicial Branch

- Section I. The judicial powers of the SGA shall be vested in the Judicial Branch.
- Section II. The Judicial Branch shall consist of the Steering Committee, the Student Supreme Hearing Board, the Student Hearing Board, the Chief Justice, Prime Justice, seven additional justices, the Public Defender, and the Judicial Faculty or Staff Advisor.
- Section III. The purpose of the Judicial Branch of the SGA shall be to provide an efficient, responsive, and responsible structure that will enable students to receive a fair and impartial hearing in all proceedings concerning student behavior and discipline. The Hearing Boards are not adversarial systems and should not be treated as such.

Article VII: Meetings

- Section I. The Student Senate shall be regularly scheduled to meet all Wednesdays where classes are in session :00 p.m.
- Section II. The President of the SGA may, when necessary, call additional meetings of the Student Senate at a time and place to be announced and posted publicly on the door of the SGA office no less than 24 hours in advance.
- Section III. The President of the SGA shall be vested with the power to cancel Student Senate meetings in exceptional circumstances including inclement weather problems, danger to the student body, and extraordinary events.
- Section IV. The Student Hearing Board shall be scheduled to meet at 7:00 p.m. on all Wednesdays where classes are in session. In addition, they shall meet as necessary to complete the case load for any semester within the confines of that semester unless the offense occurs less than three weeks prior to the completion of the semester. Exceptions may be made by the Judicial Steering Committee with approval by the President of the SGA and will require notification of all

students and witnesses involved in the case prior to the end of classes for a semester.

Section V. The Chief Justice of the Hearing Board shall be vested with the power to cancel Student Hearing Board meetings in exceptional circumstances including weather problems, danger to the student body, and extraordinary events.

Article VIII: Quorum

Section I. The quorum of all meetings of the Student Senate shall be 50% plus 1 of the qualified voting membership at the time of the meeting.

Section II. The Student Senate shall not conduct new or unfinished business without a quorum.

Section III. Any items being considered during a Student Senate vote where a quorum is not present shall be automatically tabled until the next meeting and may be discussed as old business.

Section IV. Student Senate meetings without quorum may be conducted for the sake of dispersing information; however, any vote or consensus taken at such a meeting shall be considered void. Also, no motions may be made, discussed, or un-tabled at such a meeting.

Article IX: Impeachment

Section I. Any elected or appointed position of the SGA may be placed under investigation for misfeasance, malfeasance, and/or nonfeasance.

Section II. Such an investigation requires a petition signed by 1/3 of the voting membership of the Student Senate, to be presented to the Attorney General, or Vice-President in the event that the Attorney General is under investigation.

Section III. The Attorney General shall recommend three voting members of the Senate who have not signed the petition for investigation to serve on the Investigatory Committee, and to be approved by the Student Senate. They may make further recommendations should any of the three fail to be approved. The Investigation Committee shall be headed by the Attorney General and inquire into the specific charges as they see fit. If the persons under investigation are any combination of the Chief Justice, Prime Justice, or Attorney General, their positions shall be filled by the Vice-President and the Public Defender respectively.

Section IV. Within two regular meetings, the Investigation Committee shall report back to the Student Senate with one of two recommendations: no infraction or impeachment on the specific charges set forth in the petition. Before any recommendation can be presented or discussed, the Student Senate shall go into closed session as

outlined in the Bylaws of the SGA. In the event of an impeachment recommendation, specific courts and charges should be available.

- Section V. The Student Senate shall discuss the charges, with details being presented by the head of the Investigation Committee, and hold a simple majority vote on the Investigation Committee's recommendation with the result being:
- A. A recommendation of no infraction may be accepted, which would end the process, or rejected, in which case it would proceed as an impeachment to the Supreme Hearing Board.
 - B. A recommendation of impeachment may be accepted, in which case it would proceed to the Student Supreme Hearing Board, unless the impeached individual is a Justice, in which case the Judiciary Committee will serve as the hearing board. If rejected, the process ends.
- Section VI. The Hearing Board shall conduct a hearing on cases sent to it by the Student Senate within 3 weeks and the same semester of the recommendation using the following guidelines:
- A. The Attorney General, or his/her substitute, will present the case against the accused.
 - B. The accused will be allowed to present his/her case.
 - C. Conviction of the accused will require 2/3 of those hearing board members voting with the Hearing Board.
 - D. In the event of a vote for conviction, the Student Supreme Hearing Board will determine sanctions by a simple majority.
- Section VII. The Student Senate shall hold the right to overturn or return an impeachment case to the Hearing Board for further consideration. To do so shall require a 90% affirmative vote by the voting members of the Student Senate eligible at the time of the vote who are not involved in the impeachment process.
- Section VIII. There shall be no mode of appeal beyond the Student Senate in impeachment cases.
- Section IX. In the event that those being impeached are members of the Judicial Branch, a special meeting of the Student Senate shall be called, within three weeks and the same semester of the recommendation, with all voting members eligible at the time of the vote holding one vote in the decision. The process would be as follows:
- A. The Attorney General, or their substitute, will present the case against the accused.
 - B. The accused will be allowed to present their case.
 - C. Any member of the Student Senate may question any person presenting information in the impeachment hearing.
 - D. Conviction of the accused will require a 2/3 majority vote of the Student Senate members choosing to vote.

E. In the event of a vote for conviction, the impeached member shall be terminated from their position and any associated duties, responsibilities and compensation.

Section X. If any SGA official, appointed or elected, shall be convicted of a misdemeanor or felony crime, then that person shall, provided said violent conviction is upheld, be removed from his or her respective office.

Article X: Amendments.

Section I. Amendments to the SGA Constitution may be submitted by petition signed by 10% of the Student Body, or by 2/3 vote of the Student Senate, and a minimum of 50 copies must be present for distribution.

Section II. The Student Senate shall discuss the proposed amendment no earlier than one week after submission and ratify by a 2/3 vote no earlier than the week following discussion. In the event of any amendment or changes to the proposed amendment during the meeting of discussion, it will again be up for discussion at any meeting following it, prior to its ratification vote, and may not be voted until that discussion has been allowed and closed.

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

Article XI: Constitutional Authenticity

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

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