

# **Constitution of the Student Government Association**

Middle Tennessee State University, Murfreesboro, Tennessee

We, the students of Middle Tennessee State University, in order to promote the welfare of each student attending this institution, to train ourselves in the general principles of democratic government, and to prepare ourselves to assume the privileges and responsibilities of citizens in the State of Tennessee and of the United States of America, and in order to strive for the expansion and protection of student rights on the Middle Tennessee State University campus, do ordain and establish this Student Government Association Constitution.

## **ARTICLE I**

### **Definition of Existence**

#### **Section 1: Name.**

- A. The name of the organization shall be the **STUDENT GOVERNMENT ASSOCIATION OF MIDDLE TENNESSEE STATE UNIVERSITY** (hereinafter referred to as the SGA).

#### **Section 2: Purpose.**

- A. The purpose of the SGA is to provide a formal process for student input into the governance of the institution, to control all matters which are delegated to the SGA by the administration of Middle Tennessee State University (the University), to work cooperatively in the administration in all matters affecting the welfare of the student body, and to promote the best possible understanding between faculty, administration, and students. In all its endeavors, the SGA shall strive to represent the best interest of the student body as a whole and to reflect favorably upon the University.

#### **Section 3: Student Definition.**

- A. Any person that is considered to be a student by the university during any given semester shall be entitled to all the rights and benefits under this Constitution.

#### **Section 4: Separation of Powers.**

- A. The powers of the SGA shall be divided into three (3) distinct branches; those powers which are legislative shall be given to the SGA Senate, those which are executive to the President and Vice Presidents of the SGA, and those which are judicial to the Student Judicial Board.

## **ARTICLE II**

### **Statement of Governing Principles**

#### **Section 1: Commitment.**

- A. In all matters, members of the SGA shall conduct themselves in a manner deserving of the high level of trust that the student body places in their leadership. Furthermore, members should strive at all times to promote the following principles:
- B. Honesty. All members of the SGA shall uphold the most stringent level of honesty with their colleagues, the administration of MTSU, the general public, and above all, the students at the University, whose welfare they are pledged.
- C. Recognition of Basic Human Rights. All people are deserving of equal treatment and equal service. Neither the SGA, nor any representative thereof, shall violate these rights on the basis of race, gender, religion, disability, sexual orientation, gender identity, and expression.
- D. Academic Integrity. The members of the SGA are representatives of the students and shall therefore pledge not to commit infractions of rules prohibiting academic misconduct. All members of the SGA will strive to achieve and maintain the highest standards of academic achievement.

**Section 2: Requirements for All SGA Members.**

- A. All elected and appointed officials of the Student Government Association shall take and subscribe to the following affirmation: “I do solemnly affirm that I will support and defend the Constitution of the Student Government Association of Middle Tennessee State University, and I will faithfully discharge the duties of the office of which I am about to enter.”
- B. All members of the Student Government Association, whether elected or appointed, shall be required, as a condition of office, to sign a waiver allowing the release of that portion of their academic record relevant to determining that they meet minimum standards. Grades will be released only to the SGA administrative advisor, his/her designee and/or the Vice President of Campus Relations. It shall be the responsibility of the Student Government Association administrative advisor to monitor these records each grading period.
- C. Any member of the SGA, elected or appointed, must be in “good standing” both academically and behaviorally to be eligible to hold any position within SGA. A student is deemed not in good standing, and ineligible to hold any SGA position, if any of the following conditions exist up to 12 months prior to election packet application submission deadline or appointment to an SGA office: the student is currently on academic probation with the institution, the student is currently on disciplinary probation with the institution, or the student is under a trespass warning from either the campus police or the Office of Student Conduct. If any current member of SGA receives any of the previously mentioned behavioral judicial actions, they shall be required to resign their position.
- D. The office of the Assistant Vice President for Student Affairs will assure that the judicial records of all SGA members are checked at the start of the semester and in the seventh week of the semester.

**ARTICLE III**

**Voting**

**Section 1: Voter Eligibility.**

- A. All persons who meet the standard set forth in Article 1 Section 3 shall be entitled to vote in any election that is conducted by the SGA under the provisions of the Constitution, provided that no student shall be eligible to vote who has been disqualified for other reasons. A certified statement from the Assistant Vice President for Student Affairs or designee shall finally determine any question as to voting eligibility.

**Section 2: Voting Method.**

- A. Voting at all elections or referenda shall be by secret ballot and in conformity with other methods as may be prescribed by the SGA Electoral Act.
- B. Balloting shall take place via PipelineMT as determined by the Election Commission and defined in the SGA Electoral Act.

## **ARTICLE IV**

### **The Executive Branch**

**Section 1: Generally.**

- A. The Executive Branch shall be responsible for the proper administration of the SGA, for the development of policy and the implementation of legislation. It shall be composed of elected officials and appointed officials. The elected officials include the President, the Executive Vice President, the Vice President of Marketing, and the Vice President of Campus Relations. The appointed officials include the Attorney General, Homecoming Director, and Philanthropic Coordinator, who must be confirmed by a simple majority of the Senate.
- B. The members of the Executive Branch shall annually review the operations and responsibilities of the Executive Branch and its committees.
- C. A candidate for an Executive Branch office must:
  - 1. Be a full or part-time student;
  - 2. Have accumulated a minimum of forty-five (45) credit hours from any accredited institution, or be a graduate student at the time of the candidacy;
  - 3. Have been enrolled at least two (2) consecutive spring and fall semesters as a full or part-time student at the University, and;
  - 4. Have at least a 2.75 undergraduate or 3.0 graduate cumulative grade point average at the time of the candidacy and maintain such average throughout the term of office.
  - 5. Has served for at least twenty (20) weeks as a Senate member (as defined by the university semester calendar) for the positions of President and Executive Vice President and eight (8) weeks (as defined by the university calendar) for the positions of Vice President of Marketing and Vice President of Campus Relations and is in good standing with the MTSU SGA.
- D. In the event an executive officer fails to maintain the qualifications of his/her position, he/she shall be removed from office immediately.

**Section 2: Terms of Office.**

- A. Transitional Term. The incoming elected Executive Branch shall serve a transitional term starting upon their certification by the Election Commission, and then serve a regular term commencing on the first Monday of May.
- B. Requirements of Office. No member of the Executive Branch shall be eligible to serve concurrently in any other office within the SGA.

**Section 3: Policies and Procedures for the President.**

- A. During the transition period between the certification of the election by the Vice President of Campus Relations and the first Monday of May the President-elect shall work closely with the outgoing President to ensure a smooth transition of power and consistency of service for the student body, and may make appointments to his/her cabinet.
- B. Duties and Responsibilities of the President.
  - 1. The President shall see that all responsibilities delegated to the SGA are faithfully performed.
  - 2. The President shall be the official representative of the student body.
  - 3. The President shall be empowered to appoint all officials, assistants, and committees within the SGA necessary to discharge his/her duties with the approval of the Student Senate except as otherwise noted.
  - 4. The President shall be required to attend at least four Senate meetings per semester.
  - 5. The President shall convene all meetings of the Executive Branch.
  - 6. The President shall be required to deliver a report concerning legislative updates and/or on the affairs of the SGA at Senate meetings that he/she attends.
  - 7. The President shall appoint replacements for any Senate seat that may be vacant. Such appointments require Senate approval by a simple majority vote.
  - 8. The President shall have the power of line item veto over bills passed by the Senate. His/her veto may be overridden by two-thirds vote of the Senate.
  - 9. Shall designate the head delegate for the Tennessee Intercollegiate State Legislature. Shall coordinate the selection process of delegates, in addition to any other logistical organization.
  - 10. Shall appoint, with the approval of the Senate, an Attorney General, Homecoming Director, Philanthropic Coordinator, and may appoint an Executive Assistant.

**Section 4: Policies and Procedures for the Executive Vice President.**

- A. The Executive Vice President shall work closely with the outgoing Executive Vice President to ensure a smooth transition of power and consistency of service for the student body.
- B. Duties and Responsibilities of the Executive Vice President.
  - 1. Shall preside over the Student Senate.
  - 2. In the event of a tie in the Senate, he/she shall have the power to cast the deciding vote.
  - 3. Shall assume responsibility for such other duties as may be assigned, or by the President of the SGA.
  - 4. Shall preside in the absence of the President at Student Government meetings or functions.

5. Shall serve as an ex-officio member of all standing committees and shall report to the President any information regarding their activities.
6. Shall serve as the director of Freshman Council in the selection process and throughout the year.

**Section 5: Policies and Procedures for Vice President of Marketing.**

- A. The Vice President of Marketing shall be in charge of public relations for the SGA and will direct the marketing of Student Government programs.
- B. Duties and Responsibilities of the Vice President of Marketing.
  1. Help keep all students informed of important issues concerning them.
  2. Work closely with the Office of Student Organizations and Services to serve as the liaison between student organizations, the Senate, and President of the SGA.
  3. Responsible for assisting the President with coordinating and organizing all SGA Ad Hoc committees, and University Standing committee assignments.
  4. Oversee regular updates of the SGA website to keep students informed and interested in SGA.
  5. Publicize all events sponsored by SGA. Coordinate advertising for events with officers, senators or committee chairs.
  6. Create marketing materials for the SGA. Sponsored marketing activities may be included, as well, such as, but not exclusive to, Meet and Greets and promotional weeks.
  7. Perform other duties assigned to him/her by the President of the SGA.
  8. Work closely with the Executive Vice President and President to provide a strong voice for all students.
  9. Must appoint a Legislative Liaison from within the Senate to serve on the Public Relations Committee to advocate Senate progress to the student body.

**Section 6: Policies and Procedures for the Vice President of Campus Relations.**

- A. The Vice President of Campus Relations shall preside over the Election Commission and oversee all SGA elections.
- B. Election Duties and Responsibilities.
  1. Appoint members of the Election Commission and present nominees to the Senate for approval. Appointees must receive Senate approval by simple majority.
  2. Schedule all SGA Elections, referendum, Homecoming elections, and special elections.
- C. Programming events pertaining to the SGA shall be coordinated by the Vice President of Campus Relations. These events may be the annual banquet, athletic spirit trips, and others as deemed appropriate.

**Section 7: Policies and Procedures for the Attorney General on traffic citations.**

- A. No citation appeal shall be heard by the Attorney General or the Student Judicial Board if the appeal is not submitted within fifteen (15) calendar days of the given citation date. Exceptions of extenuating circumstances conflicting with this time limit will be taken into consideration and determined by the Attorney General and/or the Student Judicial Board on a case-by-case basis.
- B. Citations shall only be voided if the reason for appeal falls under one of three categories:

1. An emergency situation occurred hindering proper parking and resulting in a citation.
  2. An erroneous citation was given to the student.
  3. A student receives a “No Campus Permit” violation and was parked in the appropriate lot according to the student’s MTSU issued decal.
- C. A student can have up to three (3) citations voided for an alleged violation of “No Campus Permit” and parked in a lot denoted for students (Green) per semester by the Parking Services Office. If the citation is taken to the Parking Services Office within seven (7) days of receiving the citation, the citation will be taken off of the student’s account and an appeal is not necessary. However, if the student is unable to take the citation(s) to Parking Services within the seven (7) day time frame, an appeal to the Attorney General within fifteen (15) calendar days of the citation issuance will be necessary in order for the citation(s) to be taken off of the student’s account. Parking Services will void three (3) “No Campus Permit” citations (as long as the citations were given in a “Green” lot and taken to the Parking Services Office within 7 days), and the Attorney General/Student Judicial Board will void an additional three (3) citations (as long as the citations were given in a “Green” lot and the appeal was submitted within 15 calendar days of the citation issuance) with a total of six (6) “No Campus Permit” citation (parked in Green) voids per semester.
  - D. Only citations issued to students shall be heard by the Attorney General and/or the Student Judicial Board. Appeals made by faculty, staff, or visitors shall be heard by the University Traffic Committee.
  - E. Once a decision on a citation appeal is made by the Attorney General or the Student Judicial Board, the decision is final and cannot be repeatedly appealed.
  - F. Students are not required to attend a hearing for their appeal to be processed. The same standards and decision-making requirements are applied with or without a hearing. If the hearing is waived, the decision is made solely by the Attorney General based off the information provided by the student in the online appeal.
  - G. Students may provide pictures or other documentation as evidence of an emergency or erroneous citation to further prove their case.
  - H. Students may pay their citations in order to remove the hold from their account before the appeal is made or before an appeal decision is made. Paying the citation is not an admittance of guilt, and if the student is found to not be responsible for the citation, the student’s account will be reimbursed the amount of the citation.
  - I. The Attorney General may refer any appeal to the Student Judicial Board for any reason, even if the student chose to waive their hearing. However, the student is not required to attend the hearing.
  - J. If a student chooses to have a hearing and fails to appear for that hearing, then the appeal is automatically denied.
  - K. The Attorney General and the Student Judicial Board retain the right to receive additional information about a case from the Parking Services Office.
  - L. The Attorney General and the Student Judicial Board retain the right to make exceptions to any of the above policies due to extenuating circumstances and exceptions will be considered on a case-by-case basis.
  - M. Additional parking rules and regulations can be found in the “Traffic and Parking Regulations” handbook provided by the Parking Services Office.

- N. Student appeals are to be submitted online at [www.mtsu.edu/sga](http://www.mtsu.edu/sga) under “Court of Traffic Appeals.”

**Section 8: Policies and Procedures for the Attorney General on Investigation of Violations.**

- A. The Attorney General will be the adviser to the Executive Branch and Legislative Branch of the SGA on the SGA Constitution and Laws.
- B. The Attorney General will have the power to investigate any alleged violations of the SGA Constitution and Laws by any SGA member by following these guidelines:
  1. The Attorney General must have probable cause that an SGA member is violating the SGA Constitution and Laws or a complaint is filed to the Attorney General.
  2. The Attorney General must submit a letter requesting to investigate the member to the SGA Advisor.
  3. The SGA Advisor must sign the letter granting permission to investigate.
  4. During the investigation, the Attorney General will have access to MTSU and/or SGA materials of the individual including documents, testimony, and any other relevant forms of evidence.
  5. At the completion of the investigation, the Attorney General will turn all evidence over to the Senate Internal Affairs Committee with a recommendation of whether disciplinary action should take place.
- C. Should the Attorney General be the subject of an alleged violation of the SGA Constitution and /or Laws or a complaint of the previously stated, the Chair of Internal Affairs will follow the guidelines in Article IX Section 5.
- D. While any SGA member is under investigation, he or she will be suspended (not exceeding five (5) school days) from his or her duties until the completion of the investigation and decision by the Senate Internal Affairs Committee on discipline.

**Section 9: Policies and Procedures for the Homecoming Director.**

- A. Shall work with the Director of Student Organizations and Services and other necessary offices to coordinate MTSU Homecoming activities.
- B. At his/her discretion, shall appoint a homecoming committee to assist in performing the duties of the office.
- C. Coordinate marketing efforts with the Vice President of Marketing for all events and affiliated promotional material.

**Section 10: Policies and Procedures for the Philanthropic Coordinator.**

- A. Shall coordinate all philanthropic programs sponsored by the SGA.
- B. Shall work closely with a representative from the office of Leadership and Service in order to coordinate with Habitat for Humanity Blitz Build efforts.
- C. Shall coordinate “Make-A-Difference Week.”
- D. Shall coordinate marketing efforts with the Vice President of Marketing to promote all events and/or activities

**Section 11: Policies and Procedures for the Executive Assistant.**

- A. Shall assist the President and Vice Presidents in communicating with SGA or with outside organizations as delegated.

- B. Shall attend campus meetings on behalf of the SGA as delegated by the President and/or Vice Presidents.
- C. Shall transfer all notes and legislation passed for the academic year to the Albert Gore Research Center at the end of the President's term.

**Section 12: Succession of Office.**

- A. In the event that the office of the President of the SGA shall be vacated, the Executive Vice President shall assume the duties of the President and all the duties and responsibilities thereof.
- B. Should the President and the Executive Vice President both be prevented from continuing in office, the Vice President of Marketing shall succeed to the office of President and shall assume all the duties and responsibilities thereof.
- C. In the event that the office of Executive Vice President and Vice President of Marketing shall be vacated, the Speaker Pro Tempore of the Senate shall immediately fill the position of President. The President shall, at that time, appoint a new senator to fill the vacancy in the senate, as set forth in Article 5, Section 2.
- D. If the Executive Vice President or Vice President of Marketing position becomes vacant, the Election Commission shall then call for a new election. The election shall be held within twenty-one (21) calendar days of the vacancy. In the event there are less than twenty-one (21) calendar days remaining in the semester or in the term of the Vice President, the election will be held during the next regularly scheduled election.
- E. The President may appoint an individual to fill the vacancy until such time as the election can be held. This appointment would require simple majority approval by the Senate.

## **ARTICLE V**

### **The Legislative Branch**

**Section 1: Legislative Power.**

- A. The legislative power shall be vested in the SGA, which shall consist of a Senate.

**Section 2: Composition of the Senate.**

- A. The Executive Vice President shall be the presiding officer of the Senate. In the event the Executive Vice President is unable to preside, the Senate Pro Tempe will assume this responsibility.
- B. For each college, one (1) Senate seat shall be allocated for every five hundred (500) students enrolled in the college. If a college has between five hundred and one (501) and one thousand (1000) students majoring in it, it shall be appointed two (2) Senate seats, and so forth. Senators elected by college shall be elected during the spring semester.
- C. Freshmen will have a voice in the SGA (SGA) Senate in the form of two seats. One shall be occupied by the Freshman Council Senate Delegate and the other by the Freshman Council President.
- D. There shall be seven (7) At-Large Senate seats allocated. These At-Large seats shall be open to all students, who otherwise meet the standards set forth in Article V, Section 4.

- E. In the event a Senate seat is vacated, the President can appoint a replacement upon approval of the Senate. Qualifications of candidates shall be determined in accordance with the rules set forth in the Electoral Act.
- F. Any elected senator who shall have three (3) unexcused absences from meetings of the Senate in one semester or two (2) consecutive unexcused absences shall appear before the Internal Affairs committee to show just cause why he/she should not be impeached. After hearing the Senator's case, the Internal Affairs committee shall vote on whether to send the matter to the Senate for impeachment. If approved, a hearing will be held before the full Senate following the procedures set forth in Article X.
- G. Veterans will have a voice in the form of a permanent elected Senator. The Senator shall be a current or former member of the United States Military

**Section 3: Restrictions of Freshman Delegates.**

- A. Both Freshman Council Delegates shall fully participate in the meetings of the Senate. Both shall have the equal voting power of a Senator in all matters before the Senate and Senate committees. The Freshman Council will have the power to write and present legislation through the Delegates that they elect. Legislation passed by Freshman Council is to be presented to the Senate by either Delegate at the following Senate caucus meeting for consideration. Neither Delegate will be able to present any legislation other than that which is passed by the Freshman Council. The Delegates' votes are bound in favor of any legislation first passed through the Freshman Council. Votes on any other legislation or issues shall be left to the discretion of the Delegates. The Freshman Council Senate Delegate will be elected in the same manner as other Freshman Council executives. The election of the Senate Delegate shall take place directly following the election of the Freshman Council President. Neither Delegate may hold concurrent positions within Freshman Council in accordance with Article III, Section 2, Subsection C of the Freshman Council Constitution. The Delegates shall be required to follow the Senate attendance policy stated in Article V, Section 2, Subsection F of the SGA Senate Constitution and shall be subject to removal from the Senate as stated in Article X of the Senate Constitution. Before the Delegate and the President are allowed to vote in Senate, they must go through the same orientation with the Executive Vice President that all SGA Senators are required to go through. No person shall be able to fulfill the responsibilities of either Delegate in the case of an absence. Freshman Council members will aid in the events and philanthropic activities sponsored by the SGA and be under the direction of the Executive Vice President. The Council shall meet a minimum of bimonthly throughout the fall and spring semesters.

**Section 4: Qualifications.**

- A. Members of the Senate shall have a minimum of a 2.5 cumulative grade point average at the deadline for turning in election packets, or at the time of their selection or appointment to Senate and shall maintain said average throughout their term in office. Cumulative grade point average shall consist of only grades earned at the University. The only exception to this rule shall be in the case of first semester transfer students and first semester graduate students, in which case the individual's transfer credits will be counted in determining their cumulative grade point average.

- B. In the event a senator fails to maintain the qualifications of office, he/she shall be removed from office immediately.

**Section 5: Session.**

- A. The Senate shall meet at least bimonthly, beginning at the earliest convenience after the executive transition period, and continuing until May 1. The Senate shall not be required to be in session during the period between the last day of classes of the spring semester and the first day of classes of the fall semester. Special meetings of the Senate may be called by the President of the SGA, the Executive Vice President, or by a majority of the members of the Senate.

**Section 6: Organization and Procedure.**

- A. The Senate shall establish its own by-laws and shall be the judge of its own rules and procedure.

**Section 7: Limitations.**

- A. No member of the Senate can serve in any other position elected by the student body or appointed by a member of the Executive Branch within the SGA; however, all are eligible for recommendation to positions exterior to the SGA and interior in the form of committees.

**Section 8: Transaction of Business.**

- A. A simple majority of all members of the Senate shall constitute the necessary quorum to do business. The Senate shall prescribe the methods of voting in all legislative matters, but roll call with the yea's and nay's entered in the journal shall be taken on any questions when at least one fifth of the members present shall call for a roll call.

**Section 9: Bills and Resolutions.**

- A. Any procedure to be considered by the legislature to affect the internal operation of the SGA must be presented in the form of a bill.
- B. Any attempt to affect the operations of any entity exterior to the SGA must be presented in the form of a resolution.
- C. A bill or resolution may be passed in the following manner:
  - 1. If a majority of the Senate approves a bill or resolution, it shall be sent to the President of the SGA for his/her signature. All legislation shall require a majority vote of the Senate for passage.
  - 2. All bills and resolutions shall be submitted to the President of the SGA for his/her signature by the Executive Vice President immediately following Senate approval. The President may veto any bill within five (5) class days after it has been presented to him/her in person. If the SGA fails to take actions within five (5) class days, the bill is automatically forwarded to the Vice President for Student Affairs. If the President of the SGA vetoes a bill, then he/she shall return the bill to the Senate for their reconsideration. Any veto of the President of the SGA may be overridden by a two-thirds affirmative vote of the Senate on that part that was vetoed. In the event that the veto of the President of the SGA is overridden by the Senate, or in the event that the President fails to return a vetoed bill to the Senate in the aforementioned time

- period, then said bill shall be forwarded to the Vice President for Student Affairs for approval.
3. The Vice President for Student Affairs shall retain a final veto power over bills or any part thereof. This item veto power shall be exercised within fifteen (15) class days after the bill has been presented to him/her in person for his/her signature. After fifteen (15) class days, any bill that is not vetoed shall be adopted by the SGA. Any veto of the Vice-President of Student Affairs may be overridden by a two-thirds affirmative vote of the Senate on the part that was vetoed. In the event that the veto of the Vice-President of Student Affairs is overridden by the Senate, the said legislation will be forwarded to the President of the University and shall become law upon his/her approval.
  4. Resolutions are not subject to veto by the SGA President or the Vice President for Student Affairs.

## **ARTICLE VI**

### **The Judicial Branch**

#### **Section 1: Judicial Power.**

- A. The judicial powers of the SGA shall be vested in the Student Judicial Board (SJB), and within other boards as the SGA may establish. The SJB will operate under the supervision of the Assistant Vice President for Student Affairs or his/her designee.

#### **Section 2: Composition.**

- A. The SJB shall consist of nine members selected from eligible members of the student body. Members shall be selected for one-year terms and are eligible to serve additional terms with reapplication and approval as proscribed herein. In the event that the Attorney General cannot preside over the hearing, the SGA President will serve in his/her absence followed by the succession of officers outlined in the SGA Constitution.

#### **Section 3: Qualifications and Selection Procedures.**

- A. Application. Procedures to select the SJB members will be initiated and supervised by the Assistant Vice President for Student Affairs or his/her designee and the President of the SGA, as set forth in Part B of this section. Recruitment shall be campus-wide, and the pool of candidates should reflect the diversity of the University community. The selection process includes an application and interview. The Assistant Vice President for Student Affairs or his/her designee will serve as a non-voting advisor to the SJB.
- B. Selection Procedure. Applications for membership will be submitted to the Assistant Vice President for Student Affairs or his/her designee. Interviews for the SJB will be conducted by a selection committee who shall be appointed by the Assistant Vice President for Student Affairs or his/her designee and the President of the SGA. The composition of the selection committee shall represent the diversity of the campus community.
- C. Qualifications. Applicants meeting the following minimum qualifications may be invited to participate in the interview portion of the selection process:

1. Currently enrolled as a full-time student at MTSU
2. Cumulative GPA of not less than 2.5, which will be maintained throughout the duration of a student's participation.
3. A minimum of 12 credit hours completed at MTSU.

**Section 4: Jurisdiction.**

- A. The SJB may be convened to hear cases involving alleged violations of university rules committed by students. This board may also be convened to hear alleged violations that occur in the context of an event sponsored by or related to a student association or organization during University sponsored or recognized activities. In these instances, a recommendation of sanctions will be made to the Assistant Vice President for Student Affairs.
- B. The board shall have jurisdiction to hear and decide all matters relative to the interpretations of the SGA constitution and any other policies passed by the Senate. In the event of the creation of any other court or board within the SGA, the SJB shall hear appeals from any other established boards or courts. A quorum, defined as simple majority, is required to conduct a hearing.
- C. The SJB will hear cases regarding student parking citations on set Traffic Court dates.

**Section 5: Vacancies.**

- A. Vacancies that cannot be filled by alternate board members will be filled by a process developed by the Assistant Vice President for Student Affairs or his/her designee in consultation with the President of the SGA.

**Section 6: Appeals.**

- A. Matters in which SJB exercised original jurisdiction may be appealed to the Vice President for Student Affairs consistent with the procedures outlined in the *Student Code of Conduct*. The policies and procedures enacted by the SJB shall be consistent with those contained within the *Student Code of Conduct*.

## **ARTICLE VII**

### **Direct Legislation**

**Section 1. Presentation of Petition.**

- A. Any student upon presentation of a petition signed by fifty (50) or more currently enrolled students at the University shall be allowed to introduce to the Senate the specific legislation called for in the aforementioned petition. One petition shall allow the introduction of only one piece of legislation. It shall be the responsibility of the petitioning student to present at the time of introduction fifty (50) copies of said student's legislation. The signed petition must be presented to the Executive Vice President at least five (5) class days prior to the presentation of the petition to the Senate. Failure to present the petition to the Executive Vice President will delay consideration by the Senate.

## **ARTICLE VIII**

### **Financial Responsibility**

**Section 1:** Budget submission.

- A. By the end of the first four (4) weeks of the fall semester, the President of the SGA shall submit to the Senate for approval a budget setting forth a general outline of proposed expenditures and anticipated income from all sources for the coming school year (fall, spring and summer semesters). At the time of submitting the budget to the Senate, the President shall introduce a general appropriation bill to authorize all the proposed expenditures set forth in the budget. Failure to submit the budget to the Senate by the President of the SGA or any misuse of the budget by the President or any other member of the SGA constitutes grounds for impeachment.

**Section 2:** Executive Branch Scholarship Memorandum.

- A. The President of the SGA must submit a “Memorandum” detailing the scholarship allocations and hour requirements of the SGA Executive Board for the next academic year six (6) weeks before campaigning begins for spring elections. The SGA Senate must approve the Memorandum before it can be sent to the Vice President of Student Affairs for final approval and implementation.

**Section 3:** Compliance with University Procedures.

- A. No money shall be expended except in accordance with the procedures established by the University.

**Section 4:** Compliance with University Business Office.

- A. The University Business Office shall have the authority to prescribe any additional procedural measures for the handling of SGA funds.

## **ARTICLE IX**

### **Removal of an SGA Executive Board Member from Office**

**Section 1:** Any Executive Board member may be removed from office by means of impeachment by the SGA Senate.

**Section 2:** Any Senator may create Articles of Impeachment, though the articles they create can only be presented by a member of the Internal Affairs committee.

**Section 3:** The Internal Affairs committee shall have the sole power to draw up Articles of Impeachment. The committee will review and vote on the proposed Articles of Impeachment and if passed by a 2/3 majority of the committee the Articles of Impeachment will be presented to the full Senate.

**Section 4:** An impeachable offense will be classified as any act of the Executive Board member in questions' failure to faithfully execute the duties and responsibilities of their respective office listed in the SGA Constitution.

**Section 5:** Impeachment proceedings to remove an Executive Board member from office shall be handled as follows:

- A. A member of the Internal Affairs Committee will create Articles of Impeachment in the form of a bill and submit the bill to their committee.
- B. The member shall then file a formal complaint to the SGA Attorney General and the Attorney General shall submit a letter to the SGA Advisor asking for permission to investigate the Executive Board member(s) named in the formal complaint.
- C. Should the Attorney General be approved to investigate, they will have the authority to access any documents, testimonies, or other mentions of evidence that they require to further their investigation.
- D. When the investigation is completed, the Attorney General will turn all evidence gathered from the investigation to the Internal Affairs Committee.
- E. The Internal Affairs Committee will receive all of the evidence gathered by the Attorney General and conduct a meeting to determine if the offense is feasible enough to impeach the member in question.
- F. During a meeting of the Internal Affairs committee, quorum must be met and the Internal Affairs Committee will amend, debate, and vote on the submitted Articles of Impeachment. The vote shall require a 2/3 majority in favor of the Articles of Impeachment to pass and send the legislation to the full Senate for consideration and removal of the Executive Board member in question.
- G. Should the Articles of Impeachment bill pass through committee, it will be brought before the full Senate which will hold a hearing with the only business being the Articles of Impeachment and the member(s) in question.
- H. During the Impeachment Hearing, the Attorney General shall present the case against the accused using the grievances listed in the Articles of Impeachment bill and any form of incriminating evidence uncovered by the Attorney General in his/her investigation. After the Executive Board member(s) in question and the Attorney General have presented their cases, if they are present, the Executive Board member(s) with charges filed against them may present their case to the full Senate. After the Executive Board member(s) in question and the Attorney General have presented their cases, the Senate will vote on the Articles of Impeachment.
- I. If a 2/3 majority of Senators vote in favor of impeachment, the Executive Board member(s) in question will be removed from their elected/appointed office(s) effective immediately.
- J. Should the Articles of Impeachment be brought against the Attorney General, the Chairman of the Internal Affairs committee will take over all investigative matters as well as presenting the case against the accused.

**Section 6:** Any official who has been removed from office pursuant to Article IX shall not be permitted to hold any office or serve in any other capacity within the Student Government Association for the remainder of their attendance at Middle Tennessee State University.

## ARTICLE X

### Removal of an SGA Senator from Office

#### Section 1: Removal of Appointed Officials.

- A. Any Senator may be removed from their position by their appointee. If the removal involves a position that had previously been approved by the Senate, a 2/3 majority vote of Senators present is required for Removal. This Section applies only to executive appointments.

#### Section 2: Removal of Elected Officials.

- A. Any Senator for the SGA shall be removed from his or her office by means of impeachment.

#### Section 3: Procedures to remove a Senator shall be handled as follows:

- A. The Internal Affairs Committee shall have the sole power to draw up Articles of Impeachment, which shall be presented to the Senate and requires a 2/3 majority vote should the Internal Affairs Committee deem the offense impeachable.
- B. The following are impeachable offenses: more than three (3) Unexcused Absences or two (2) consecutive absences in a semester (fall or spring), Failure to acquire required or more SGA approved hours, and failure to maintain required minimum grade point average.
- C. In extreme circumstances, Internal Affairs may draw up articles of impeachment if a Senator has on multiple occasions exhibited behavior not in compliance with the statement of governing principles for members of Student Government as outlined in Article II.
- D. The Internal Affairs Committee shall have a meeting to determine if the offense meets the criterion of an impeachable offense, and shall, upon a 2/3 majority vote in favor of impeachment, present an article of impeachment in the form of a bill to the Senate body.
- E. The Senator who has Articles of Impeachment drawn up against him or her shall, if he or she be present, have the opportunity to make his or her case to the Senate why he or she should not be impeached. Following the Senator, the Chair of Internal Affairs shall present reasons for the Senator's impeachment. Once the Senator and Chair of Internal Affairs have presented their cases to the Senate, the Senate shall vote. Should the Senator not be present, the Chair of Internal affairs shall present the reasons for the Senator's Impeachment, and then the Senate shall vote on the Article(s) of impeachment.
- F. A vote of 2/3 majority in favor of an Article of Impeachment shall result in the removal from office.

#### Section 4: Articles of Impeachment.

- A. The Internal Affairs Committee shall have the sole power to draw up Articles of Impeachment with a 2/3 vote of committee members present. The chairman of Internal Affairs shall preside over all impeachment procedures. The Internal Affairs Committee shall be the sole acting party in drawing up Articles of Impeachment and submitting them to the Senate.

**Section 5: Impeachment Power.**

- A. The Senate shall have sole power of impeachment, and removing Senators from office.

**Section 6: Barring from Office.**

- A. Any official who has been removed from office pursuant to Article X or Article IX shall not be permitted to hold any office or serve in any other capacity within the SGA for the remainder of their attendance at the University.

**Section 7: Procedures for Resignation.**

- A. If a Senator chooses to resign from his or her office, he or she must submit a letter of resignation to the SGA (SGA) Executive Vice President and the Assistant Vice President for Student Affairs before acquiring three (3) unexcused absences or two (2) consecutive unexcused absences.
- B. If a Senator resigns, the SGA Executive Vice President and the Assistant Vice President for Student Affairs shall consider if the reasons for resignation are excusable, unforeseeable, or understandably personal. If the reasons for resignation are deemed to be such, the resigning official shall be permitted to run for and hold any office or serve in any capacity in the SGA beginning the next academic year, provided they meet requirements of office outlined in the SGA Constitution and Electoral Act.
- C. If the Senator fails to submit a letter of resignation before having three (3) unexcused absences or two (2) consecutive unexcused absences, he or she will have the same restrictions as if he or she were impeached following the procedures set forth in Article X of the SGA Constitution.
- D. If an executive board member chooses to resign, he or she shall submit a letter of resignation to the office of the SGA (SGA) President and Assistant Vice President for Student Affairs.
- E. If an executive board member resigns, the SGA President and the Assistant Vice President for Student Affairs shall consider if the reasons for resignation are excusable, unforeseeable, or understandably personal. If the reasons for resignation are deemed to be such, the resigning official shall be permitted to hold any office or serve in any capacity in the SGA beginning the next academic year, provided they meet requirements of office outlined in the SGA Constitution and Electoral Act.
- F. A Senator or Executive Board member may only utilize the procedure outlined in this section once in the duration of their academic career at MTSU.

**ARTICLE XI**

**Amendments**

**Section 1: Proposal and Approval.**

- A. Amendments to the Constitution may be proposed by the SGA Senate at any two regular meetings, or by petition of the student body signed by at least five hundred (500) students. Any amendment proposed by petition shall be brought to immediate vote of the student body. Amendments proposed in the Senate shall be approved only by a two-thirds

vote at two regular meetings. Upon approval by Senate, the proposed amendment shall be presented to the students of the University in a referendum that shall be publicized for at least two weeks in advance. If said amendment is approved by a two-thirds vote of the students voting, the amendment shall then become a part of this Constitution.

## **ARTICLE XII**

### **Enactment**

This Constitution shall go into effect May 1<sup>st</sup>, 2008.

*Revised by Abbigail Thomson and Jonathan Cieka 3/29/18 2:41 p.m.*