



STUDENT GOVERNMENT ASSOCIATION

EAST TENNESSEE STATE UNIVERSITY

The Constitution of the Student Government Association

East Tennessee State University

As amended February 6, 2018

Article I – The Student Government Association

Section 1. The name of this organization shall be the Student Government Association (SGA) of East Tennessee State University.

Section 2. All persons who are registered students at East Tennessee State University are members of the student body and shall be subject to the Student Government Association Constitution and Bylaws as well as any legislation or decision passed or otherwise approved by the organization acting on the behalf of the students. The student body shall enjoy equal rights and responsibilities under the Student Government Association Constitution.

Section 3. The purpose of the Student Government Association shall be principally:

- a. To provide the means whereby members of the student body may express themselves effectively in the development and maintenance of the university programs which affect their intellectual, physical, social, economic, and spiritual welfare.
- b. To assist in the coordination of activities and services for the benefit of the student body and the entire university.
- c. To promote better understanding and cooperation between students, faculty, administration, and others.

Article II – Executive Branch

Section 1. All executive powers of the Student Government Association shall be composed of the President, Executive Vice President, and Vice President for Finance and Administration.

Section 2. The President, Executive Vice President, and the Vice President for Finance and Administration shall be elected in general elections from the student body of East Tennessee State University.

Section 3. To serve as President, Executive Vice President, or Vice President for Finance and Administration, a student shall:

- a. Have a minimum cumulative grade point average of 3.0.
- b. Attain Junior classification, which is defined as the completion of sixty (60) credit hours, prior to or within thirty (30) days of inauguration.
- c. Have served at least one (1) semester or its equivalent (15 weeks) holding a position within the Student Government Association.

- d. Maintain a cumulative grade point average of 3.0 at East Tennessee State University throughout their terms of office. Full-time status must be maintained throughout the tenure of office, excluding summer terms.

Section 4. The Student Government President shall be the Chief Executive of the student body and shall have power and responsibility:

- a. To ensure effective and efficient operation of the Student Government Association and its independent bodies.
- b. To represent the interests, concerns, and needs of the student body.
- c. To appoint Cabinet officials, Student Senate seats when vacant, and other officials to committees as needed for the execution of duties with approval of the Student Senate unless otherwise noted.
- d. All appointments shall be subject to confirmation by a two-thirds (2/3) vote of the Student Senate.
- e. To approve or veto legislation passed by the Student Senate.
- f. To convene all meetings with the appointed Cabinet.
- g. To make recommendations concerning the removal of an Associate Justice from the Judicial Branch to the Rules and Conduct Committee of Student Senate.
- h. To remove from office any Cabinet member he or she has the power to appoint.

Section 5. The Executive Vice President shall have the duty:

- a. To assist the Student Government President in the execution of their duties.
- b. To be an ex-officio member of all committees of the Student Government, except for the committees chaired by the Executive Vice President.
- c. In the event of a tie in the Student Senate, the Executive Vice President shall have the power to cast the deciding vote.
- d. To preside over Student Senate.
- e. To appoint Student Senate committee chairs and Student Senate committee members.
- f. To preside in place of the President of the Student Government in their absence or inability to serve.
- g. To monitor and, at all times, have knowledge of the disposition and progress of each bill and resolution which the Student Senate has sent to the university administration for approval.

Section 6. Duties of the Vice President for Finance and Administration shall include:

- a. Maintenance and deposition of all records and journals of the Student Government.

- b. Responsibility for all arrangements concerning the deposition of money, the payment of debts, and any other financial matter of the Student Government Association.
- c. Preparation of the Student Government budget on a monthly and annual basis, in accordance with law, with the advice and consent of the Student Senate.
- d. Performance of clerical duties of Student Senate, which shall include:
 - i. The preparation of reading legislation and constitutional amendments to the Student Senate.
 - ii. The taking, preparation, and reading of the minutes for the Student Senate.

Section 7. The membership of the Executive Branch Cabinet shall consist of the President, Executive Vice President, Vice President for Finance and Administration, Attorney General, Secretary of State, Secretary of Exterior, Secretary of Interior, Secretary of Public Relations, Secretary of Allocations, Chief Justice, and Chief of Staff.

Section 8. The Attorney General shall have the duty:

- a. Attend all meetings of the Student Senate, and be familiar with its proceedings.
- b. Assist Senators in drafting legislation when requested.
- c. Represent the Student Government in dealings with the Student Court.
- d. Issue, upon request, provision of the Constitution and other orders and functions of the Student Government as requested.
- e. Maintain the Student Government Association Constitution.
 - i. Any changes shall be written in such a manner that in the case of amendments, the repealed original wording shall be omitted and the amendments shall appear in its place. Additions (or deletions) due to amendment shall appear (or not be included) in the appropriate place in the Constitution.
- f. Serve as ex-officio advisor of all committees of the Student Government concerning amendments and revisions to the Constitution.

Section 9. The Secretary of State shall have the duty:

- a. To aid and assist the President in planning, directing, and coordinating Student Government activities and services.
- b. To plan, implement and oversee Homecoming and Civility Celebration.
 - i. At their discretion, shall appoint both a Homecoming and Civility Celebration committee to assist in performing the duties of office.

- ii. Coordinating public relation efforts with the Secretary of Public Relations to promote all events and/or activities dealing with Homecoming and Civility Celebration.

Section 10. The Secretary of External Affairs shall have the duty:

- a. To plan, implement, oversee and be responsible for the major campus event to be held each semester in the Fall and Spring.
- b. To act as a liaison officer between the Student Government and the Student Activities Office.
- c. To chair the major campus event committee.
- d. Serve as a liaison officer between the Student Government and University officials and outside agencies concerning major campus events.

Section 11. The Secretary of Interior shall have the duty:

- a. To oversee the Junior Senate program in the Fall.
- b. To supervise the Student Government elections in the Spring.
- c. To create the Election Commission.
- d. To enforce all laws pertaining to campus elections.
 - i. The Secretary of Interior is responsible for all pre-election arrangements, (except publicity, which is to be overseen by the Secretary of Public Relations), including the posting of ballots online, and the collection of student voting figures.

Section 12. The Secretary of Public Relations shall have the duty:

- a. To be in charge of public relations for the Student Government Association, and will handle all marketing and publicity for the organization.
- b. To assign Senators at least two (2) active student organizations to update monthly on Student Government news and to report back to the Student Senate.
- c. Publicize all events sponsored by Student Government Association
- d. Assign Senators to all SGA tabling events sponsored by East Tennessee State University.
- e. Serve as ex-officio advisor of all committees of the Student Government concerning public relations.
- f. Help maintain and update the Student Government Association website as needed.

Section 13. The Secretary of Allocations shall have the duty:

- a. To supervise and review the BUC Fund Allocations Committee and serve as ex-officio advisor of the committee.

- b. To maintain contact with BUC fund applicants in order to inform them of the progress of their applications and to schedule the review of their applications before the BUC Fund committee.
- c. To keep an accurate running balance of the amount of money left in BUC Fund account and to keep track of all long-term projects involving BUC Fund account funds.

Section 14. The Chief Justice shall have the duty:

- a. To keep the Student Government informed of all changes within the University Judicial System and the effects it shall bring about to the students and the Student Government.
- b. To advise the Executive Cabinet of current decisions within the court system that affects the positions or future activities of the Student Government.
- c. To reside over the Associate Justices and assign Associate Justices to each University Judicial Committee hearing.
- d. To make recommendations concerning the removal of an Associate Justice from the Judicial Branch to the Rules and Conduct Committee of Student Senate.

Section 15. The Chief of Staff shall have the duty:

- a. To serve as the representative in charge of the electronic system at Student Senate meetings.
- b. To act as an executive assistant to the President.
- c. To ensure smooth operation of the SGA office.
- d. Any other responsibility deemed fitting by the President.

Section 16. Affirmation of Office

Before assuming office, all officials of the Student Government Association shall take the Affirmation of Office as follows: “I, [insert name here], solemnly affirm to persevere in my duties as a representative of the students of East Tennessee State University and to serve the concerns of the student body with diligence and honesty. I do affirm to execute my office faithfully and to represent and preserve the Constitution on which our Student Government is founded.”

Section 17. Succession of Office

In the event that the Student Government President shall become unable to execute the responsibilities of his/her office, the Executive Vice President shall become President. The Executive Vice President and Vice President for Finance and Administration will be appointed by the president, and confirmed

by two-thirds (2/3) majority of the Student Senate present and voting. If the President and the Executive Vice President are both unable to remain in office, the Vice President for Finance and Administration shall become President and a new Executive Vice President and Vice President for Finance and Administration shall be appointed by him/her and confirmed by two-thirds (2/3) of the Student Senate present and voting. In the event that the Executive Vice President or the Vice President for Finance and Administration shall become unable to serve, the President shall name a successor to the vacant post whose appointment must be confirmed by two-thirds (2/3) of the Student Senate present and voting. If the President, Vice-President, and Vice President for Finance and Administration positions all become vacant simultaneously, then the Student Senate shall elect a President by a simple majority vote.

Section 18. Terms of Office

All members of the Executive Branch shall serve a term approximately one-year in duration that shall end upon the inauguration of the newly elected Executive Branch, who shall be elected with the in-coming Student Senate. All those appointed to the President's Cabinet shall have a term of office that ends at the same time as the President who appointed them, excepting only the Chief Justice whose term shall end with the swearing in of a new Chief Justice. No person may serve in two or more Student Government offices simultaneously.

Section 19. Release of Grades

All prospective and current members of the Student Government Association shall be required to sign a grade release form, thereby allowing the Student Government Association Advisor to view applicants' Grade Point Averages (GPAs), prior to applying for any position. This form may manifest itself as an individual release form or as a component of the election application or selection application.

- a. The Student Government Association Advisor shall have sole authority and jurisdiction to review all members' GPAs anytime new members are considered for either the elections or selections process, at the start and end of each semester, and any other time an issue or concern is raised about a member of the Student Government Association.

Article III – Legislative Branch

Section 1. Legislative Power

The legislative powers of the Student Government Association shall be vested in the Student Senate. The Student Senate shall be the law-making body of the Student Government and shall be composed of members elected in

general elections by the student body of East Tennessee State University, or appointed by the President.

a. Quorum. A two-thirds majority of all members of the Student Senate shall constitute quorum to do business.

Section 2. Qualifications of the Student Senate shall include:

- a. Must be a student at East Tennessee State University with full-time status during the Fall and Spring semesters
- b. Have and maintain a minimum cumulative grade point average of 2.5.
- c. Must have successfully completed at least one full-time academic semester at East Tennessee State University or have been a member of the Junior Senator program and completed its requirements or have attended another accredited university and have shown involvement in campus organizations.

Section 3. Duties of the Student Senate shall include:

- a. Senators shall be required to work at least two (2) hours per week in the SGA office or on SGA-sanctioned functions, as approved by the President and/or Executive Vice President.
 - i. Participation/attendance of the required office hours (and SGA-sanctioned functions) will be kept on a public log in the SGA office that is overseen by the Executive Vice President.
- b. To represent to the best of his/her ability the student body of ETSU voicing the concerns of the student body as they arise.
- c. Participate and help with either assembly or disassembly of the major semester campus events, sponsored by the SGA and defined by the President each semester.

Section 4. Apportionment of Senate Seats. Thirty (30) seats shall be apportioned to the Student Senate in each general election, this being the maximum size of the Senate. All of these seats shall be elected by the student body at large from apportionment based on the following formula and criteria:

- a. Thirty (30) seats shall be apportioned to ten (10) colleges and schools of East Tennessee State University in the following manner:
- b. The Secretary of Interior, with the assistance of the Student Government Association Advisor, will obtain the following total student enrollment figures from the Fall Census:
 - i. College of Arts and Sciences
 - ii. College of Business and Technology
 - iii. Cladius G. Clemmer College of Education
 - iv. College of Clinical and Rehabilitative Health Sciences
 - v. College of Nursing

- vi. College of Public Health
 - vii. Bill Gatton College of Pharmacy
 - vii. School of Continuing Studies and Academic Outreach
 - ix. Quillen College of Medicine
 - x. Undeclared Students
- c. The Secretary of Interior, assisted by the Student Government Association Advisor, will determine apportionment of the colleges and schools by obtaining a percentage of the total enrollment figure of the University for each College or School and dividing the thirty (30) seats based upon these percentages.
- d. The Secretary of Interior shall make available a copy of the calculations to all SGA members.
- e. The Secretary of Interior will develop a standardized form to show the breakdown of student enrollments, percentages, and seats apportioned to each school or college and both Secretary of Interior and the Student Government Association Advisor will certify the same.
- f. The order of the names on the ballot shall appear on the general election ballot in random order to be determined by the Secretary of Interior, while supervised by one representative from the three branches of Student Government as selected by the Student Government Association President.
- g. Any Student Senate seats not filled by the general election become at-large seats not filled by the qualifications and provisions consistent with the Student Government Association Constitution.

Section 5. The Student Senate shall choose officers to assist in the operations of Student Senate:

- a. The duties of President Pro Tempore shall include:
 - i. Presiding over the Student Senate meeting during the Executive Vice President's absence or incapacity.
- b. The duties of Parliamentarian shall include:
 - i. Serving as the sole interpreter of parliamentary procedure for the Student Senate.
 - ii. The Parliamentarian is appointed by the Executive Vice President and confirmed by a two-thirds (2/3) vote of the Student Senate.
- c. No person may serve in two or more Student Senate offices simultaneously.

Section 6. Student Senators shall be elected for a term of office lasting one (1) year as specified in this Constitution.

Section 7. Any Senator who is absent from four meetings a semester or part of a semester (for Senators who are only a member for part of a semester) shall be subject to sanctions. Any Senator who is absent a total of six (6) meetings in a

year shall also be subject to sanctions. Sanctions are defined in the Bylaws and Standard Operation Procedures.

Section 8. The Student Senate shall have the power to adopt any rules and regulation necessary for carrying its powers into implementation with a two-thirds (2/3) vote. These rules shall take the form of Bylaws and Standard Operation Procedures.

a. The amendment of Bylaws and Standard Operational Procedures for the Student Senate shall require a two-thirds (2/3) vote of the Student Senate.

Section 9. Impeachment Power.

- a. All officials of the Student Government Association shall be subject to impeachment. The Student Senate shall have the sole authority and power to try any and all impeachment proceedings. Any member who violates the entrustment of confidence made by the Student Body or the Student Government Association, by disregarding the responsibilities of office or perpetuates by action, or verbalization, a specified violation, may be removed from the Student Government Association's roster, and the position held by the individual will become vacant.
- b. The following shall be considered violation(s) of the entrustment of confidence made by the Student Body or the Student Government Association and such may be cause for disciplinary action to be taken against any member of Student Government Association:
 - i. Misuse of Student Government Association property (keys, letterhead, money, etc.).
 - ii. Commission of a felony, in regards to any federal, state, or local law.
 - iii. Violation(s) of the student code of conduct severe enough to warrant a disciplinary hearing or action by the University.
 - iv. Malfeasance, which shall be considered the commission of, or performance of an act, which said officer, has no explicit or implicit right or authority granted to them by the Student Government Association to transact.
 - v. Misfeasance, which shall be considered the improper performance of an act which by law or decree is not improper, but the performance of said act is done in such a manner that it shall be considered improper, either by explicit definition, or Senate decree.
 - vi. Nonfeasance, which shall be considered the nonperformance of an explicit or implicit duty or responsibility of said officer's office, whether or not said officer is aware of such duty or responsibility.
- c. Any repeated violation by a Senator of the Code of Conduct while acting within the scope of the Senator's duties, as defined in the Code of

Conduct. An incident shall be considered a violation only if the incident was reported to the Senate Committee on Rules and Conduct within 4 weeks (28 days) of the occurrence.

- d. Articles of Impeachment shall be drafted and be delivered to the Senate Review Committee Chairperson and the Executive Vice President by the sponsoring Senator prior to 4:30 p.m. on the Thursday prior to the Student Senate meeting where the motion for impeachment is to be made.
- e. No entity shall have the authority to set aside the verdict of the Student Government Association Student Senate, in regards to an impeachment motion or decision.
- f. Judgment in cases of impeachment shall not extend further than removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under Student Government.
- g. Procedural applications for an Impeachment Procedure within the confines of the Student Government Association are as follows:
 - i. A Senator must make a motion to impeach a stated member of the Student Government Association, and must include specific reason(s) for such action.
 - ii. The motion for impeachment must be seconded.
 - iii. The Executive Vice President of the Student Government Association shall preside over the Senate during all impeachment proceedings, except his/her own.
 - iv. The member sponsoring the motion for impeachment shall be given a maximum of 30 minutes to proclaim his/her case, to the Senate.
 - v. The officer, who is the accused, shall be given a maximum of 30 minutes to answer the charge(s) made against him/her.
 - vi. The Senate Committee on Rules and Conduct Chairperson shall submit a statement of findings, in verbal form, to the Student Government Association Senate after the Senator bringing the motion to the floor has been given the opportunity to proclaim his/her case, and the accused has had the opportunity to rebut such proclamation.
 - vii. The Student Senate shall be given the opportunity to ask both the accused officer and the accuser questions about their statements and to examine all relevant documents, evidence, or witnesses. The Chair of the Senate shall dictate the time allotted for this.
 - viii. The Student Senate shall have the authority to override any limitation, or ruling made by the Chair of the Student Senate, in

regards to an impeachment debate, by a two-thirds (2/3) vote of the Student Senate on such said matter.

- ix. ix. Once both the accused and accuser have finished their statements, or time for such has elapsed, and the Student Senate has examined all relevant documents, evidence, and witnesses to the satisfaction of the Student Senate's curiosity and questions concerning the aforementioned, the Student Senate shall then move into a period of voting.
- x. The impeachment motion will then automatically be voted upon by ballot.
- xi. xi. The ballots of an impeachment vote shall be tabulated by the President Pro Temp and shall be confirmed by the Student Senate Chair, and witnessed by a Student Senate Designate.
- xii. No person shall be convicted without a two-thirds vote, in favor of the impeachment motion, with a majority of the Student Senate present and voting.
- h. All documents, keys, disks, or any other property owned by the Student Government Association must be immediately surrendered upon an officer's termination due to impeachment. Failure to surrender the aforementioned will result in a request from the Student Senate for the university to encumber said officer, until compliance is realized.
- i. The Chair of the Student Senate shall sign any affirmation of impeachment by the Student Senate. This document shall officially terminate the officer's tenure of office, and eliminate the officer's right to seek office at a later date.
- j. In a case where a two-thirds vote to impeach is not reached, the officer shall resume all duties and retain all titles and privileges of the office held.
- k. Only the Student Government Association Student Senate shall discern the validity of all evidence and testimony presented during impeachment proceedings.

Article IV – Judicial Branch

Section 1. The purpose of the Judicial Branch of the Student Government Association (SGA) shall be to provide fair and just treatment relating to cases involving either violation of university regulations or infringements upon students; rights over which it has authority from the university.

Section 2. The Judicial Branch shall consist of:

- a. The University Judicial Committee (UJC) shall be the higher court authorized by the University President.
- b. The Student Court shall be the highest court within the student judicial system.
- c. The Residence Hall Judicial Board (RHJB) and the Fraternity and Sorority Judicial Boards shall be the lower courts in the student judicial system.

Section 3. The composition of the University Judiciary shall be in compliance with the following:

- a. The Student Government Association President and the Chief Justice shall be included in the composition of the University Judicial Committee (UJC). They shall be the primary student voice on the body. In the event he/she cannot attend, his/her designee shall attend in their place.
- b. The Student Court shall be composed of a Chief Justice and seven (7) Associate Justices, one of whom shall be designated to serve as the alternate Chief Justice. Alternates may be appointed. Each member shall be appointed by the SGA president and confirmed by a majority of the Student Senate present and voting. Members are appointed to renewable one year terms. Quorum is 2/3 of the composition of the court. Each justice shall have (1) vote, with the Chief Justice voting only to break a tie. Alternate Justices may be appointed. Members may continue to serve until such time as their replacements are appointed or elected and receive all required training.
- c. The Residence Hall Judicial Board (RHJB) and the Fraternity and Sorority Judicial Boards shall be composed of those persons designated by the constitutions of those respective bodies.

Section 4. The jurisdiction of the Judicial Branch, rules, and due process rights shall follow those defined in the Institutional Disciplinary Rules (Code of Conduct).

Article V – Elections

Section 1. The Secretary of Interior and the Election Commission shall be responsible for the supervision of elections as defined in the Constitution and the Bylaws and Standard Operating Procedures.

Section 2. No person shall be allowed to have their name appear on the general election ballot for any office to which they do not meet the following qualifications:

- a. Any candidate for a Student Senate Seat must have declared a major in the college or school for which they intend to seek office under; students who

- have not declared a major shall be eligible for the seats apportioned to students who are undeclared.
- b. If a student has declared multiple majors in different schools or colleges, the student may determine which college or school they wish to represent.

Article VI – Initiative and Referendum

Section 1. The students reserve to themselves the power by a petition of ten percent of the students registered (in a Fall or Spring semester) at the time of presentation of the petition to the Student Government President. The petition must include identifiable and verifiable student names and ID numbers. The petition shall propose laws and amendments to this Constitution, as prescribed by law, and directly enact such laws and amendments at the polls. This reserved power shall be known as the initiative.

Section 2. The students reserve to themselves the power by a petition of ten percent of the students registered (in a Fall or Spring semester) at the time of presentation of the petition to the Student Government President. The petition must include identifiable and verifiable student names and ID numbers. The petition shall require that measures enacted by the Student Senate be submitted to the student body for their approval or rejection. This reserved power shall be known as the referendum. The SGA Student Senate may also move to enact a referendum vote on measures enacted by the SGA Student Senate with two-thirds (2/3) vote of the Student Senate present and voting.

Article VII – Amendments

Section 1. Amendments to this Constitution may be proposed in writing at any meeting of the Student Senate. Proposed amendments shall require a two-thirds (2/3) vote of the Student Senate present and voting for tentative ratification.

Section 2. An amendment with tentative ratification may be repealed by a two-thirds (2/3) vote of the Student Senate prior to it becoming fully ratified.

Section 3. An amendment with tentative ratification shall require the approval of a majority of the student body voting in the general election to become fully ratified and permanently binding.

Article VIII – Ratification

Section 1. This Constitution shall require approval by two-thirds (2/3) of the Student Senate, as well as the approval of a majority of the student body voting in the general election for final and full ratification with the inauguration of the newly elected SGA officers.

Section 2. All previous constitutions and laws enacted or decreed by the Student Government Association shall be null and void upon the ratification of this document.