

Student Government Association Constitution

Article I. The Student Government Association

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

Section 2. Jurisdiction. All persons who are registered students at East Tennessee State University are members of the student body and shall be subjected to the Student Government Constitution and Laws 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 Constitution.

Section 3. Purpose. 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.

Section 4. Organization of the Student Government Association. The Student Government Association shall be organized into three distinct branches:

- A. The Executive Branch
- B. The Legislative Branch
- C. The Judicial Branch

Section 5. Advisor for the Student Government Association. The advisor for the Student Government Association shall be the Associate Vice President for Student Affairs unless otherwise specified by the university President.

Section 6. Recognition of Authority. Any part of this Constitution or any law passed under its authorization which is in conflict with the laws of the United States of America, and the State of Tennessee, or with any rules or regulations of the State Board of Regents or East Tennessee State University and/or East Tennessee State University (who serves as an agent of the Board of Regents), shall be null and void from the time of its enactment.

Article II. Executive Branch

Section 1. Executive Power. All executive powers of the Student Government Association shall be vested in a President, who shall be assisted by a Vice President and a Secretary/Treasurer.

Section 2. Officers Elective. The President, Vice President, and the Secretary/Treasurer shall be elected in general elections from the student body of East Tennessee State University.

Section 3. Qualifications for Officers. To serve as President, Vice President, or Secretary/Treasurer, a student shall:

- A. Have a minimum 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 days of his/her inauguration.
- C. Have served at least one semester in the Student Government.
- D. Maintain a minimum grade point average of 3.0 at East Tennessee State University throughout his or her term of office. Full-time status must be maintained throughout the tenure of office, excluding summer terms.

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

- A. To faithfully and diligently execute the Constitution and laws of the Student Government.
- B. To appoint cabinet officials enumerated in this Constitution, Senate seats which become vacant, and other officials or committees as needed for the execution of his/her duties. All appointments shall be subject to confirmation by a two-thirds vote of the Student Senate.
- C. To approve or veto, as he/she sees fit, legislation passed by the Student Senate in accordance with this Constitution.

- D. To recommend to the Student Senate legislative measures for the promotion of the student welfare and to share information concerning student affairs with the Student Senate.
- E. To remove from office for just reason any person he/she has the power to appoint, except those appointed and confirmed by the Senate to the Judicial Branch or to a vacant Senate seat.
- F. To supervise students on the traffic court and ensure that students attend.
- G. To develop and investigate potential academic reforms.

Section 5. Vice President. The Student Government Vice President shall be the Assistant Chief Executive of the student body and shall have the power and responsibility:

- A. To assist the President in the execution of his/her duties.
- B. To be a member ex-officio of all committees of the Student Government, excepting those committees which he/she chairs.
- C. To preside over meetings of the Student Senate in accordance with the Constitution.
- D. To exercise the powers of the President in the latter's absence or inability to serve.
- E. To call special meetings of the Student Senate by having notices of the meeting issued to the members forty-eight hours prior to the meeting.
- F. To monitor and, at all times, have knowledge of the disposition and progress of each bill and resolution which the Student Government has sent to the university administration for approval; in addition, to keep other officials of the Student Government Association abreast of this information.

Section 6. Secretary/Treasurer. The Secretary/Treasurer shall be in charge of Student Government records and finances. Duties of the Secretary/Treasurer shall include:

- A. Maintenance and deposition of all records and journals of the Student Government, or duplicates thereof, except those of the Judiciary.

- 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 an annual basis, in accordance with law, with the advice and consent of the Senate.
- D. Preparation of the Student Government Association budget on a monthly basis, in accordance with law, to include, but not limited to: beginning balance, itemized expenditures of all Student Government transactions, and ending balance, to be presented the second Tuesday of every month to the Senate during executive reports.
- E. Performance of clerical duties for the Senate, which shall include but is not limited to:
 - a. The preparation and reading of legislation and Constitutional Amendments to the Senate.
 - b. The Presentation of final laws and acts passed by the Senate to the President, Vice President, and the Attorney General within seven (7) calendar days of their approval.
 - c. The taking, preparation, and reading of the minutes for the Student Senate.
 - d. The placing of all minutes from all Student Government Association Senate meetings upon the Student Government Association's website within one week of the meeting being held.
 - e. The placing of all legislation on the Student Government Association's website no less than one week before it is to be voted upon unless otherwise deemed Emergency Legislation upon proper vote by the Student Government Association Senate.
 - f. The updating of all Senator/Executive officer contact information on the Student Government Association's website within two weeks of the representative's election or appointment to the Student Government Association.

Section 7. Cabinet. The President shall appoint a cabinet to assist in the execution of his/her duties. Qualifications for members of the cabinet shall be the same as those specified for Student Senators in this Constitution. Cabinet members shall be responsible to the

President and may be dismissed by him/her for just cause. The Cabinet shall consist of:

- A. Attorney General
- B. Secretary of State
- C. Secretary of External Affairs
- D. Secretary of Interior
- E. Secretary of Public Relations
- F. Secretary of Allocations
- G. Chief Justice
- H. Chief of Staff

Section 8. Attorney General. The responsibilities of the Attorney General shall include:

- A. Attend all meetings of the Student Senate, and be familiar with its proceedings. Present all legislation proposed by the Executive Branch.
- B. Assist Senators in drafting legislation when requested.
- C. Represent the Student Government in dealing with the Student Court.
- D. Issue upon request, written opinion clarifying legislation, provisions of the Constitution, and other orders and functions of the Student Government as shall be required.
- E. Prosecution of suits to which the Student Government or any official thereof acting in his/her official capacity is plaintiff or defense of suits in which the Student Government, or its member(s) is a defendant whenever these cases are handled within the University Judiciary. If a case should arise in which the Attorney General would be in the position of prosecuting and defending the same suit, the President, in advice and consent of the Student Senate, shall appoint the defendant and prosecutor of the case, one of which shall be the Attorney General.
- F. Codify and maintain copies of the Student Government Constitution and Code of Laws.
- G. Serve as an ex-officio advisor of all committees of the Student Government concerning amendments and revisions to this Constitution.

Section 9. Secretary of State. The responsibilities of the Secretary of State shall include, but are not limited to:

- A. Serve as the student coordinator for the Alumni Office and the university faculty and administration.
- B. Aid and assist the President in planning, directing, and coordinating Student Government activities and services as designated by the President or the Student Senate.
- C. Maintain regular correspondence with the student body and leaders of the branch university centers which shall include, but is not limited to, one visit to each campus to meet with leadership and students at each at least once per term in order to investigate matters of concern indigenous to these centers and to make recommendations on these matters. Coordinate the activities of the other officials of the Student Government Association to ensure opportunity for active and comprehensive involvement of the student population of these branch centers in the affairs of the Student Government.
- D. The Secretary of State shall be responsible for planning, implementing, and overseeing homecoming.
 - a. The Secretary of State shall chair the homecoming committee and shall administer the Affirmation of Office to all committee chairs prior to the start of Homecoming.
 - b. The Secretary of State shall apply for homecoming funds from the Superfund account of the B.U.C. Fund Allocations Committee.
 - c. This budget shall be presented before the Student Senate for informational purposes.
 - d. Homecoming planning shall start in the spring semester prior to the upcoming homecoming in the fall semester.

Section 10. Secretary of External Affairs. The responsibilities of the Secretary of External Affairs shall include, but are not limited to:

- A. To plan, implement, oversee and be responsible for the major campus event to be held each semester in the fall and spring. Planning shall begin as far in advance as possible.

- B. Serve as liaison officer between the Student Government and University officials and outside agencies concerning the major campus events.
- C. To act as a liaison officer between the Student Government and the Director of Student Activities.
- D. The Secretary of External Affairs shall chair the major campus event committee.

Section 11. Secretary of Interior. The responsibilities of the Secretary of Interior shall include, but are not limited to:

- A. Serve as liaison officer between the Student Government and all recognized campus organizations.
- B. To act as a liaison officer between the Student Government and the Director of Student Activities.
- C. Supervise all Student Government elections; enforce all laws pertaining to campus elections, and make additional regulations as may be necessary. Responsible for all pre-election arrangements (except publicity), including the dissemination of petitions and the posting of ballots online, and the collection of student enrollment figures.

Section 12. Secretary of Public Relations. The responsibilities of the Secretary of Public Relations shall include, but are not limited to:

- A. Aid and assist the President in utilizing all possible sources in promoting the university and handle all publicity for the Student Government.
- B. To be responsible for the collection and dissemination of Student Government news to the media and/or the student body.
- C. Formulate a written monthly report of Student Government activities in conjunction with the Cabinet and the Secretary/Treasurer and submit this report to a method of dissemination that shall include the campus newspaper and an additional method shall be decided upon and agreed to by a majority of Senators present and voting at the first meeting of the fall academic term.

- D. Aid the Secretary of External Affairs in the promotion of the On-Line Survey for the Major Campus event and in the advertising of the aforementioned event.
- E. Help maintain and update the Student Government Association website as needed.

Section 13. Secretary of Allocations. The responsibilities of the Secretary of Allocations shall include, but are not limited to:

- A. Supervise and review the BUC Fund Allocations Committee and serve as ex-officio advisor of that committee.
- B. Maintain contact with 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. Keep an accurate running balance of the amount of money left in the BUC Fund account and to keep track of all long-term projects involving BUC Fund account funds.

Section 14. Chief Justice. The responsibilities of the Chief Justice as a member of the cabinet shall be:

- A. To keep the President 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 President and the Cabinet of current decisions within the court system that affects the positions or future activities of the Student Government.

Section 15. Chief of Staff. The responsibilities of the Chief of Staff shall include, but are not limited to:

- A. Ensure all internal communication is disseminated to all cabinet members.
- B. Serve as a representative who is in charge of the electronic system at Senate meetings.

- C. To act as an executive assistant to the SGA President.
- D. To ensure smooth operation of the SGA office.
- E. Any other responsibility deemed fitting by the SGA President.

Section 16. Presidential Appointments. The President shall move with reasonable and due alacrity to appoint any vacant offices that he/she has the power to appoint. The President shall have ten (10) calendar days or until the second Student Senate meeting following the vacancy, whichever occurs later, to announce his/her appointments for vacant Senate seats, Constitutionally-enumerated cabinet positions, and Judicial Branch positions. The aforementioned restriction shall not apply if three (3) or fewer meetings of the Student Senate for the current academic year remain following the expiration of the aforementioned restriction.

Section 17. Incompatible Offices and Exclusions. No person may serve in two or more Student Government offices simultaneously.

Section 18. Affirmation of Office. Before assuming office, all officials of the Student Government Association shall take the Affirmation of Office.

- A. The Affirmation of Office shall consist of the following words, which shall be recited by the person taking the Affirmation of Office: "I, [person shall state his/her name], 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 respect and preserve the Constitution on which our Student Government is founded."
- B. Due to the nature of certain offices, the following individuals shall administer the Affirmation of Office to the persons who shall assume the following specified offices:
 - a. The Chief Justice shall administer the Affirmation of Office to all members of the Senate Committee on Rules and Conduct.
 - b. The Secretary of State shall, as part of that person's duties as the

homecoming committee chair, administer the Affirmation of Office to all committee chairs prior to the start of Homecoming.

- C. Except as provided in Subsection B, the Affirmation of Office shall be administered by the first person available from the following list, beginning with the Chief Justice of the Student Court, in the order that they appear: The Chief Justice of the Student Court, a justice of the Student Court other than the Chief Justice, the President pro tempore of the Senate, the Parliamentarian of the Senate, the President, the Vice President, the Attorney General, and the Secretary of State.

Section 19. Succession. In the event that the Student Government President shall become unable to execute the responsibilities of his/her office, the Vice President shall become President. The vice president and secretary/treasurer will be appointed by the president, and confirmed by two thirds majority of the senate present and voting. If the President and the Vice President are both unable to remain in office, the Secretary/Treasurer shall become President and a new Vice President and Secretary/Treasurer shall be appointed by him/her and confirmed by two-thirds of the Senate present and voting. In the event that the Vice President or the Secretary/Treasurer shall become unable to serve, the President shall name a successor to the vacant post whose appointment must be confirmed by two-thirds of the Senate present and voting.

Section 20. Term 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 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.

Article III. Legislative Branch

Section 1. Legislative Power. The legislative powers of the Student Government Association shall be vested in the Student Senate.

Section 2. 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 in compliance with this Constitution.

Section 3. Qualifications and Duties of Senators.

A. Qualifications:

- a. Must be a student at East Tennessee State University with full-time status during the Fall and Spring semesters, have and maintain a minimum cumulative grade point average of 2.5. Must have successfully completed at least one full academic term 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.
- b. All prospective and current members of the Student Government Association shall be required to sign a grade release form, thereby allowing the Associate Vice President of Student affairs 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.
- c. The the Associate Vice President of Student Affairs 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.

B. Duties:

- a. Senators shall be required to work at least one hour per week on Student Government Association sanctioned functions, which shall be designated by the Student Government Association President or Vice President, unless the Senator chooses to work the one hour of required service within the Student Government Association office. Senators shall be excused from this requirement one week within every applicable month in order to meet with constituents they represent. This meeting shall not be a purely private meeting, but rather one that allows the Senators to be approached readily by any concerned student. The requirements aforementioned shall be in effect for the duration of the fall and spring semesters.
- b. Conscientious attendance and active participation in Student Government meetings, standing committees, and any other functions of SGA.
- c. To represent to the best of his/her ability the student body of ETSU voicing the concerns of the student body as they arise.
- d. As related to voting on legislation, BUC Fund applications, etc., that come before the Senate, the Senator should keep an open mind in voting so as to better the education and student life at ETSU, by disregarding personal feelings and differences, always keeping in mind the welfare of the entire student body.
- e. Author at least one piece of legislation per semester or cosponsor three pieces of legislation. This legislation is due to the Vice President before the midterm each semester. If legislation is not written, the senator will be penalized as though missing one Senate meeting. If the senator does not have the legislation written by the end of the semester, then that senator will be penalized as though missing two Senate meetings. Nor more than five (5) senators can sponsor a piece of legislation.
- f. Participate and help with either assembly or disassembly of the major semester campus event setup, sponsored by the SGA and defined by the President each semester.

C. Code of Conduct

- a. Because the Student Government Association Senate is the representative body of the student body and is vested with protecting the public interest, Senators shall act in a manner becoming of his/her office and treat his/her office with a sense of respect and dignity.
- b. Senators shall act in a respectful manner towards all other Senators as well as all students, staff members, and faculty members of East Tennessee State University.
- c. Senators shall not engage in any demeaning actions against or direct belittling language towards any organizations or groups at East Tennessee State University.
- d. Senators shall not engage in any verbal or physical action that constitutes discrimination on the basis of a protected class. Discrimination on the basis of a protected class shall include, but is not limited to, racism, sexism, ageism, homophobia, transphobia, ableism, religious discrimination, and ethnicism.
- e. A Senator shall not engage in or commission any action under color of the authority of his/her office that lies outside of the explicit or implied right or authority of his/her office.
- f. A Senator shall not purposefully ignore or disregard any explicit or implied duty that comes from being vested with the public trust of a representative of the students.
- g. The provisions of Subsections b, c, d, and e shall apply only to words or actions that occur while the Senator is acting within the capacity of his/her office or to words or actions that occur within a public setting such that the Senator knows, or has reasonable cause to believe, the words or actions will be witnessed by a student, staff, or faculty member of East Tennessee State University. The provisions of Subsections b, c, d, and e shall not apply to words or actions that occur in a private setting, including but not limited to the Senator's residence, place of worship, or other location that is not on East Tennessee State University property and where the Senator does not have reasonable cause to believe that the Senator's words or actions will be witnessed by a student, faculty, or staff member of East Tennessee State University.
- h. The provisions of Subsections c and d shall not be

construed to apply to actions taken or words spoken that constitute an expression of the Senator's bona fide religious, philosophical, or political views unless it can be established that:

1. The Senator engaged in such conduct with the intent to harass, embarrass, or belittle a specific person or group of persons.
 2. The Senator engaged in such conduct with the intent to influence allocations made under Title V of the SGA Code of Laws.
 3. The Senator engaged in such conduct under conditions that would cause a reasonable person to believe that such expression of the Senator's views constitutes the views held by East Tennessee State University or the East Tennessee State University Student Government Association.
- i. Any violation not listed shall be held to the standard of whether the average person, applying contemporary community standards, would view the verbal or physical actions taken as a whole as being ethically wrong.
 - j. Any violation of the Code of Conduct shall be grounds for censure. As used in this Subsection, "censure" shall constitute an official disapproval by the Student Government Association of the Senator's conduct and shall not confer any tangible penalties. A censure shall be presented to the Senate Committee on Rules and Conduct as a resolution that officially disapproves of the Senator's conduct. The Senate Committee on Rules and Conduct shall hold a meeting to discuss the censure, at which the Senator shall have the right to attend and defend himself/herself. If the Senate Committee on Rules and Conduct approves of the censure, the Senator may appeal it within one week (7 days) to the Senate, in which case the censure shall require the approval of two-thirds of the Senators present and voting.
 - k. Repeated violations of the Code of Conduct shall be grounds for impeachment regardless of whether or not the Senator was previously censured for such conduct but only if such violations are based on conduct that occurred while the Senator was acting within the scope of his/her duties. As used in this Subsection, "conduct

that occurred while the Senator was acting within the scope of his/her duties” shall be defined as:

1. Conduct that occurs while the Senator is attending an official meeting of the Student Government Association Senate.
2. Conduct that occurs while the Senator is attending an official meeting of any committee of the Student Government Association Senate.
3. Conduct that occurs while the Senator is fulfilling his/her obligation to perform work in the SGA office or provide assistance at the major campus events.
4. Conduct that occurs while the Senator is fulfilling any other obligation for Senators or is otherwise explicitly acting in the person’s capacity as a Senator.

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 seven (7) colleges and schools of East Tennessee State University in the following manner:
 - a. The Secretary of Interior, with the assistance of the advisor for the Student Government Association, will obtain the following total student enrollment figures from the Fall Census:
 - b. College of Arts and Sciences;
 - c. College of Business and Technology;
 - d. College of Education;
 - e. College of Nursing;
 - f. College of Public Health;
 - g. College of Clinical and Rehabilitative Health Sciences;
 - h. Undeclared Students;
 - i. The School of Continuing Studies and Academic Outreach shall be included with the College of Arts and Sciences;
 - j. College of Medicine shall be included with the College of Nursing or two liaisons shall be appointed to enhance

- relationships between the medical school campus and the main campus;
- k. College of Pharmacy shall be included with the College of Public Health or a liaison shall be appointed to enhance relationships between the pharmacy school campus and the main campus.
 - l. The Secretary of Interior, assisted by the advisor for the Student Government Association, 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.
 - i. The Secretary of Interior shall make available a copy of the calculations to all SGA members.
 - B. 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 advisor of the Student Government Association will certify the same.
 - C. 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.
 - D. 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 or Code of Laws.

Section 5. Officers of the Senate. The Student Senate shall choose officers to assist in the operation of the Senate.

- A. The Student Senate shall choose from their own membership the following officers:
 - a. President Pro Tempore
 - i. Duties:
 - 1. Preside over the Senate meeting during the Vice President's absence or incapacity.
 - b. Parliamentarian
 - i. Duties:

1. Serve as the sole interpreter of parliamentary procedure for the Student Senate.
 2. Appointed by the Vice President of SGA and confirmed by a two-thirds vote of the Senate.
- B. The Student Senate may elect other officers as necessary for the performance of its duties.
- C. Each of these officers shall be elected by the Student Senate from its own membership and by a majority of Senators present and voting. Any officer may be removed from his/her post for malfeasance or nonfeasance at the discretion of two-thirds of the Senate present and voting (ballot vote).
- D. In the event that an officer of the Senate shall become unable to execute the duties of his/her office, the Senate shall elect a successor for the vacant post who shall serve to the remainder of his/her term of office.
- E. No person may serve in two or more Senate offices simultaneously.

Section 6. Presiding Officers of the Senate. The Vice President of the Student Government shall preside over meetings of the Student Senate. The President pro tempore of the Senate shall preside in the Vice President's absence or incapacity to serve. The presiding officer of the Senate shall appoint all committees of the Senate with the advice and consent of the Senate. All such committee appointments shall be subject to approval of a majority of the Senate present and voting.

Section 7. Terms of Office. Student Senators shall be elected for a term of office lasting one year as specified in this Constitution.

Section 8. Student Senate Vacancies. The President shall appoint Senate seats which become vacant, subject to the advice and consent of two-thirds of the Student Senate. Persons appointed to a vacant Senate seat shall serve only the remainder of that term of office. All persons seeking appointment to vacancies in the Senate shall follow the application process set by the President or otherwise

prescribed by law.

Section 9. Session and Procedure. The Student Senate shall meet on Tuesdays at such a time as prescribed by law. Special meetings of the Senate may be called by any five Senators, so long as written notices are issued to all Senators at least 48 hours prior to the meeting. The Student Senate shall follow the parliamentary procedures of the latest edition of Robert's Rules of Order, except as otherwise prescribed by this Constitution or by-law. The chair has the power to deviate from Robert's Rules of Order at any time he/she deems necessary.

Section 10. Senate Attendance Policy. 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 as defined by the SGA Code of Laws. Any Senator who is absent a total of six meetings in a year shall also be subject to sanctions as defined by the SGA Code of Laws. The SGA Vice President shall have sole authority to excuse absences for university sponsored activities, documented illnesses, or other legitimate excuses as determined by the Vice President. Excused absences will not count towards the total number of absences in regards to sanctions. Sanctions may include suspension from office for the remainder of the Senator's term, the assignment of additional office hours, other extra service opportunities in such a case that a mandated service is missed, or other additional sanctions as deemed appropriate by the SGA Vice President. Sanctions may be appealed in a manner described by the SGA Code of Law. The vacant seat of a suspended Senator may be filled in accordance with this Constitution.

Section 11. Translation of Business. A two-thirds majority of all members of the Student Senate shall constitute quorum to do business. The Student Senate shall keep a comprehensive journal of its proceedings which shall be open to public inspection.

Section 12. Impeachment Power. 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.

- A. 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:
- a. Misuse of Student Government Association property (keys, letterhead, money, etc.).
 - b. Commission of a felony, in regards to any federal, state, or local law.
 - c. Violation(s) of the student code of conduct severe enough to warrant a disciplinary hearing or action by the University.
 - d. 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.
 - e. 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.
 - f. 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.
 - g. 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.

- B. Articles of Impeachment shall be drafted and be delivered to the Senate Review Committee Chairperson and the Vice President by the sponsoring Senator prior to 4:30p.m. on the Thursday prior to the Senate meeting where the motion for impeachment is to be made.
- C. No entity shall have the authority to set aside the verdict of the Student Government Association Senate, in regards to an impeachment motion or decision.
- D. 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.
- E. Procedural applications for an Impeachment Procedure within the confines of the Student Government Association are as follows:
 - a. 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.
 - b. The motion for impeachment must be seconded.
 - c. The Vice President of the Student Government Association shall preside over the Senate during all impeachment proceedings, except his/her own.
 - d. The member sponsoring the motion for impeachment shall be given a maximum of 30 minutes to proclaim his/her case, to the Senate.
 - e. The officer, who is the accused, shall be given a maximum of 30 minutes to answer the charge(s) made against him/her.
 - f. 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.
 - g. The 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.

- h. The Senate shall have the authority to override any limitation, or ruling made by the Chair of the Senate, in regards to an impeachment debate, by a two-thirds vote of the Senate on such said matter.
- i. Once both the accused and accuser have finished their statements, or time for such has elapsed, and the Senate has examined all relevant documents, evidence, and witnesses to the satisfaction of the Senate's curiosity and questions concerning the aforementioned, the Senate shall then move into a period of voting.
- j. The impeachment motion will then automatically be voted upon by ballot.
- k. The ballots of an impeachment vote shall be tabulated by the President Pro Temp and shall be confirmed by the Senate Chair, and witnessed by a Senate Designate.
- l. No person shall be convicted without a two-thirds vote, in favor of the impeachment motion, with a majority of the Senate present and voting.
- m. 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 Senate for the university to encumber said officer, until compliance is realized.
- n. The Chair of the Senate shall sign any affirmation of impeachment by the 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.
- o. 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.
- p. Only the Student Government Association Senate shall discern the validity of all evidence and testimony presented during impeachment proceedings.

Section 13. Bill of Laws. No law shall be passed by bill. Before a bill can become law, it shall be duly entered into the Senate Journal, enacted by a majority of the Senate present and voting, and approved by the Student Government President. If the President does not approve, he/she shall veto the bill by returning it to the Student Senate, along with a written statement of his/her objectives. After reconsideration, two-thirds of the Senate present and voting (ballot vote) can override a veto. If any bill is neither approved nor vetoed by the President no later than 24 hours prior to the next Senate meeting, it shall be considered vetoed. Any bill that contains a time limit on its provisions shall be termed a special legislation and shall have authority after its expiration date. All BUC Fund grants or loans shall be considered as a special legislation with the time limit being one week after the event takes place. All other laws enacted and passed by the Student Government shall be considered perpetual in duration and shall remain in force until such time as the law is repealed by the Student Senate or declared unconstitutional by the Student Court. This Constitution shall be the supreme and predominant body of law for the Student Government.

Section 14. Student Government Resolutions. The Senate shall have the power to make official recommendations through the vehicle of Student Government Resolutions. All Student Government Resolutions shall be subjected to the approval of the President by the same process as for bills of law.

Section 15. Confirmation of Presidential Appointments. No person appointed to a Student Government post by the President shall assume the duties or privileges of the office who has not been approved by the concurrence of two-thirds of the members of the Student Senate present and voting.

Article IV. Judicial Branch

Section 1. Purpose of the Judiciary. The purpose of the Judicial Branch of the Student Government Association 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; to recommend appropriate measures for those found guilty. In all cases, due process shall be observed.

Section 2. Components of the Judiciary. The Judiciary of East Tennessee State University, in conjunction with the Student Government Association, shall consist of the following components:

- A. The University Judicial Committee shall be the highest court authorized by the University President.
- B. The Student Court shall be the highest court within the student judicial system.
- C. The Residence Hall Association Judicial Board and the Greek Judicial Board shall be the lower courts in the student judicial system.

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

- A. The Student Government Association President and the Chief Justice of the Student Court shall be included in the composition of the University Judicial Committee. 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. The University President shall appoint all other members of the University Judicial Committee.
- B. The Student Court shall be composed of a Chief Justice and seven associate justices, one of whom shall be designated to serve as the alternate Chief Justice. Justices for the Student Court shall be appointed by the Student Government President. Each member

appointed by the SGA President shall be confirmed by a two-thirds majority of the Student Senate present and voting.

- C. The Residence Hall Judicial Board and the Greek Judicial Board shall be composed of those persons designated by the constitutions of those respective bodies.

Section 4. Powers and Limitations. The relative powers of the components of the Judiciary are as follows:

- A. All judicial powers of the Judicial Branch of the Student Government are delegated to that body by the University President, acting as agent of the State Board of Regents. The University President reserves the right to uphold or reverse any decision made by any judicial body.
- B. The University Judicial Committee shall exercise the highest judicial authority on campus, next to that of the University President.
- C. The judicial powers of the student body shall be vested in the Student Court.
- D. The Residence Hall Association Judicial Board and the Greek Judicial Board shall provide through their respective constitution the powers and limitations of their judicial boards, both of which shall be subordinate to the Student Court.

Section 5. Operation of the Courts. All cases that enter the University Judiciary shall be administered through the appropriate channels:

- A. Any member of the student body may report a violation of rules and standards set up by the various branches of the university.
 - a. Violations of official university regulations shall be reported directly to the Assistant Dean of Students, who shall rule on the case or refer it to the appropriate judicial body.
 - b. Violations of internal standards of the Residence Hall Association (RHA), the Inter-Fraternity Council (IFC), Pan-Hellenic Council (PHC), or the Panhellenic Council (PC), shall be reported to the authorities designated in their respective constitutions.

- c. RHA authorities shall report the case to the Housing Office, where the Director of Housing and/or the Residence Hall Judicial Board shall take appropriate action.
 - d. The IFC, PHC, and PC authorities shall report the case to the Greek Advisor, who shall either rule on the case or have the Greek Judicial Board take appropriate action.
 - e. Violations of the Student Government Constitution or Code of Laws shall be reported to the Student Government Vice President, who shall refer the case to the Assistant Dean of Students or the Associate Vice President for Student Affairs.
- B. After receiving a case, the Assistant Dean of Students shall refer the case to the proper judicial authority.
- C. All judicial decisions must be reported in writing to the Assistant Dean of Students within two class days from such time as the decision has been reached.
- D. The circumstances surrounding all cases handled by the University Judicial System shall be confidential.
- E. The official records of all cases shall be maintained by the Office of the Vice President for Student Affairs.
- F. All official correspondence concerning the decision of the judicial board, court, or committee shall be done by the Assistant Dean of Students or his/her designated representative, except in the cases involving the Student Government Constitution or Code of Laws. The Chief Justice of the Student Court shall make a written report of the decision and the circumstances surrounding it, taking care to exclude any information of a personal nature, to the Attorney General.
- G. All hearings by the University Judicial Committee shall be held in closed session unless otherwise requested by the defendant and the plaintiff.
- H. All subsequent hearings concerning readmission of students or reinstatement of organizational charters shall be initiated through the Office of the Senior Associate Vice President for Student Affairs and Assistant Dean of Students or his/her designated representative.

Section 6. Jurisdiction. The Assistant Dean of Students shall refer a case to the proper judicial board, court, or committee.

- A. The University Judicial Committee shall hear those cases involving a student who has acted in opposition to civil and/or criminal law. It shall have original and appellate jurisdiction.
- B. The Student Court shall have original jurisdiction in all cases involving the Student Government Constitution or Code of Laws and violations thereof, campus organizations, student elections and any other cases deemed appropriate by the Assistant Dean of Students. The Student Court shall have appellate jurisdiction over the Residence Hall Judicial Board and the Greek Judicial Board.
- C. The Residence Hall Judicial Board and the Greek Judicial Board shall have original jurisdiction as prescribed within their constitutions and any other cases as referred to it by the Assistant Dean of Students.

Section 7. Appeals. All cases may be appealed by the student or organization in question to the next highest judicial authority. No student shall be dismissed or any organizational charter suspended, until the case has been reviewed by the University Judicial Committee. The final appeal shall be to the University President.

Section 8. Duties and Prerogatives of the Student Court. These rules shall govern all the Student Court actions:

- A. The Chief Justice shall be Chair of the Student Court and preside over all meetings and hearings. The Chief Justice shall direct and be responsible for the performance of all duties and functions of the Student Court and its justices. The alternate Chief Justice shall execute the powers and duties of the Chief Justice in the latter's absence or incapacity to serve.
- B. The justices of the Student Court shall determine in all cases brought before them all decisions which are within the Courts jurisdiction as prescribed by this Constitution. Five justices, who shall be selected from the available eight by the Chief Justice of the Student Court, shall constitute a quorum to do business. Each justice shall have one vote, with the Chief Justice voting only to break a tie.
- C. The justices of the Student Court shall, by majority vote, determine rules of procedure for the Student Court, except as otherwise prescribed by this Constitution or by-law.

- D. In all cases where the accused cannot appear for trial within a reasonable time, the Student Court may, at the request of the accused, conduct a trial of the accused in the latter's absence, provided that the accused is notified in writing at least three days in advance of the trial date and is represented at the trial by counsel of his/her choice.
- E. The Student Court shall have the power to request any member of the student body, a representative from any campus organization, or any faculty member or administrator to appear in court, provided that the subpoena/request is issued in writing at least five days prior to the appearance.

Section 9. Amendments to the Judicial Branch. Any changes that should occur in the judicial branch approved by the State Board of Regents or their representative shall automatically become an amendment to this Constitution. The Attorney General shall change all sections as prescribed by the State Board of Regents.

Section 10. Judicial Rights. All members of the student body shall be accorded judicial rights as prescribed below:

- A. Due Process shall be observed in all cases.
- B. The right to a fair and speedy trial is guaranteed.
- C. The accused shall have the right to be represented by counsel of his/her choice.

These judicial rights may not be suspended or revoked at any time for any reason.

Article V. Code of Laws

Section 1. Code of Laws. All public laws enacted by the Student Senate and approved by the President shall be codified and listed in the Student Government Code of Laws.

Section 2. Maintenance of the Code. The Code of Laws shall be revised and supplemented on a continuous basis by the Attorney General. The Attorney General shall record all additions, changes, or corrections to the Code within two days of their transpiration.

Section 3. Organization of the Code. The Code of Laws shall be organized and maintained in compliance with the following provisions.

A. The Code shall be divided by titles, as follows:

- a. TITLE I Executive Branch
- b. TITLE II Legislative Branch
- c. TITLE III Judicial Branch
- d. TITLE IV Campus Elections
- e. TITLE V BUC Fund
- f. TITLE VI Summer Government
- g. TITLE VII Resolutions
- h. TITLE VIII General Laws

B. The Attorney General shall create and organize such titles as may be necessary.

C. The public laws shall appear in the appropriate title according to the date of enactment, the oldest coming first.

D. The sections of the public laws shall be paragraphs of the Code. Each paragraph shall be designated with its reference number. Upon invalidation by the Senate or judicial review, the paragraph and its number shall not appear again.

E. The paragraphs of the assembled public laws shall be numbered consecutively from 100 in each title of the Code.

- F. No public law shall be divided among two or more titles, but each public law shall be retained in the most appropriate title.
- G. Each public law shall be preceded by a short subject title which shall state the purpose of its contents. Each public law shall be closed with the date of original passage, as well as the date(s) of any revision.

Section 4. Correction Procedure. In the case of repeal of a part of any paragraph, the wording shall be omitted from the edition or revision, and in its place shall appear the amendment. But in the case of a part of any paragraph being invalidated by judicial review, the portion invalidated shall not be omitted, but shall be underscored and cross-referenced to the decision regarding the invalidation.

Article VI. General Elections

Section 1. Deciding Election Dates. During the first meeting of the academic year, each new Senate shall decide the *dates* for the upcoming Student General *Elections*. The actual days of the week for the *elections* shall be decided upon, *and they* will fall during the second full week of *November and April*. This task may be accomplished by a motion from the floor of the Senate and acceptance by two-thirds of members present.

- A. The November election shall be known as the Executive Election, and the positions of President, Vice President, and Secretary shall be voted upon during this election.
- B. The April Election shall be known as the Senate Election, and the seats of the Senate shall be voted upon during this election.
- C. Once decided upon, the Senate Election date can only be changed during the fall semester by a two-thirds vote of the Senate present and voting, provided there is just cause for such a change.

Section 2. All Sections of the Constitution referring to the “General Election” will be amended to read “General Elections.” All article and verbs associated with the singular form of General Election will also be amended for grammatical correctness with the change of the proper noun.

Section 3. This amendment will go into effect immediately after the Spring 2014 election, protecting the current election from any sudden changes.

Section 4. Qualifications for Candidates. No person shall be allowed to have his/her name appear on the general election ballot for any office to which he/she does not meet the following qualifications:

- A. All qualifications that may be listed in the Student Government Association Constitution or Code of Laws; and
- B. 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. If a student has declared two majors in two different schools or colleges, the student may determine which college or school they wish to seek office as a representative of.

Section 5. Supervisor of the General Elections. The Student Government Secretary of Interior shall supervise the general elections proceedings.

Section 6. Election Law. The Student Senate shall be empowered, by means of law, to establish and prescribe regulations and standard procedures for the conduct of the General Elections.

Section 7. Emergency Elections Law. This section is to address an emergency situation which might result if the President and Vice President did not return in the fall. In that event, the following sequence is to occur:

- A. Secretary/Treasurer becomes acting President in interim.
- B. President Pro-Tempore becomes acting Vice President in interim.
- C. A special election will be called to be held two weeks after the first regularly convened SGA meeting.
- D. This election is only valid if both the President and Vice President do not return, or if they both have become disqualified for office
- E. The Secretary of Interior will be responsible for conducting the special election of the President and Vice President by the student body.

- F. Being a special election, normal election rules may be set aside to expedite this election by a majority vote of the Senate.
- G. The Secretary of Interior (or designate) will present special rules for the special election at the first regularly scheduled SGA meeting. These special rules must be approved by a two-thirds vote of the Senate.
- H. Normal qualifications must be met by all candidates.

Section 8. Assuming Office. All newly elected members of the Student Government Association shall assume office prior to the end of semester for which they were elected allowing the new Student Senate to meet at least once before the end of the semester. The inauguration of the newly elected members shall take place at the conclusion of business at the last regularly scheduled meeting of the outgoing Senate.

Article VII. Initiative and Referendum

Section 1. Initiative. The students reserve to themselves the power by a petition signed by ten percent of the students, registered at the time of presentation of the petition, to the Student Government President, to propose laws and amendments to this Constitution, as prescribed by law, and directly to enact such laws and amendments at the polls. This reserved power shall be known as the initiative.

Section 2. Referendum. The students also reserve to themselves the power, by a petition signed by ten percent of the students registered at the time of presentation of the petition, to the Student Government President as prescribed by law, to 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.

Article VIII. Amendments

Section 1. Tentative Ratification. Amendments to this Constitution may be proposed in writing at any meeting of the Student Senate. Proposed amendments shall require the concurrence of two-thirds of the membership of the Student Senate present and voting for tentative ratification. Upon tentative ratification, the amendment shall become binding until the next general election.

Section 2. Immediate Repeal. An amendment with tentative ratification may be immediately repealed by a positive vote for nullification by two-thirds of the Student Senate present and voting before the general election is held.

Section 3. Final Ratification. 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 IX. Ratification and Enactment of the Constitution

Section 1. Ratification Requirements. This Constitution shall require approval by two-thirds of the total membership of the Student Senate, as well as the approval of a majority of the student body voting in a special election on this Constitution, for final and full ratification.

Section 2. Repeal of Previous Contracts. All previous constitutions and bodies of law enacted or decreed by the Student Government Association which are in conflict with this Constitution shall be null and void upon the ratification of this document. Any laws which refer to the cabinet position responsibilities shall be changed automatically to agree with this Constitution.

Section 3. Enactment of the Provisions. Upon final ratification of this Constitution by the Student Senate and the student body, all articles of this Constitution shall be binding upon the Student Government Association of East Tennessee State University and all organizations established by that government, except those officers of the Student Government Association serving in office at the time of ratification to this Constitution, who shall serve their full terms of office to which they are elected or appointed.

Student Government Association

Code of Laws

TITLE I

EXECUTIVE BRANCH

Maintenance of a Legislation Notification Box

Section 100 The SGA will construct or purchase as well as maintain a Student Body notification box in an area to be determined by the SGA President. This notification box will be used by SGA to post all proposed legislation as a method of communicating proposed legislation to the Student Body at East Tennessee State University. The Executive Assistant, or other SGA member the President may designate from time to time, will be responsible for posting all proposed legislation for student notification. If at any time the notification box does not contain proposed legislation, the President will designate some or all of the SGA Constitution or Code of Laws, at the Presidents option, to post for student awareness. At no time will this notification box be empty. Keys to the box will be held by the Executive Assistant or other person designated by the President, the Vice President, and the Attorney General.

Better Record Keeping Act

Section 101 In addition to the Constitutional requirements of the Attorney General to maintain an updated copy of the Code of Laws, the Attorney General shall also maintain an updated copy of the SGA Constitution.

Section 102 This updated copy 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.

Section 103 Personal copies of the updated Constitution, as well as the Code of Laws, shall be made available by the Attorney General to any member of SGA upon request.

Section 104 The Attorney General shall also keep a copy of the original Constitution with all the separate amendments.

Section 105 The Attorney General shall maintain a collection of all passed legislation, the numerical vote of the Senate, along with the action taken by the SGA President, which shall be recorded with each resolution.

Student Government Image Act

Section 106 The Secretary of Public Relations shall employ the marquee to keep students informed of Student Government activities. He/she shall use it to post certain dates relevant to Student Government activities (i.e., elections, homecoming, etc.).

Section 107 The use of the marquee by other student organizations must meet with the executive branch's approval.

Section 108 The Secretary of State shall work with the university officials to plan a program for Veteran's Day. This program should be considered during the creation of the budget request for the Student Government Association, so that such may be funded through the general budget. The program should be done with dignity and respect for the veterans whom we honor.

Section 109. Presidential appointments shall be announced the week prior to the meeting in which the vote is to take place, allowing senators time to gather information and feel prepared to make an informed decision. Should there be supposed negligence of duties or concerns about a presidential appointment that was appointed during summer government by any member of the Senate, said concerns must be explicitly expressed both verbally and in writing and presented to the individual in a setting, which is not public, no less than one (1) week prior to the meeting in which confirmation is planned to take place.

TITLE II

LEGISLATIVE BRANCH AND STANDING RULES OF THE SENATE

Meeting Times, Dates, and Structure Established

Section 100 The Student Government Association Senate shall meet once per week on Tuesdays at 4:00 P.M., unless otherwise directed by the Vice President.

Section 101 The Vice President shall provide an official announcement of Senate meeting dates and places for the year at the first official meeting of the SGA Senate.

Section 102 The Student Government Association Senate shall hold its first meeting of each semester no later than the second week of that semester.

Section 103 The Student Government Association meeting structure shall follow the following prescribed order: Roll Call, Reading of Minutes, Guest Speakers, Old Business, New Business, Executive Branch Remarks, SGA Advisor Remarks, Cabinet Remarks, Senate Remarks.

Section 104 An agenda for a Student Government Association Senate meeting shall be distributed to members at least twenty-four hours before such a meeting by the Vice President via email. The Vice President shall be able to amend the agenda up until the time for the Senate meeting if such circumstances arise. Meetings Shall Be Open to the Public

Section 105 All meetings of the Student Government Association Senate, as well as all meetings of its committees, shall be open to the public unless otherwise directed by a two-thirds majority vote of the Senate to move into a closed session.

Section 106 All materials distributed during Student Government Association Senate meetings, as well as the meetings of its committees, shall become public record and as such are freely open to inspection by any member of the public. This shall include all funding applications submitted to the SGA's Better University Community Fund.

Open Student Forum and Guidelines Established

Section 107 The first fifteen (15) minutes of all Student Government Association Senate meetings shall be allocated to individual East Tennessee State University students not affiliated with the Student Government Association who wish to voice their concerns to the entire Senate.

Section 108 Students interested in participating in this "open forum" must contact the Student Government Association Vice President at least twenty four (24) hours before the Student Government Association Senate meeting stating their wish and intent to address the Senate.

Section 109 The fifteen (15) minutes allocated for individual students shall be divided up equally amongst all students scheduled to speak.

Section 110 In the interests of making sure that students scheduled to speak have ample time to do so, the maximum number of students scheduled to any one (1) senate meeting shall be five (5).

Section 111 If no students are scheduled to speak at the Senate meeting, or if the entire fifteen (15) minutes are not used by the student forum, then the remainder of the time shall be waived and the normal Senate agenda shall resume.

Section 112 It shall be forbidden for student(s) or student organization(s) to use this time to discuss or appeal an individual BUC Fund application to the Senate.

Standing Committees Established and Purposes Defined

Section 113 In order to assist with the translation of its business, the Senate shall have the power to appoint standing and ad hoc committees of its members.

Section 114 The following Senate Standing Committees shall hereby be established: BUC Fund Committee; Food Services Committee; Parking, Traffic, and Security Committee; Public Relations Committee; Senate Committee on Rules and Conduct; Student Affairs Committee; Academic Affairs Committee; Senate Committee on Internal Affairs.

Section 115 The BUC Fund Committee shall have sole jurisdiction to make recommendations to the Student Government Association Senate on questions of appropriations from the Better University Community Fund, and shall be responsible for establishing its own internal operating procedures, as well as other responsibilities outlined in Title V of this Code of Laws.

Section 116 The Food Services Committee shall have sole jurisdiction in reviewing all pieces of legislation that pertain to University Food Services, and for making recommendations to the Senate on such pieces of legislation. The Food Services Committee shall also review the University's Food Services and make appropriate recommendations in the form of resolutions to the Senate.

Section 117 The Parking, Traffic, and Security Committee shall have sole jurisdiction in reviewing all pieces of legislation that pertain to Parking, Traffic, and Security, and for making recommendations to the Senate on such pieces of legislation. The Parking, Traffic, and Security Committee shall also review the University's Parking, Traffic, and Security services on campus and make appropriate recommendations in the form of resolutions to the Senate concerning such matters. The Chair of the Parking, Traffic, and Security Committee shall serve on the Parking, Traffic, and Security University Standing Committee.

Section 118 The Public Relations Committee shall have sole jurisdiction for reviewing pieces of legislation upon which the Vice President assigns to the committee, and for making recommendations to the Senate on such pieces of legislation. The Public Relations Committee shall be advised by the Secretary of Public Relations, and its principle purpose shall be to assist the Secretary of Public Relations in the discharge of his or her duties.

Section 119 The Senate Committee on Rules and Conduct shall have the authority to hear appeals from Senate members who have had sanctions placed on them by the SGA Vice President. The Committee shall also have an initial hearing for all impeachment proceedings, and the chair or vice chair shall

deliver their findings to the Senate as specified in the Constitution.

Section 120 The Student Affairs Committee shall have sole jurisdiction in reviewing all pieces of legislation that pertain to Student Life and the Division of Student Affairs and its departments, and for making recommendations to the Senate about such pieces of legislation. The Student Affairs Committee shall also be charged with reviewing current University policies and procedures that fall under the category of “Student Affairs” or “Student Services” and for making appropriate recommendations to the Senate in the form of resolutions on such matters.

Section 121 The Academic Affairs Committee shall have sole jurisdiction in reviewing all pieces of legislation that pertain to Academic Affairs or other academic matters, and for making recommendations to the Senate about such pieces of legislation. The Academic Affairs Committee shall also be charged with reviewing current University policies and procedures as they relate to Academic Affairs, and for making appropriate recommendations to the Senate in the form of resolutions on such matters.

Section 122 The Senate Committee on Internal Affairs shall have the sole jurisdiction to hear those pieces of legislation that deal with amending the Student Government Association Constitution or with proposed additions to the Student Government Association Code of Laws, and for making appropriate recommendations to the Senate on such matters. The Senate Committee on Internal Affairs shall also be responsible for reviewing the Student Government Association Constitution and Code of Laws, including the Senate Rules, and recommending amendments or changes to such documents.

General Committee Provisions Specified

Section 123 The Vice President shall have sole authority to appoint members of the Senate to their respective committees. Each Senator shall be required to serve on two Senate Standing Committees.

Section 124 All committees shall have at least four members, and no more than ten members, unless otherwise prescribed in this Constitution or Code of Laws.

Section 125 Each committee shall have a Chair and a Vice Chair, both of whom shall be appointed by the Vice President, with those appointments being subject to confirmation by a majority vote of the Senate.

Section 126 All chairpersons are responsible for coordinating and conducting all meetings of their respective committees, as well as taking attendance and reporting such to the Senate Parliamentarian.

Section 127 Each Senate Standing Committee shall be required to meet at least once per month, and more often if directed by the Vice President, and the minutes of that meeting shall be reported to the Student Government Association Senate in a timely manner.

Section 128 For the purposes of attendance, each committee meeting or office hour missed shall be considered the same as a regular Senate meeting missed.

Section 129 In the event that the Chair of the committee is absent, the Vice Chair shall assume the Chair's responsibilities.

Section 130 The Chair shall not vote in the committee excepting those votes in which there is a tie.

Section 131 A quorum of each committee shall be defined as a simple majority of the members of the committee present.

Section 132 All meetings of all committees shall adhere to the Standing Rules of the Senate outlined in this Title.

Senate Committee on Rules and Conduct: Operations Specified

Section 133 The Senate Committee on Rules and Conduct shall be composed of the Senate Parliamentarian, who shall serve as Chair; the President Pro Tempore of the Senate, who shall serve as Vice Chair, and three other members of the Senate appointed by the Vice President, for a total of five members.

Section 134 All members of the Senate Committee on Rules and Conduct shall be required to sign a standard ETSU sanctioned confidentiality statement since the members of the Committee may be required to see and review information protected under the Educational Rights and Privacy Act (Public Law 93-380).

Section 135 The Chief Justice shall administer the Oath of Office to all members of the Senate Committee on Rules and Conduct to ensure that all personal biases and predispositions have been eliminated and an objective and reasonable viewpoint is held by each member.

Section 136 The SGA Vice President shall have the sole right to refer any member of the Student Government Association to a mutually arranged meeting to point out, correct, or warn of any

delinquent behavior. Failure of a member to appear at this mutually arranged meeting may lead to sanctions.

Section 137 Other meetings may be arranged by the Senate Committee on Rules and Conduct if such behavior persists.

Section 138 Any member of the Senate Committee on Rules and Conduct who is him or herself the question of an investigation shall temporarily step down from the Committee until such matters are cleared, and the Vice President shall appoint a Senator to temporarily serve as a replacement on the Committee during this time.

Section 139 All rulings of the Senate Committee on Rules and Conduct may be appealed to the entire Senate via a full impeachment trial, with such proceedings being governed by the Student Government Association Constitution.

Section 140 Such appeals of the Committee's decision must be filed with the Vice President within two weeks of the Committee's decision being announced.

Legislative Definitions Explained

Section 141 A resolution shall be non-binding and shall be defined as a piece of legislation that expresses a formal statement of opinion from the Student Government Association Senate on some matter.

Section 142 An act shall be binding and shall be defined as a piece of legislation that adds to, amends, or in some other way changes the Student Government Association Code of Laws.

Section 143 A bill shall be binding and shall be defined as a piece of legislation that amends, adds to, or in some other way changes the Student Government Association Constitution; or calls for a measure to be put on the General Election Ballot.

Section 144 A first reading shall be defined as when a piece of legislation is introduced to the Senate and is read for the first time. No action may be taken on a piece of legislation during the meeting in which it has had its first reading unless otherwise dictated in this Title.

Section 145 A second reading shall be defined as when the Student Government Association Senate hears the Senate Standing Committee's report on the legislation and the primary sponsor's response.

Legislative Format Established

Section 146 All bills, acts, and resolutions shall conform to the style that is seen in Attachment A of this Title and shall be typed and in a neat and orderly fashion. The Vice President retains the right to be the sole judge of this requirement.

Legislative Process Established

Section 147 Any member of the Student Government Association Senate, or the Student Government Association President or the members of his or her Cabinet, may propose a bill, act, or resolution about any matter or topic that he or she wishes, provided that such a piece of legislation is filed with the Vice President at least twenty-four hours in advance of the Senate meeting at which such a piece of legislation is scheduled to be introduced.

Section 148 The Vice President shall place all proposed legislation on the agenda of the appropriate Senate meeting in the order for which they are received. Legislation can be postponed with the consent of the sponsor or by a majority vote of the Senate. Legislation being read for the first time falls under new business and all subsequent readings of said legislation shall fall under old business.

Section 149 Upon introduction of the legislation, it shall receive a first reading to the Senate by the SGA Secretary/Treasurer. No piece of legislation shall be debatable during the same meeting as its first reading, unless otherwise stated in this Title. After the first reading, the Vice President shall assign each piece of legislation to an appropriate Senate standing committee, as specified in this Title.

Section 150 Each standing committee shall have one week from the day that the Vice President assigns the legislation to the committee to come to the Senate with a recommendation on the legislation. The committee shall then report its recommendations (passage, failure, table, etc.) to the Senate at the next regularly scheduled Senate meeting, which shall constitute a second reading.

Section 151 After the Senate has heard the report on the legislation from the Committee, the bill, act, or resolution is ready to be fully considered by the Senate, and a motion to adopt the legislation would be in order.

Section 152 All pieces of legislation must receive both a first and second reading before any action can be taken by the full Senate, unless otherwise specified.

Section 153 All pieces of proposed legislation that have been formally introduced must be made readily available to all members of the Student Government Association by the Vice President.

Section 154 All Acts passed by the Student Government Association Senate shall become law and be added to the SGA Code of Laws. All Bills passed by the Senate shall also become law.

Section 155 The Student Government Association President shall be responsible for delivering all resolutions passed by the Senate to the appropriate University or community personnel, and shall be responsible for urging the implementation of the resolution to any and all responsible parties. The SGA President shall also be required to update the Senate about the status of all resolutions once they have been passed by the SGA Senate.

Emergency Legislation Permitted

Section 156 Emergency legislation shall be defined as legislation that cannot meet the required timeline due to the nature of the legislation being a pressing need, having an urgent nature, or being a predicament that required timely action. The Senate may designate legislation, by a two-thirds majority vote, as emergency legislation, which allows the Senate to forgo the second reading and to debate and vote on the legislation after the first reading.

Legislative Convention Permitted

Section 157 The Senate has the power to call for a Legislative Convention, which shall be defined as a meeting specifically called to deal with matters concerning pending legislation, where the Senate may expedite the legislative process or alleviate any major backlog of pending legislation. A two-thirds majority vote is required for a Legislative Convention, and the Senate shall

prescribe all rules for a Legislative Convention, when one is called for.

Direct Legislative Action: Guidelines

Section 158 The students shall reserve the power, through petition, to exercise direct legislative action, as specified by Article VII of the Student Government Constitution. Each of these direct legislative petitions shall conform to the same format as legislation presented in the Student Government Association Senate, excluding the identification number in the upper right corner and the sponsor(s) of the legislation. Below the text shall appear the signatures and student identification numbers of students supporting the petition. Any direct legislative petition submitted to the Student Government Association that does not follow such specifications shall be considered invalid.

Section 159 All signatures on the direct legislative petition must be those of persons who are registered students at East Tennessee State University at the time the petition is submitted to the Student Government Association.

Section 160 Any direct legislative petition containing forged signatures, or signatures of persons not registered at East Tennessee State University at the time of petition submission, shall be declared void.

Standing Rules of the Senate

Section 161 The dress code requirement of the Student Senate shall be no less than business casual, unless otherwise specified by the Vice President or Presiding Officer.

- Section 162 The displaying of one's involvement in a student organization, or other organizations that shows or gives the appearance of bias or impartiality, other than Student Government Association shall be prohibited during meetings of the Student Government Association Senate or any other committee within.
- Section 163 Only members of the Student Government Association Senate shall be allowed to speak on the floor, unless such a privilege is yielded to another individual outside of the Senate by a member of the Senate, in which case time yielded shall follow the same rules applied to members by the Student Government Association Constitution.
- Section 164 All meetings of the Student Government Association Senate, as well as its committees, shall be carried out in accordance with Robert's Rules of Order, unless otherwise directed in this Constitution or Code of Laws.
- Section 165 In the case of a disagreement between Robert's Rules of Order and this Title, or Robert's Rules of Order and this Constitution, or Robert's Rules of Order and this Code of Laws, the Title, Constitution, and/or Code of Laws shall be considered superior.
- Section 166 The Motion to Adjourn shall be the highest ranking motion to be considered on the Senate floor. When the Motion is made, it must immediately be considered and supersedes all other matters of business. For the Motion to Adjourn to be agreed to, a two-thirds majority of the members present and voting in the affirmative is required.
- Section 167 Consideration of all legislation shall begin with a Main Motion-the motion to adopt the bill, act, or resolution. Such a motion must be properly seconded. Failure to receive a second on an

adopting motion prevents the Senate from proceeding with debate or consideration.

Section 168 Once the main motion is made, the following motions shall be in order, with the order of the motions being ranked from lowest to highest: Postpone Indefinitely, Amend, Amend an Amendment, Refer to Committee, Postpone to a Certain Time, Previous Question, Lay on the Table, Recess, and Adjourn. The main motion shall be the lowest ranking motion recognized on the Senate floor.

Section 169 At all times when two motions are on the floor, the highest-ranking motion shall take precedence.

Section 170 A motion to Lay on the Table shall require a simple majority vote, but a motion to Lift an Item from the Table shall require a two-thirds majority vote.

Section 171 Unless specifically stated in this Title or in the Student Government Association Constitution otherwise, all questions shall be decided by a simple majority vote of the members present.

Section 172 At any time during debate, the Previous Question may be moved. If there is objection to the previous question, a vote of the Senate shall be taken on whether or not to move to Previous Question. A two-thirds majority vote is required for the move to Previous Question to be agreed to.

Section 173 The Motion for Previous Question shall automatically end debate, and, if agreed to, shall force a final vote on the main

motion. If the Motion for Previous Question is not agreed to, debate shall resume for the remainder of the time prescribed for such debate.

Section 174 A motion to Suspend the Rules shall be in order at any time and shall require a two-thirds majority to be agreed to.

Section 175 All motions, excluding Points of Order and Points of Information, shall require a second. Failure to receive a second results in an automatic failure of the motion.

Section 176 Points of Order, Points of Information, and motions to appeal the ruling of the Chair shall always be in order and shall outrank all other motions, excepting for the Motion to Adjourn. A motion to appeal the ruling of the Chair shall be decided by a simple majority vote.

Section 177 In order to speak or present a motion, a member must first be recognized by the Chair, unless presenting a Point of Order or a Point of Information, in which case recognition by the Chair is not needed.

Section 178 At the expiration of the time for debate, if no motion has been made on the Main Motion, then the Previous Question is automatically ordered and the final vote on the main motion shall then be taken.

Section 179 A Motion to Reconsider shall be in order after the final vote on the main motion has been taken, and shall continue to be in order for a period of two weeks after the final vote. Only those

members who voted on the prevailing side of the final vote shall be eligible to introduce a motion to reconsider.

Section 180 Unless there is objection immediately following a final vote, the Motion to Reconsider shall automatically be laid upon the table.

Section 181 The Standing Rules of the Senate contained in this Title shall be extended to all Committees of the Student Government Association.

Methods for Voting Established

Section 182 Any vote of the Student Government Association Senate shall be taken in one of three ways: voice vote, roll call vote, or hand-raise vote.

Section 183 It shall be the Chair's responsibility to decide upon the method of voting, excepting those cases in which the Senate is voting on the appropriation of money, in which case a roll call vote is automatically ordered.

Section 184 If a voice vote is decided upon and taken, it shall be the responsibility of the Chair to determine whether the yeas or the nays prevailed. Immediately following a voice vote, one-third of the members present and voting may stand and request a roll call re-vote of the Senate be taken, with the result of the roll call vote superseding the voice vote.

Section 185 No votes shall be taken in secret, nor shall any member have the privilege of requesting that his or her vote be made confidential.

Section 186 During a vote, members shall reserve amongst themselves the right to abstain from a vote; however, a reason for such an abstention must be given to the Chair and the Senate.

Junior Senator Program Established

Section 187 The Student Government Association shall hereby have a Junior Senator Program, with its processes and eligibility defined here:

- A. Students in their first semester at East Tennessee University or students that have surpassed their first semester and have applied for an un-vacant Senate seat will be eligible for the Junior Senator Program.
- B. The Secretary of Interior shall oversee the Junior Senator Program.
- C. Junior Senators will not be required to attend Senate meetings, but attendance will be highly beneficial. At Senate meetings, Junior Senators will learn parliamentary procedure, the BUC FUND process, and other essential elements of the governing process via student government.
- D. Junior Senators will not be allowed to vote in Senate meetings or in standing Senate committee meetings.
- E. Junior Senators shall reserve the right among themselves to introduce their own legislation and vote upon such legislation in the same manner that is outlined in this Constitution. All legislation passed by the Junior Senate, including bills, acts, and resolutions, shall be non-binding, shall have no power of law, but shall be sent to the Student Government Association Senate for consideration and possible passage into law.
- F. Prior Junior Senator status will not be required to gain a Senate seat.
- G. Junior Senator guidelines shall be established for approval by the Senate.

Senate Resignation

Section 188 The resignation of a senator must be accompanied by a written, typed, or printed letter of resignation. This letter shall be signed by the senator and shall document the effective date of the senator's resignation and the senator's reasoning for the resignation. Copies of this letter shall be given to the SGA

President, SGA Vice President, and SGA Faculty/Staff Advisor. This letter shall be read during an SGA Senate meeting for which quorum is met, shall be made available to all members of the SGA Senate, and shall be made publicly available for inspection by all members of the East Tennessee State University student body. No resignation shall be considered valid until such letter is presented by the senator and read during an SGA Senate meeting for which quorum is met.

Senate Vacancies Filled

Section 189 All Senate seats that become vacant after a Spring General Election or during the course of the academic year shall be filled by presidential appointment. All presidential appointments shall be confirmed by a two-thirds majority vote of the Student Government Association Senate.

Senate Mentor Program Established

Section 190 The President Pro Tempore shall randomly assign each first-time senator to a returning senator so that the new senator may get procedural information, help on legislation, and thereby feel more comfortable in the Senate.

Attachment A



Student Senate
of the
East Tennessee State University



SGA-10-000

Mr. JOHN DOE, Mrs. JANE DOE, and Mr. PETER CAMPBELL, present the following legislation to the East Tennessee State University Student Government Association on behalf of... **FILL IN HERE WHO THIS LEGISLATION IS BEING INTRODUCED FOR**

PLEASE INSERT THE TITLE OF YOUR BILL HERE. IT SHOULD START WITH "A RESOLUTION TO..." OR "A BILL TO..." OR "AN ACT TO..." , DEPENDING ON THE NATURE OF YOUR BILL.

WHEREAS, this is where the preamble for your bill or resolution, where you explain the need for the bill/resolution, or give the explanation for how it came about and show why we should pass it, and;

WHEREAS, you can have as many or as few of these statements as you want.

NOW THEREFORE BE IT RESOLVED (OR ENACTED IF YOU ARE DOING A BILL OR ACT) BY THE [CURRENT YEAR] STUDENT GOVERNMENT ASSOCIATION SENATE OF THE EAST TENNESSEE STATE UNIVERSITY THAT:

Section 1. Define any terms that you feel need to be explained for your legislation. This is to clarify the legal validity and qualifications of certain ambiguous terms(s) that may be unfamiliar to the senate.

A. Quorum – A two-thirds majority of senators.

Section 2. The rest of your sections is the substance of your bill or resolution.

This will establish what is going to be passed into law. You can have as many of these as you need.

A. You can also have subsections

Section 3. You may add a Repealing Clause "All legislation or parts of legislation in conflict with this are hereby repealed." This should be one your last section of the legislation.

Section 4. You may also add an effective date.

TITLE III

JUDICIAL BRANCH

Section 100 The Chief Justice shall interview each applicant for the position of Associate Justice and shall disclose his/her findings to the Student Government Association Senate prior to or during the confirmation hearing and before voting on said confirmation occurs.

TITLE IV

CAMPUS ELECTIONS

Section 100 There shall be a permanent board in the Executive Branch of the Government Association known as the Election Commission, which shall be composed of:

- A. Secretary of Interior-Chair
- B. Advisor from Student Affairs (Non-voting)
- C. IFC Member
- D. NPC Member
- E. RHA Member
- F. ACTS Student
- G. NPHC Member
- H. Student at large

Section 101 The presence of four (4) members shall constitute a quorum.

Section 102 Election Commission shall have the following duties:

- A. To arrange for necessary polling places and ballots, and other items necessary for the proper, efficient, and legal execution of elections.
- B. To rule on the qualifications of any and all candidates by at least four (4) members.
- C. To determine the method of balloting and make rules and regulations regarding said method of balloting.
- D. To approve the design of the official ballots.
- E. To make rules and regulations concerning elections on constitutional amendments.
- F. To enforce the election law and such rules as are made implement the law.
- G. To conduct adequate publicity regarding filing deadlines and election dates through the East Tennessean and Student Government

Association flyers. The Secretary of Public Relations shall be in charge of publicity for all elections.

Section 103 Any person who serves on the Election Commission will not be eligible for candidacy in any election over which the Election Commission presides for one full year after elected to the Election Commission and shall not take part in any campaign during their tenure.

Section 104 The Election Commission shall meet at times prescribed by the Secretary of Interior, not less than once a month starting with the spring semester, in order to discuss the Student Government Association general elections and any problems arising from their administration.

Candidacy Eligibility for Senate and Executive Branch

Section 105 To be eligible for candidacy in the election, he/she must meet the following requirements at the petition filing deadlines:

- A. Currently enrolled in at least twelve (12) credit hours.
- B. Has at least a 2.5 cumulative grade point average for the Senate and a 3.0 cumulative grade point average for the Executive Branch.
- C. Is not subject to any administrative disciplinary sanctions, the terms of which would preclude participation in university activities.
- D. Candidates must be a member of the constituency they wish to represent.
- E. No candidate may declare candidacy for more than one position.
- F. All off- campus candidates must be registered for at least three (3) hours at their respectful campus branches.

Section 106 A prospective candidate must deliver to the Secretary of Interior a written declaration of intent before the prospective candidate is eligible to run for office.

Section 107 The Declaration of Intent to enter the ballot must contain the following information:

Name

ID Number

Campus Box

Phone

*Hours earned

*Dates of attendance at ETSU

*Cumulative GPA

By declaring my candidacy for the elective office_____, I agree to abide by the elections and campaign rules as described by the Student Government Association Constitution and Code of Laws. I am aware of the specific duties of this position and further understand that it represents a responsibility that I am prepared to fulfill to the best of my ability.

Candidate's signature

Election Commission

Vice President for Student Affairs signature

Election Commission Chairperson signature

Orientation Meeting

Section 108 The election Commission shall hold an orientation meeting which all candidates and campaign managers must attend.

Section 109 Candidates are responsible for any and all information disseminated at the candidates' orientation meeting. Any candidate not in attendance will be subject to disqualification.

Section 110 The candidate must sign a roster at this meeting to verify continued interest in running for office.

Section 111 The order of the names on the ballot for all candidates who filed a petition and were found eligible shall be determined by a drawing at this meeting.

Campaign Procedures

Section 112 No campaigning will be allowed before the day designated by the Election Commission. This prohibition includes the posting of candidate posters and speaking before campus organizations and student groups. Candidates are permitted to organize their campaign prior to specified date.

Section 113 All campaigning shall be responsible for following all applicable University regulations while campaigning.

Section 114 No candidate shall make use of the University mail for campaign purposes. All campaign mail must have a United States postmark, and the postmark must be on or later than the opening day of official campaigning.

Section 115 A candidate must submit two copies of all campaign material to the Election Commission. The Election Commission shall hold one copy on file and the other copy will be returned upon approval or disapproval. Campaign material must be approved by the Election Commission before use in the campaign.

Section 116 No candidate shall be allowed more than one piece of campaign material per bulletin board.

Section 117 Any candidate for any election takes as a condition that he/she will hold the Election Commission, the Student Government Association, and East Tennessee State University harmless for the use and/or infringement of any copyright material (e.g. slogans, logos, etc.)

Section 118 No candidate shall remove, obscure, or damage any sign which is already in place.

Section 119 On the day of voting, no campaigning shall be permitted within 50 feet of any getting place as marked by the Election Commission.

Election Procedure

Section 120 There shall be no voting by proxy.

Section 121 There shall be no absentee voting.

Section 122 The votes shall not be viewed until the election is over except in the presence of the Associate Vice President of Student Affairs.

Section 123 Each voter shall be sent a link to an electronic ballot to his/her campus e-mail address. He/she shall obtain a ballot via campus Internet by submitting his/her designated username and password. In the case of a system malfunction, the Election Commission will take measures to rectify the situation.

Section 124 The Secretary of Interior shall provide polling officials where he/she deems necessary, said officials being equally bipartisan and/or nonpartisan: such officials are to be present at all times.

Section 125 Election results are posted by the Election Commission by 10 a.m. of the day after the election in convenient places around campus.

Section 126 There shall be access to a copy of the SGA Constitution and Code of Laws on the polling website if the student body is voting to change it in any way.

Section 127 The candidates for President shall appear on the general election ballot, followed by those for Vice-President, Secretary-Treasurer, and the student Senate in that order.

Counting Procedure

Section 128 Only members of the Election Commission and advisor of the SGA may be present.

Section 129 Voted shall be counted and recounted until the election commission is satisfied that the results are accurate and declares the final count.

Section 130 Write-in votes shall be counted where the identity of the write-in candidate can reasonably be determined from the ballot and the write-in candidate meets all requirements for eligibility for candidacy. For a write-in vote to be counted, the ballot must specify the office to which the vote is to apply.

Section 131 Results shall be kept for 60 days after counting is complete in order to accommodate any request for a recount.

Section 132: A candidate may request one re-count if the margin of difference is 1% or less for that particular office, within twenty-four (24) hours after results are posted.

Appeals, Contests, Protested Elections

Section 131 Alleged election code violations shall be heard by the Election Commission.

Section 132 All appeals and protests must be submitted to the Election Commission within 48 hours after results are posted, and in writing.

Section 133 The Election Commission shall render a decision within 24 hours of the written protest.

Section 134 This does not preclude a student alleging a violation of the Student Government Association election code from bringing a charge before the Student Court.

Section 135 In instances where there is an alleged violation of the University Rules and Regulations, the case may be referred to the appropriate University entity.

Election Timetable

Section 136 The General Election shall be held on two consecutive weekdays. A runoff election shall be held during the following week, only if necessary.

Section 137 No election rules and/or qualifications may be altered, stricken, or otherwise amended after advertisements for elections have been posted for public inspection. All additions, corrections, alterations, deletions, or other amendments to election procedures and rules shall be passed and signed before the posting or other publishing of such advertisements of elections.

Section 138 The Election Commission shall publish the dates for filing along with a list of the contestable positions in the student newspaper of the university at least five (5) days prior to the opening of the filing period.

Section 139 The Secretary of Interior shall publish the complete ballot and a list of polling stations in the student newspaper of the university at least 14 days prior to the election.

Section 140 All constitutional amendments shall be published in the student newspaper 14 days prior to the election by the Secretary of Interior.

TITLE V

Better University Community (B.U.C.) Fund

Creation of the Better University Community (B.U.C.) Fund

Section 100 This proposal is submitted pursuant to authority granted East Tennessee State University and the Student Government Association by Chapter 606 Fund Senate Bill # 1824, House Bill #1800, of Tennessee Public Acts of 1978. Upon approval of the Administration of East Tennessee State University and the legislative body of the Student Government Association, a referendum question of one dollar was passed on the spring 1981 General election Ballot.

Section 101 A fee of twenty (20) dollars is currently collected in addition to the regular maintenance from any student enrolling in any credit course in either the fall or spring semester.

Section 102 The B.U.C. Fund shall consist of two accounts: a general fund and a superfund. The general fund shall be a means, which student organizations may receive funding for student activities and the superfund shall provide for a major campus event each semester. Seventy-five percent (75%) of money generated by the student derived B.U.C. fund shall go into the superfund, with the remaining twenty-five percent (25%) being placed into the general operating fund.

Purpose and Scope

Section 103 To enrich and advance the quality of a complete college experience at East Tennessee State University, by providing

funds to any project or program deemed appropriate by the Better University Community (B.U.C.) Fund committee. The B.U.C. Fund shall provide funding for the following:

- A. A major campus event each fall and spring semesters, which shall be supported by the superfund.
- B. Organizations applying for events, projects, and opportunities, which shall be funded from the general fund.

Additional Items

Section 104 This fund shall in no way be considered a operating fund for the Student Government Association.

Section 105 In order to change any part of Title V, a bill must be enacted by the Student Senate and approved as set forth in the Student Government Association Constitution.

Superfund

Section 106 Only events sponsored solely by the Student Government Association shall be qualified for Superfund allocations.

Section 107 No more than \$22,000 shall be allocated for any one application or event unless deemed an extenuating circumstance by a two-thirds vote of the Student Government Association Senate.

General Fund

Section 108 The general fund shall be made available for organizations applying for on-campus and off-campus events. Approximately eighty-five percent (85%) of the general fund shall be allocated for on-campus events, with the remaining fifteen percent (15%) for off-campus events.

- A. As used in this section and elsewhere in Title V of the Code of Laws, an “on-campus event” shall be defined as any event that is held on property owned, leased, or otherwise controlled by East Tennessee State University. An “on-campus event” shall also include any event that is held ten (10) miles or less from the main East Tennessee State University campus, provided that the event is open to the general student body. The distance of the event from the main East Tennessee State University campus shall be measured in a straight line from the nearest property line where the event is being held to the center of the ETSU Foundation clock tower (the “Carillon”) within Alumni Plaza (coordinates: N 36° 18’ 13.6”, W 82° 22’ 3.5”). All events not expressly classified as an “on-campus event” shall be classified as an “off-campus event” for purposes of this section and elsewhere in Title V of the Code of Laws.
- B. Once fifteen percent (15%) of the available balance in the general fund has been allocated to off-campus events, any additional applications for off-campus events shall not be funded in an amount exceeding fifty percent (50%) of the amount requested or one thousand, five hundred dollars (\$1,500.00), whichever amount is lower. This provision may be waived by a two-thirds vote of the Student Senate.

Section 109 Those requesting Travel funds shall be required to submit a B.U.C. Fund application for an off-campus event by the deadline set forth by the Student Government Association.

Section 110 Those requesting funds for an on-campus event, as defined by Title V, Section 108, Subsection A of the Code of Laws, shall be required to submit a B.U.C. Fund application for an on-campus event by the deadline set forth by the Student Government Association.

Creation of the Better University Community Fund Committee

Section 111 A committee with the purpose and intent to review and make recommendations on all B.U.C. Fund Allocation funding applications shall be established as follows:

Section 112 The Student Government Association shall have a standing Committee with the official title “B.U.C. Fund Committee”.

Section 113 The B.U.C. Fund Committee shall have sole authority to review all B.U.C. Fund applications, interview applicants, and make final allocation recommendations to the Senate.

B.U.C. Fund Committee Composition

Section 114 The Student Government Association shall establish the Better University Community (B.U.C.) Fund. This fund shall have a committee, comprised as follows:

- A. It shall have at least six (6) Senators. These members shall be appointed by the Vice-President of the Student Government Association.
- B. Each member shall have a one-year term.
- C. A Senator shall be appointed by the Vice President, to serve as chairperson of the committee. The chairperson shall vote only to break a tie. The chairperson shall not be counted as one of the voting Senators required for the composition of the B.U.C. Fund Committee.
- D. All appointments must be approved by a two-thirds vote of the Student Government Senate.
- E. Two-thirds of the committee shall constitute a quorum.

B.U.C. Fund Process

Section 115 There shall be three (3) B.U.C. Fund allocation sessions each fall and spring semester.

A. There will be three fundamental dates to each session. These dates will be distributed in the B.U.C. Fund Application Packet and posted on the SGA Website. It will be the responsibility of the organization to adhere to these dates and deadlines.

- a. The date and time on which the B.U.C. Fund Applications will be due in the Student Government Association Office, in order to be considered for that funding session.
- b. The date, time, and location on which the B.U.C. Fund Allocations Committee will meet and interview applicants. All organizations must have representation at the committee meeting in order to be considered for funding.
- c. The date, time, and location on which the Senate meeting will take place at which time the B.U.C. Fund Committee recommendation will be presented to the Senate for approval. All organizations must have representation at the Student Government Association Senate meeting in order to be considered for funding.

Section 116 Organizations applying for B.U.C. Fund funding from the general fund shall be required to include with the application an itemized budget for the event.

A. This itemized budget shall separately state the amount of money, if applicable, to be spent on the following expense categories:

- a. Registration fees, lodging expenses, travel expenses, miscellaneous expenses not otherwise classified, and the total cost of the event for "off-campus" events.
- b. Event expenses (including, but not limited to, speaker fees, equipment costs, and prizes or giveaways), food expenses, advertising expenses, miscellaneous expenses not otherwise classified, and the total cost of the event for "on-campus" events.
- c. All other expense categories that the

- Secretary of Allocations shall deem necessary for a true, fair, and complete description of the costs for the event.
- B. As used in Subsection A, “on-campus” event and “off-campus” event shall utilize the definition contained in Title V, Section 108, Subsection A of the Code of Laws.
 - C. The Secretary of Allocations shall have the authority to determine the manner in which the requirements of Subsection A of this Section are to be satisfied and shall execute this authority by including with the published B.U.C. Fund application one of the following:
 - a. A standardized budget form, which shall comply with the provisions of Subsection A of this Section, or
 - b. A set of instructions that will enable organizations applying for B.U.C. Fund funding to create an itemized budget that complies with the provisions of Subsection A of this Section.
 - D. Organizations applying for B.U.C. Fund funding from the general fund shall complete an itemized budget in the manner prescribed by the Secretary of Allocations pursuant to Subsection C of this Section and shall include it with the application for B.U.C. Fund funding.
 - E. Applications for B.U.C. Fund funding from the general fund that do not include an itemized budget pursuant to Subsection D of this Section shall not be considered for funding.

Section 117 The Secretary of Allocations shall be responsible for creating a budget that the B.U.C. Fund Committee can use for review when allocating funds. The budget should list at bare minimum funds allocated thus far in each funding session and the nature of those events that received funds.

Section 118 The Secretary of Allocations shall create a calendar of dates for applications and committee hearings.

B.U.C. Fund Committee Operation

Section 119 The Secretary of Allocations shall be responsible for notifying applicants of the time, date, and location for their organization to be interviewed by the committee.

Section 120 The Secretary of Allocations shall verify the registration of any organization that applied for B.U.C. funding with the Student Organization Resource Center (SORC) before said organization appears before the B.U.C. Fund Committee. Those organizations not current at the time of their request will be denied funding until the following session.

Section 121 The B.U.C. Fund guidelines shall be reviewed on an annual basis by the Student Government Association.

B.U.C. Fund Committee Allocation Guidelines

Section 122 Committee recommendations will be in the form of lump sums, in increments of no less than ten (\$10), which shall be awarded based on factors deemed appropriate by the B.U.C. Fund Committee. The money received will be diverted to specific needs by the individual organizations, but shall only be applicable to travel, lodging and registration for off campus events.

Section 123 Full expenses for guest lecturers and special guests may be paid by B.U.C. funds, provided that the most economical and feasible means of travel are being utilized.

Section 124 B.U.C. Fund allocations which qualify as “off-campus” per the standards denoted in Title V, Section 108, Subsection A of the Code

of Laws shall be limited to a maximum of 15 students and no more than one week (7 days) of expenses.

Section 125 Students shall always receive top priority in any event receiving B.U.C. Funds over any other member of the community.

Senate Operation of B.U.C. Fund Requests

Section 126 The B.U.C. Fund Committee Chairperson shall make opening remarks about the recommendations of the committee and shall distribute the committee recommendations and the detailed information regarding each application.

- A. The detailed information of the meeting will include the amount of funds in both the On-Campus and the Off-Campus B.U.C. Funds at the time of the meeting, the student organization's name, the name, date, and time of the event in question, the amount of people who will be affected by this event and how, the description of what the event is, and the budget of the event that is submitted at the time of the B.U.C. Fund meeting.
- B. Other information may be added at the discretion of the Secretary of Allocations, the B.U.C. Fund Committee Chair and/or the B.U.C. Fund Committee members.
- C. This detailed information should be distributed either through paper handouts, or preferably, through the D2L page to all Senators by the Secretary of Allocations along with the Consent Calendar.

Section 127 If an organization has no representative at either the committee hearing meeting or the student Senate meeting, they will be disqualified from receiving any B.U.C. Funds for that funding application.

Section 128 The Senate must direct all questions regarding applications to the committee chairperson. Only the chairperson may defer questions to B.U.C. Fund applicants.

B.U.C. Fund Committee Approval Mechanism

Section 129 The Student Senate shall vote on the B.U.C. Fund Committee's recommendation and either approve that recommendation or alter as they see fit, within the established Code of Laws.

Section 130 A mandatory vote will take place on the B.U.C. Fund Committee's recommendation.

Section 131 Upon completion of the Senate vote, the Secretary of Allocations will sign the request according to the Senate vote and will obtain the approval or veto of the President of the Student Government Association.

Section 132 In accordance with the principle of checks and balances the Senate may override a Presidential veto with a two-thirds majority vote present at voting. A veto from the Associate Vice President of Student Affairs shall not be overridden.

- A. Depending on the available timetable of a particular B.U.C. Fund application being vetoed, the President must either veto the application during the same Senate session at which it is approved or the following Senate meeting in order to allow for the override process.
- B. The Associate Vice President of Student Affairs shall return all vetoed B.U.C. Fund applications to the Secretary of Allocations.
- C. The Secretary of Allocations shall be responsible for notifying both applicants and Senators of any veto.

Section 133 The Secretary of Allocations shall hand deliver the application to the Office of Student Affairs the day after receiving it.

Section 134 It shall be the sole responsibility of the organization to adhere to the procedures set forth by the State of Tennessee and the Tennessee Board of Regents as administered by the Office of Student Affairs when receiving and accounting for B.U.C. Fund allocations that have been approved by the Senate

Section 135 All revenue generated by an event that is funded by the B.U.C. Fund shall be returned to the B.U.C. Fund up to the amount that the organization received from the B.U.C. Fund for the event. As used in this section, “revenue” shall include the dollar amount of any money and the fair market value of tangible property that is given by event participants and collected by the organization during the event, regardless of whether or not such money or property is collected for use in the event or by the organization. Money or tangible property collected from event participants by the organization during the event on behalf of a third-party charity or charities shall not be construed to be “revenue” for purposes of this section, provided that all of the following requirements are met:

- A. The third-party charity or charities are registered with the United States Internal Revenue Service as a 501(c)3 not-for-profit organization, and
- B. The organization receiving B.U.C. Fund funding uses the money to fund an event that is a student activity and is not an activity that is strictly for charitable fund-raising, and
- C. The organization uses money received from B.U.C. Fund funding for the event and does not give any money received from B.U.C. Fund funding to the charity or charities, and
- D. The organization gives all revenue generated by an event to the charity or charities and does not retain any revenue to be used for the event or by the organization, and

- E. The event is not being funded by the B.U.C. Fund in an amount exceeding \$4,999.99.

Eligibility of Activities/Project/Events

Section 136 The following activities will be eligible for B.U.C. Funding:

- A. Student Government Association projects and programs with the design and intent to benefit all or a significant portion of the student body.
- B. Programs, projects, speeches, lectures, or events sponsored by an organization(s) with the intent to benefit all or a significant portion of the student body.
- C. Conferences, seminars, etc. when it can be established that participation at the same can benefit all or a significant portion of the student body.

Ineligibility of Activities

Section 137 The following requests will NOT be considered or funded by the B.U.C. Fund:

- A. No purchase of alcoholic beverages will be permitted with B.U.C. funds.
- B. No requests will be processed retroactively.
- C. No activities for which academic credit will be awarded or activities to meet minimum requirements for an academic course will be considered.
- D. No requests for general operating funds, as opposed to specific projects or activities, will be considered.
- E. The purchase of food with B.U.C. Fund allocations shall be analyzed under the following criteria: Off-campus applications shall not be allocated money for food purchases (unless the food is part of the registration fee for a conference and cannot be reasonably parsed out). On-campus applications shall be allowed to receive allocations for food, provided the food is intended as: refreshment for participants, meals for guest lecturers, or serves as a major focal point of the event. Other situations in which food has been requested are acceptable to be

- funded at the discretion of the B.U.C. Fund Committee and the Student Senate, provided the ramifications of the precedent thus set have been duly considered.
- F. No requests supporting projects, which in any way violate any Federal, State, or local law, or university policy, will be considered.
 - G. Activities which benefit only student members of a specific organization are not eligible for funding. Student organization travels will only be funded if the outcome will increase the effectiveness of the student organization in benefitting the campus at large. Funding will be provided to a student organization primarily based on the quality of the documented project.
 - H. Travel outside the continental United States of America shall be considered for receiving B.U.C. Fund appropriations, but only for registration.
 - I. No funding of mandatory attendance events, with exception of event registration fees.
 - a. This criteria may be waived by a 2/3 vote of the Student Senate.

Eligibility of Organizations

Section 138 The following organizations/groups will be eligible to file a B.U.C. Fund Allocations application:

- A. Any organization that is currently registered and in good standing and has been registered and in good standing with the Student Organization Resource Center for a period of no less than thirty (30) days shall be eligible to be considered for B.U.C. Funds.
- B. Student affairs professional staff that wish to promote a specific program or activity, which will directly benefit a significant portion of the student body, may request funding once per academic semester, with SGA Executive Branch approval.
- C. No more than \$4,999.99 per application will be allocated to any organization with the exception of the Student Government Association when conducting campus-wide events to benefit all or a significant portion of the student body. In order for any student organization, the Office of Student Affairs or any department within, the Student Government Association, or any application requesting more than \$3,999.99 per application, the event must be pulled from

- meeting's consent calendar and must gain a two-thirds consent of the SGA Senators that are present and voting.
- D. No more than two funded applications from any organization, with the exception of the Student Government Association, within the same semester, or three applications per academic year will be approved with the exception of campus-wide projects or events deemed to be of exception by two-thirds consent of the SGA Senate.
 - E. Each department or organization may only apply twice for the same purpose during an academic school year. This includes applications that were funded or denied by the Student Government Association Senate.
 - F. All monies being allocated from the B.U.C. Fund Committee must be allocated no less than fourteen (14) days prior to the date of the event receiving funding, unless otherwise deemed acceptable by the Office of Student Affairs.

Major Semester Campus Event

Section 139 The Superfund shall provide for one major semester event.

Major Semester Event Committee

Section 140 A committee shall be assembled by the Student Government Association Executive Branch with the advice and council of the Secretary of External Affairs to implement the major campus event.

Section 141 The Student Government Association, with regards to the major campus event, will not be required to go thru the B.U.C Fund process in order to save time and plan in advance to procure an major event.

Section 142 The Student Government Association shall have all seventy-five percent (75%) of the Superfund at its disposal to put on and implement the major campus event.

Homecoming and Civility Week

Section 143 The major campus event in the Fall shall be funded together with homecoming. Homecoming shall be funded with twenty percent (20%) of the funds generated by the superfund, only for the fall semester.

Section 144 Students shall receive priority benefits in any aspect of the major semester event.

Major Event Genre

Section 145 The Major Campus Event shall follow the Rotation Genre list as follows.

1. Rock
2. Hip-Hop / Rhythm and Blues
3. Pop
4. Country
5. Comedian
6. Alternative
7. Other

The student body shall be polled prior to the semester in which the 'Other' genre will be utilized, to determine the type of event preferred

Section 146 The Spring Major Semester event shall be funded together with Civility Week. Civility Week shall receive funds totaling fifteen percent (15%) of the funds generated by the superfund for the spring semester only. The Senate need not approve this funding annually, but the expenditure approval shall be done and

ordered for so long as these words exist upon the pages of this document and are defined by law.

Section 147 An increase in funding for Civility Week in addition to the fifteen percent (15%) of the event may be submitted in writing to the Student Senate by the President of the Student Government Association at the first meeting of the Spring Legislative Session of the Student Senate. The Senate must approve the increase by a 2/3 vote of senators seated, present, and voting. In order to secure the finances of the Student Government Association, the recommendation for increase may be vetoed by the Associate Vice President for Student Affairs. Such a veto may not be overridden pursuant to this document.

Section 148 In the event a concert artist from the above rotating genre list is unavailable or unable to be procured, the genre shall be skipped for that semester and the next genre on the list shall be used. In the following semester the Student Government Association shall return to the Genre that was skipped in the prior semester.

Section 149 For purposes of planning, the Major Semester Event for the fall semester shall take place during homecoming.

Act Selection

Section 150 The Student Government Association shall be responsible for finalizing and selecting the final Artist(s) for the major campus event.

Section 151 The Vice President with the Secretary of External Affairs shall obtain a list of available acts for each semester from the Director of Student Activities. The Vice President shall distribute this list to the student Senate.

Section 152 The student Senate shall narrow the list down to an acceptable number of available acts deemed by the Executive Branch.

Section 153 The Vice President with the Secretary of External Affairs shall then forward a copy of the acts selected by the student Senate to the Director of Student Activities, SGA Advisor and Senior Vice President of Student Affairs.

Section 154 The Vice President with the Secretary of External Affairs shall review and finalize the list with the Director of Student Activities, SGA Advisor, and the Senior Vice President of Student Affairs paying particular attention to the cost of the Act and availability.

Section 155 The finalized list, after receiving the appropriate consent shall be entered into the On-line Preference Survey.

Section 156 The On-Line Preference Survey will be used to gauge student preference for that semester's major campus event.

Section 157 The On-line Preference Survey shall be promoted on campus through email, the East Tennessean student newspaper, and any additional means deemed necessary.

Section 158 The Secretary of External Affairs shall be responsible for implementing the promotional plans set forth by the Executive Branch with the help of the Secretary of Public Relations.

Section 159 Advertising the On-line Preference Survey shall provide at least one academic week for students to be made aware of the survey time for students to know of the Survey before it is brought 'online.'

Section 160 The On-line Preference Survey shall run for a minimum of two days, but not longer than five days.

Section 161 After the conclusion of the On-line Preference Survey, the list shall be provided to the Executive Branch, SGA Advisor, Senior Vice President of Student Affairs, and the Director of Student Activities.

Section 162 The Director of Student Activities shall then proceed, with the help of the Secretary of External Affairs in attempting to secure the artist that was ranked most popular by the student survey.

Section 163 The Director of Student Activities shall keep the Executive Branch and the Secretary of External Affairs updated with all proceedings and progress made in securing the major campus act.

Section 164 In the event one of the Acts cannot be secured the next act on the list, ranked by student preference shall be considered.

Seed Money Act

Section 165 The Student Government Association shall have a seed money program.

Section 166 The purpose of this program is to help defray the costs incurred in starting up a registered student organization.

Section 167 After a new organization has been chartered and is in good standing with the Student Organization Resource Center it shall receive a one-time lump sum of three hundred fifty dollars (\$350).

- A. The 'seed' money shall come out of the B.U.C. General Fund.
- B. A simple "Seed Money" application shall be required to be completed in order to receive funding.
- C. The organization must turn in the application in accordance with the regular B.U.C. Fund application deadline(s).
- D. An organization will be considered dormant after a period of 2 academic years in which no activity has occurred.
- E. After the dormancy period, if the organization is re-organized and re-chartered then they may apply for seed money once again.
- F. In no instance will an organization receive more than 3 instances of Seed Money in the organization's history.
- G. All Seed monies shall be required to be utilized within one calendar year, starting at which time the organization first receives the Seed Money. Any remaining funds not utilized after the one-year period will be automatically forfeited.
- H. This program may be dismantled at any time the executive branch deems appropriate.
- I. All Seed Money Applications and Applicants shall not be required to appear before the B.U.C. Fund Committee Hearing.
- J. The Seed Money Application shall require approval from the Student Government Association Executive Branch, in the form of the President's signature prior to any funds being disbursed to the organization

Section 168 The Student Government Association shall reserve the right to suspend B.U.C. Fund allocations to student organizations which have violated Title V.

- A. In the event that a member of the Student Government Association becomes aware that a student organization has violated Title V, they must inform the Secretary of Allocations and the Chairman of the B.U.C. Fund Committee.
- B. For the purposes of this section, a violation of Title V shall constitute: misrepresentation of the organization's intentions for the allocation requested on their application, or engagement in actions which are not lawful according to Title V.
- C. Any organization which is known to have engaged in a violation of Title V shall be duly suspended from receiving B.U.C. Fund allocations for the remainder of the semester in which the transgression occurred, plus the entirety of the following semester (summer and winter terms being excluded for the purpose of this section).
- D. In the case of an extenuating circumstance wherein an organization had a minor (minor meaning a non-egregious act which had no appreciable deleterious effect on the student body) violation, this suspension may be waived by a 2/3rd vote of the Student Senate. Once an attempt to waive the penalty has resulted in a vote in the Student Senate, if the vote fails, then the Student Senate may not try again to waive the penalty for this same violation. They may, however, vote to waive the penalty for a separate violation at a separate time.

TITLE VI

SUMMER GOVERNMENT

Section 100 Summer government shall be defined as the methods used in the Administration of the Student Government Association during the interim period from the day directly after the last day of class for the spring Semester to the day directly before the first day of class for the fall Semester, referred to hereafter as Summer.

Section 101 The Executive Branch of the Student Government Association reserves the right to call a Special Session(s) of the Student Government Association Senate during the Summer, if the President of the Student Government Association feels it is imperative to do so, or charge(s) have been made that alleges impeachable offenses have been committed by a member of the Student Government Association.

Section 102 The Student Government Association Senate reserves the right to call a Special Session(s) of the Student Government Association Senate during the Summer, as referred to in Article III Section 9 of the Student Government Association Constitution.

Section 103 The President of the Student Government Association shall have the authority to appoint a student as a member of the Cabinet as interim for the duration of Summer, if the position is vacant, and the student meets or exceeds all specifications and/or stipulations within the Student Government Association Constitution or the Student Government Association Code of Laws, for said position. The aforementioned student, appointed as interim and paid as such, must be voted upon by the Senate,

upon the Senate's return in the fall, and receive a 2/3 majority of the vote, to be confirmed for the duration of a regular term. Failure to receive a 2/3 majority of the vote shall remove the student, appointed for interim, from the position in question.