

**CONSTITUTION OF  
NORTHERN ILLINOIS UNIVERSITY  
STUDENT GOVERNMENT  
ASSOCIATION**

UPADATED April 14<sup>th</sup>, 2024

# **CONSTITUTION OF NORTHERN ILLINOIS UNIVERSITY STUDENT GOVERNMENT ASSOCIATION**

## **PREAMBLE**

WE, THE STUDENTS OF the Northern Illinois University Student Government Association, in order to establish the rights, freedoms, and responsibilities of individual students and groups, promote the basic principles of freedom of expression, freedom from discrimination and government by law, do ordain and establish this Constitution for the Northern Illinois University Student Government Association.

## **ARTICLE I. BILL OF RIGHTS**

The following rights and freedoms are inherent in the students of Northern Illinois University and shall be guaranteed to each student by the University and the Student Government Association.

### **Section 1. Protection of the Law**

The right to the protection of the laws of the United States of America and the State of Illinois in all matters pertaining to their status as students, including the rights of due process.

### **Section 2. Classroom Freedom**

The right in the classroom to full freedom of expression, discussion, and inquiry related to the course, and the right to be evaluated based solely upon academic performance.

### **Section 3. Bar to Discrimination**

The right to enjoy the same opportunities and privileges as any other student without discrimination or prejudice regarding the student's race, color, national origin, ancestry, sex, pregnancy, religion, age, physical and/or mental disability, marital status, veteran/military status, sexual orientation, gender identity, gender expression, political affiliation, order of protection status, victim of domestic or sexual violence status, citizenship status, arrest record in employment/personnel matters, genetic information, and/or other protected categories in compliance with applicable federal and state statutes, regulations and orders pertaining to nondiscrimination, equal opportunity and affirmative action that violate university policy. Additionally, conduct that results in sexual misconduct, sexual harassment and/or retaliation is also considered unlawful and prohibited by university policy.

#### **Section 4. Democratic Governance**

The right to establish and maintain a democratic student government in which each student shall have an equal right to participate, and with provision for advisory referenda.

#### **Section 5. Student Media**

The right to establish and operate communications media which are independent of university editorial control.

#### **Section 6. Shared Governance**

The right to participate in the system of shared governance established by NIU.

#### **Section 7. Elected Student Leaders**

The right to elect or have appointed by their elected officials all students serving in a SGA capacity to lay, collect, or appropriate student funds.

#### **Section 8. Rights Not Enumerated**

Enumeration of these rights or registration in this University shall in no manner be construed to nullify or limit any other expressed or implied rights or freedoms possessed by students.

### **ARTICLE II. THE STUDENT GOVERNMENT ASSOCIATION**

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

The sole student governing body shall be the Northern Illinois University Student Government Association, the abbreviation for which shall be the NIU SGA.

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

The purpose of the NIU SGA shall be the organization and coordination of activities of student interest and the representation of student views concerning University policy, including working through shared governance.

#### **Section 3. Membership**

Membership in this organization shall consist of all students of NIU. An enrolled student shall be defined as anyone taking a credit hour course at NIU, without respect to part-time, full-time, undergraduate or graduate status. Anyone duly enrolled for the Spring and Fall Semesters of the same calendar year shall be considered a member of the NIU SGA for the intervening Summer Term.

#### **Section 4. Qualifications for Office**

To hold any elected or appointed position within the Student Government Association a student must not be on academic probation or punishment for academic or criminal misconduct with the University. Undergraduate students must have and maintain a cumulative grade point average of at least 2.500 during their tenure in office or be in their first semester at the University. Graduate students must have and maintain a cumulative grade point average of at least 3.000 during their tenure in office or be in their first semester at the University. This shall apply to all officers, senators and representatives of the Student Government Association. In addition, to hold the office of President, Vice President, Treasurer or Student Trustee, an undergraduate student must also be enrolled in the Fall and Spring for (12) semester hours; all students not classified as undergraduate while seeking the office of President, Vice President, Treasurer or Student Trustee must be enrolled for (9) semester hours.

## **Section 5. Organization**

The NIU SGA shall consist of three branches: The Executive Branch, under the President; the Legislative Branch, called the Senate; and The Judicial Branch, called the Supreme Court.

## **ARTICLE III. THE EXECUTIVE BRANCH**

All executive authority of the Student Government Association shall be vested in the President of the Student Government Association. The Vice President and the Treasurer shall aid the President.

### **Section 1. Duties of the President of the Student Government Association**

The President of the Student Government Association shall be empowered to:

- A. Item-veto bills of the Senate and its committees.
- B. Allocate funds as prescribed in the Bylaws, in the absence of the Senate.
- C. Call meetings of the Student Body-at-Large at the request of the Senate, or at any time the President shall deem it of sufficient urgency. The President shall preside over all meetings which are called by them.
- D. Assist the Vice President or the Treasurer in any matter relating to the SGA.
- E. Act as chief spokesperson and liaison for the SGA in all matters inside and outside of the University community and with the administration.

- F. Represent the SGA in the negotiations of the terms of its contracts, which are subject to the approval of the Senate. The President shall bestow SGA honors and awards with Senate approval.
- G. Direct all programs of the SGA.
- H. Appoint all Justices of the Judicial Branch. All such appointments must be approved by the Senate and may not be dismissed by the President.
- I. Appoint such staff and commissions as shall be necessary to carry out the duties of the office. Those appointed to hold salaried positions must be approved by the Senate prior to taking office. All those appointed under this subsection may be dismissed by the Senate under the removal process described in this Constitution or may be dismissed at any time by the President.
- J. Appoint members of the SGA and the NIU Student body to university committees including but not limited to: the University Council and its committees, the Athletic Board, the Campus Parking Committee, the Campus Security and Environmental Quality Committee, the Student Conduct Advisory Board, the Computing Facilities Advisory Committee, the Library Advisory Committee, the Northern Star Publications Board, the Parking Appeals Committee, the Student Conduct Board, and the Grievance Panel.
- J. Delegate additional activities to unelected Executive Branch members in addition to the duties already outlined by the SGA bylaws.
- K. Prepare the SGA budget and determine spending priorities of the SGA.
- M. Serve on the University Council alongside the Speaker of the Senate.
- N. Serve on the University Council Steering Committee alongside the Speaker of the Senate.
- O. The President shall conduct at least one (1) comprehensive evaluation of all paid SGA executive branch staff members, other than the elected officers, each semester. Staff evaluations are to be conducted by the tenth (10<sup>th</sup>) week of each semester. The Evaluations shall include recommendations as to how to improve. The President must report the evaluation immediately to the Senate after it is completed. The Chief of Staff shall help the President in the evaluation process.

## **Section 2. Duties of the Vice President of the Student Government Association**

The Vice President of the Student Government Association shall be empowered to:

- A. Act on behalf of the President, when requested to do so by the President.
- B. Update the Constitution and Bylaws within twenty-one (21) days of the passage of amendments, with the aid of the Office of the Vice-President. If this duty is not completed, the amendments are transferred to the Office of the Speaker.

- C. Hold and preside over at least one organizational assembly each academic year and serve as an advisor on SGA procedures to student organizations.
- D. Direct the administrative process for SGA recognition of student organizations and maintain the SGA records of current student organization leaders, official advisors, and constitutions.
- E. Grant temporary recognition to student organizations when the Senate is not in session.

### **Section 3. Duties of the Treasurer of the Student Government Association**

The Treasurer of the Student Government Association shall be empowered to:

- A. Oversee the management and appropriations of SGA funds.
- B. Cause to be kept accurate records of SGA expenditures, which shall conform to standard University financial record-keeping practices.
- C. Assist in the preparation of and present student organization budgets to the Senate for approval. The Treasurer shall advise all student organizations as to correct financial procedures.
- D. Appoint such deputies as shall be necessary for the proper operation of the office of the Treasurer. The Treasurer shall have only one (1) paid Deputy Treasurer. The paid Deputy Treasurer shall be approved by the Senate.
- E. Submit a written financial report of all Student Government Association financial activities at the last regular meeting of the Senate of each semester.

### **Section 4. Order of Succession**

- A. If at any time the President shall resign, be removed or otherwise leave office before the end of the term, the Vice President shall become President. If for any reason the Vice President cannot assume the office, the Treasurer shall serve as Interim President until the Senate chooses a new President. If for any reason the Vice President and the Treasurer cannot assume the vacant office of the President then the Speaker of the Senate shall serve as Interim President until the Senate shall choose a new President. Any Executive Branch position that is vacant at the same time that the presidency is vacant shall remain vacant until filled by the new President, not by the Interim President. The Interim President shall have the power to appoint acting officials to the Executive Branch and to make all other appointments that are the responsibility of the President.
- B. If at any time the Vice President or the Treasurer shall resign, be removed, or otherwise leave office before the end of the term, the President shall appoint their replacements with the approval of the Senate.
- C. A majority of all executive Branch members who are paid a regular stipend may petition the Senate to remove an elected Executive Branch officer for incapacitation due to illness or

other inability to perform their duties. The Senate may remove the person in accordance with the removal procedure proscribed herein.

- D. Except as otherwise specified by this Constitution, all officers appointed to fill a vacancy shall hold office until the expiration of the term which is being filled.

### **Section 5. Duties of the Student Trustee**

The Student Trustee shall be elected with the executive officers in the spring semester.

- B. Subject to the terms and conditions of applicable law, the Student Trustee shall function as a full voting member of the NIU Board of Trustees and fulfill all duties as specified in the Northern Illinois University Law, NIU Board of Trustees governing rules, and the Student Government Association governing rules.
- C. The Student Trustee shall be a Student Government Association officer and a member of the Student Government Association Executive Branch.
- D. The term of office and conditions of the Student Trustee shall be as specified in the Northern Illinois University Law, or in its silence by the NIU Board of Trustees governing rules and by the Student Government Association governing rules.
- E. If the Office of Student Trustee should become vacant, the President of the Student Government Association, with the advice and consent of the Senate, shall appoint a replacement for the remainder of the term.
- F. In addition to the requirements listed in the Northern Illinois University Law, the Student Trustee shall be required to be a full time NIU student and shall not concurrently serve as an elected or stipend official within the Student Government Association.
- G. Meet with the Senate to give a report concerning the Board of Trustees at least once per Board of Trustees meeting.

## **ARTICLE IV. THE LEGISLATIVE BRANCH**

The legislative authority of the Student Government Association shall be vested in the Senate.

### **Section 1. Powers of the Senate**

The Senate shall consist of representatives from the Northern Illinois University Student Body elected according to the rules set forth in the Bylaws. The number of senators shall be set in the Bylaws. The Senate shall review and check the actions of the Executive Branch and shall legislate on matters of student interest. The Senate shall be further empowered:

- A. To appropriate allotted monies and other benefits to SGA-recognized student organizations. The expenditures of such monies are required to follow standard University purchasing and disbursement procedures and are subject to audits as required by state law.
- B. To solely amend the SGA Constitution as provided for herein. The Senate shall have the power to create and amend the SGA Bylaws in accordance with the rules for a presidential veto prescribed herein. The Elections Policy and the Finance Policy shall be part of the SGA Bylaws. The Senate shall have the sole power to create and amend the Senate Operating Rules. The Senate shall have the power, with the approval of the Supreme Court, to create and amend the Code of Procedure.
- C. To recognize student organizations. Qualifications for SGA-recognition as a student organization shall be specified in the SGA Bylaws. The Senate shall also have the power to ratify, reject or revoke SGA recognition of student organizations after it has notified the affected organizations and their advisors of the time, date and place of the meeting at which this will be decided. Revoking a student organization's SGA recognition shall require a two-thirds (2/3) majority vote.
- D. To choose additional legislative officers it may deem necessary. The Senate shall decide the duties of each appointed SGA member and to establish a stipend for any official of the SGA that the Senate shall deem necessary. The Senate must approve all appointed officers. All stipend officials of the SGA must perform work equivalent to their stipend during the time in which they are paid. No person shall hold more than one SGA stipend position at one time. The Senate may conduct a review of the job performance of all paid members of the SGA each semester.
- E. To pass all resolutions and statutes that shall be necessary for the execution of all authority vested in the SGA, or any department or officer thereof.
- F. To require any official of the SGA or any official of any other student organization to testify at Senate or committee proceedings, after prior notification in writing. Every officer of the Student Government Association shall submit a written or oral report of their activities to the Senate each month.
- G. To require all officers of SGA-recognized student organizations, following the election or appointment of their successors, to turn over all records and properties pertaining to the office to their successors.
- H. To place advisory referenda on the ballot in regular or special elections.
- I. To determine the method for nominating persons to fill Senate vacancies and to approve all such nominees.
- J. To appoint and approve a student to a vacancy in the Judicial Branch or any officer charged with conducting an election, if:

1. The appropriate officer fails to nominate a student for a vacant office by the beginning of the next third (3rd) regular Senate meeting following the occurrence of the vacancy, and
2. The appropriate officer fails to notify the Senate of their intention to make the appointment and the date of the meeting at which their nomination shall be submitted.

## **Section 2. Definition of Votes**

- A. All decisions by the Senate or its committees, unless indicated otherwise, shall be decided by a majority vote of those Senators present and voting for or against the proposal on the floor. Those Senators who choose not to vote or abstain shall have their vote recorded but shall not count in the determination of passage or rejection. Vacancies shall not count in the determination of passage.
- B. The following cases require a two-thirds (2/3) majority of the total number of seats which are filled in the Senate to:
  1. Remove from office of any person elected or appointed.
  2. Pass a proposed Constitutional Amendment.
  3. Any legislative piece that makes pertains directly to the SGA HR Policy
  4. Withdrawal of SGA-recognition from a student organization, permanently or for a specified period of time.
  5. Call for a referendum vote without a student petition.
  6. Overriding a veto.
  7. All other such matters as shall be set forth in this Constitution, SGA Bylaws, and Senate Operating Rules.

## **Section 3. Senate Meetings**

- A. The time, date and place of regular meetings shall be decided upon by the Senate, or in the event the Senate does not decide, then the Speaker shall decide. If the regular meeting time of the Senate shall fall during an academic recess or during final examinations then the Speaker shall decide the time, date and place of the next meeting. These shall constitute regular meetings.
- B. At the written request of seven (7) Senators or the President, a Senate special meeting must be called within ten (10) calendar days of receipt of the request, at a time, date and place to be decided upon by those calling the meeting. A special meeting request must be turned into the Speaker and President. These shall constitute special meetings. All special meetings must be held on the main campus of NIU. Whoever calls the special meeting must give notice to the President, Vice President, Treasurer, and all senators by mail and telephone at least three (3) calendar days prior to the meeting. No special meeting shall commence before noon, nor shall a special meeting commence after eight o'clock, post meridian (8:00 p.m. CST).

- C. All regular and special Senate meetings must be attended by all senators and missing any regular Senate meeting shall count as an absence. Any senator having three (3) absences during a single semester or five (5) absences during their one-year term of office from regular Senate meetings or from regular Senate committee meetings shall be considered removed from office and shall be so notified. Absences from committee meetings by senators may be counted towards the total number of absences listed above. The Bylaws shall list which committee meetings shall count as required. The Speaker shall notify the Senators of their absences. SGA Senators missing a regular, special, or committee meeting may file a petition with the Speaker for the absence to be excused. The Speaker may excuse an absence for the reasons including, but not limited to, illness, official University business, or academic commitments. Excused absences shall not count towards a Senators absence tally as described in Article IV, Section 3. Paragraph C, of this Constitution.
- D. Quorum for the Senate shall consist of a majority of the total number of filled Senate seats.
- E. To have a opening ceremony in the beginning of the Senate meetings after the meeting is called to order following the process described in the Operating manual.

#### **Section 4. The Speaker of the Senate**

- A. The Speaker of the Senate shall be chosen by the Senate and serve a one (1) year term of office, and shall enjoy all rights, privileges, and responsibilities of a Senator, other than the right to vote. If the Speaker shall also be elected to the Senate, then the Speaker shall have the right to vote. The Speaker shall have the authority to send resolutions or bills to committee for study; this shall not be interpreted to abridge the authority of the Senate to make decisions on resolutions or bills. The Speaker shall be the spokesperson for the Senate.
- B. It shall be the responsibility of the Speaker to enforce all SGA rules within the Legislative Branch. The Speaker shall be responsible for the preparation and publication of the minutes of all Senate meetings, which shall include a record of the attendance of the members of the Senate, within five (5) calendar days of each meeting. The minutes and the record of attendance shall be presented to the Senate at the next regular meeting. The Speaker shall attend meetings and deliver statements on behalf of the Senate and perform all other duties delegated to the Speaker by the Senate.
- C. It shall be the responsibility of the Speaker to instruct all new senators of correct constitutional, bylaw, and parliamentary procedures.
- D. The Speaker shall cause to be kept accurate records of Senate meetings, the Operating Rules of the Senate and all committees that report to the Senate.
- E. Appoint Senators to all Senate Committees with the approval of the Senate and shall coordinate such committees as necessary.

- F. Serve as a member on the Senate Finance Committee.
- G. The Speaker of the Senate shall have the authority to call off a Senate meeting in extreme cases. However, the Speaker may not call off two consecutive senate meeting without the approval of a majority of the senate. The Speaker's discretion at canceling the meeting will be put under review by the senate the following meeting. If the reasons for the Speaker in calling off the meeting are deemed invalid, then the Senate is empowered to take action against them.
- H. If the appropriate office (s) or officer(s) fails to amend the Constitution and Bylaws within twenty-one (21) days of passage, the amendments are transferred to the Office of the Speaker, who will update the Constitution and Bylaws within fourteen (14) days of the transfer.

### **Section 5. Definition of Bills, Statutes, Proposed Resolutions, and Resolutions.**

All request for a decision submitted to the Senate or any of its committees shall take one of the following two forms.

- A. Any request for a decision submitted to the Senate or any of its committees regarding removing a person from office, a proposed Constitutional Amendment, amendments to the Senate Operating Rules, punishment or expulsion of senators, and appointments shall be considered a proposed resolution. Any request submitted to the Senate or any of its committees to make a declaration of its will or opinion which is non-binding, does not appropriate any funds, and does not require any non-Legislative Branch official to act shall be considered a proposed resolution. All requests for a decision submitted to the Senate or any of its committees that only affects the internal procedures of the Legislative Branch shall be considered a proposed resolution. Upon approval by the Senate the proposed resolution shall be considered a resolution of the Senate. All proposed changes to the Senate Operating Rules shall be considered proposed resolutions and, if passed, shall be considered a resolution of the Senate. All spelling, grammatical, formatting, punctuation, and redundancy changes to the Constitution may be made at the discretion of either the Speaker or the Vice President without the need for the changes to be presented in a resolution.
- B. All requests for a decision submitted to the Senate or any of its committees not mentioned in the paragraph immediately above, shall be considered a bill. When a bill is passed by the Senate and signed by the President it shall become a statute of the SGA. Except for spelling, grammatical, formatting, punctuation, and redundancy changes, all proposed changes to the Bylaws shall be considered bills and, if passed, shall be considered a statute of the SGA. All spelling, grammatical, formatting, punctuation, and redundancy changes to the Bylaws may be made at the discretion of either the Speaker or the Vice President without the need for the changes to be presented in a bill.
- C. The fact that a given bill may use or non-use terms such as "whereas" or "resolved" does not make it a proposed resolution; nor does the use or non-use of such terms in a proposed resolution make it a bill.

## **Section 6. Veto Procedures**

Every bill that the Senate shall pass must be presented to the President within five (5) weekdays of classes or exams. The President may sign the bill, and it shall then become a statute of the SGA. If the President takes no action for more than five (5) weekdays of classes or exams, then the bill shall be a statute of the SGA. If the President vetoes the bill or some part the bill within this time period, then the bill along with any objections shall be sent back to the Senate for reconsideration. If, after reconsideration, two-thirds (2/3) of the total number of Senate seats which are filled approves the bill, it shall become a statute of the SGA. The reconsideration must take place before the end of the vetoing President's term of office, or the bill shall be considered null and void.

## **ARTICLE V. THE JUDICIAL BRANCH**

All judicial authority of the Student Government Association shall be vested in a Supreme Court. The responsibility of the court shall be to preserve and protect the rights of students as expressed herein. All Supreme Court decisions are final.

### **Section 1. Powers of the Supreme Court**

Upon proper presentation of a petition from a member of the student body with standing, the Supreme Court shall have the power to:

- A. Rule on the constitutionality of action taken by any SGA-recognized student organization.
- B. Interpret the constitution and bylaws of SGA-recognized organizations.
- C. Rule on the constitutionality of action taken by the Legislative Branch or its members.
- D. Rule on the constitutionality of action taken by any Executive Branch or its members.
- E. Rule on appeals relating to the proper conduct of elections.
- F. Rule on appeals relating to disciplinary actions taken by the Senate.
- G. Decide the wording of referenda.
- H. Review and recommended changes to SGA governing documents.

### **Section 2. Code of Procedure**

The rules of the Supreme Court shall be outlined in the Code of Procedure of the Supreme Court. All judicial action must be conducted in accordance with the Code of Procedure. All amendments to the Code of Procedure shall be approved by the Senate and the Supreme Court before going into effect.

### **Section 3. Selection and Removal of Justices**

- A. All justices shall be appointed by the President, with the approval of the Senate, as vacancies arise. After their appointment they shall not be removed, except by the Senate in accord with the removal from office procedure described in this Constitution. The Supreme Court shall be composed of five justices. Legislative Branch and Executive officers and staff shall not be eligible to serve on the Supreme Court. Members shall serve so long as they remain students in good standing at NIU.
- B. The five (5) Justices of the court shall elect one of their number to serve as Chief Justice. The Court shall have one (1) Chief Justice and four (4) Associate Justices. No member of the court system who is personally involved in a particular case shall sit in judgement on that case. The quorum for the Court shall be the Chief Justice and two (2) Associate Justices.

### **Section 4. The Chief Justice**

- A. The Chief Justice shall be a voting member. The Chief Justice shall officiate at all court sessions, call the various people who will testify, count the votes and announce decisions to all concerned. The Chief Justice will be responsible for conducting all court sessions according to the Code of Procedure. The Chief Justice of the Supreme Court shall serve as the Judicial Branch's administrative officer and shall be responsible for requesting such funds as are deemed necessary for all court proceedings.
- B. It shall be the responsibility of the Chief Justice to notify all students of charges brought against them, to inform them of their rights according to this Constitution and to ensure that the proper procedure is used in making such a charge.

### **Section 5. The Clerk of the Court**

- A. The Chief Justice of the Court shall appoint an Associate Justice to serve as the Clerk of the Court, with the approval of the Court. In the absence of the Chief Justice or their inability to hear a case, the Clerk of Court shall act as Chief Justice until a replacement can be appointed or the return of the Chief Justice.
- B. The duties of the Clerk shall be the following: to insure the minutes of the Court are kept, to record all court cases on audio or video equipment, to schedule all cases at the direction of the Chief Justice and to notify all persons deemed necessary of the date, time, location, names, and charges against those individuals to be tried. The Clerk of Court shall be a voting member of the Court. All records of the Court shall be maintained in the SGA main office.

## **ARTICLE VI. ELECTIONS**

### **Section 1. Time of Elections**

There shall be one regular SGA elections each year. The Election shall be held on the last consecutive Tuesday and Wednesday of March. Runoff elections shall be held one calendar week from the date of the original election. The Senate may set a different date for a particular election. The Senate shall be considered to officially start at the first meeting after the previous session closes. If at any time the number of vacant seats in the Senate shall reach one less than half of the total number, then a special election shall immediately be called for all vacant Senate seats.

## **Section 2. Spring Term Elections**

The Spring Election shall consist of election of the President, the Vice President, and the Treasurer, the Trustee and Senate candidates running to represent their chosen constituencies but not to exceed the Senate seats as described in the Student Government Association Bylaws Part II Article III, §1.A-B. The inauguration ceremony for the President-Elect, the Vice President-Elect, and the Treasurer-Elect shall take place on the Friday preceding final exams, however the newly elected officers shall not take office until the fifteenth (15th) day of May. The Inauguration ceremony for the Senate shall take place at the close of the final regularly scheduled Senate meeting of the academic year. Newly elected Senators shall take office upon inauguration. The newly elected officers shall serve a one (1) year term of office. Vacancies among the newly elected officers shall not be considered a bar to other newly elected officers taking office. If a newly elected official cannot take office, then the position will be filled by the other newly elected officials according to the order of succession.

## **Section 3. Fall Term at Larges**

Seats as outlined by the Bylaws Part II Article III, §1.B shall remain vacant from the Spring Election for those wishing to join Senate not through the Spring Election Process. The process for filling a Senate seat vacancy shall be prescribed in the Bylaws under "Senate Vacancies."

## **Section 4. Determination of Winners**

- A. The candidate receiving a majority of all legitimate votes cast for the office in question shall be considered the winner for the offices of President, Vice President, Treasurer, or Trustee. If no candidate shall receive a majority, then a runoff election for those candidates with the two highest vote totals shall be held.
- B. The Senate candidates with the most votes for each seat or set of seats, as defined in the Bylaws, shall be the winners. If a tie occurs, then a runoff election shall be held.
- C. The person(s) with the most votes in a runoff election shall be considered the winner. If a tie occurs, then a new runoff election shall be held. All runoff elections shall be held within one week and shall be for one day only.

## **Section 5. Election Procedures**

All elections for the Executive Branch and for the Senate seats shall be conducted in accordance with this Constitution and the Elections Policy sections of the SGA Bylaws. Any candidates for office shall have the right, if they so choose, to campaign as a team. The Bylaws shall provide for the procedures for punishing those who violate the Elections Policy, this Constitution, or the Bylaws. Such punishments may include complete disqualification of candidates and their votes for all offices in the election or other such penalties as the Bylaws may prescribe.

## **ARTICLE VII. REMOVAL FROM OFFICE**

### **Section 1. Process of Removal**

The Senate shall be empowered to remove any officer; senator; SGA representative; justice; student representative appointed or elected by any portion of the Student Body; SGA of the SGA or Speaker of the Senate is being tried, the Chief Justice shall preside over the Senate. The process for removal of any appointed or elected official in SGA is to be followed as written in the human resource policy outlined in the Student Government Association Bylaws Part I, Article IV, §3.

### **Section 2. Reasons for Removal from Office**

Proper reasons for Removal shall include but are not limited to the following: academic misconduct, failure to keep accurate records, financial misconduct, neglect of duty, abuse of the privileges of office, criminal behavior, and any other behavior that is deemed to be in violation with most current human resource policy as outlined in the Student Government Association Bylaws Part I, Article IV, §3.

## **ARTICLE VIII. REFERENDA**

### **Section 1. Initiating a Referendum**

- A. All proposed referenda shall be initiated using one of the following two processes.
  - 1. Any student may submit an advisory referendum to be placed on the ballot. The request must contain the names and signatures of ten (10) percent of all enrolled students.
  - 2. The Senate may submit an advisory referendum to be placed on the ballot. The request must be approved by a two-thirds (2/3) majority vote.
- B. All referenda initiated under one of the above two processes shall be submitted to the chief justice of the Supreme Court. A copy of which shall also be submitted to the Senate and

president. All referenda shall be placed on the ballot at the next election, unless a two-thirds (2/3) majority vote of the Senate shall set a different date.

## **Section 2. Requirements of Referenda**

The Senate may place referenda on the ballot during a regular election, a runoff election, or may call for a special election for the purpose of voting upon the referendum. The Senate may place up to three (3) referenda on any given ballot. If multiple referenda are submitted, then the Senate shall have the authority to determine which shall be on the ballot and when. All referenda shall be advisory and shall not be binding upon any person, the SGA, or the University. The Senate may establish other requirements for referenda.

## **Section 3. Wording of Referenda**

After a referendum has been submitted by a student or by the Senate, the Supreme Court shall have the final power to ensure that the referendum wording is clear, accurate, and neutrally stated. No referendum may slander or mention the name of any person. Once the final wording has been approved by the Supreme Court, then it shall be placed upon the next ballot, or the ballot indicated by the Senate.

# **ARTICLE IX. AMENDMENTS**

## **Section 1. Proposing Amendments**

A proposed amendment to this Constitution shall be delivered to the Senate in writing at any regular meeting. When the Senate meets next it shall consider the proposed amendment. The meeting at which the vote shall take place must be at least two (2) calendar weeks from the date of the delivery of the proposal to the Senate.

## **Section 2. Approval of Amendments**

Amendments to this Constitution must be approved by a two-thirds (2/3) majority vote of all senators, regardless of whether they are present, abstain, or vote.

## **Section 3. Preserving the Constitution and Amendments**

The Historian shall maintain a copy of each new constitution in the SGA's digital files. The 55<sup>th</sup> Senate recognizes that previous amendments were not made according to the constitution, however the Senate recognizes the currently used constitution as the most updated one and as the one to be updated into the future.

# **ARTICLE X. THE AUTHORITY OF THE CONSTITUTION**

## **Section 1. Scope of the Constitution**

Neither the Student Government Association nor any SGA-recognized student organization shall take any action or pass any legislation that conflicts with this Constitution.

## **Section 2. Ratification**

The Student Government Association shall begin operating under this Constitution immediately upon ratification by the Senate. The official copy of the Constitution shall be maintained by the Vice President and shall be available for public inspection.

## **Section 3. Transition of Officials**

SGA officials in office at the time of passage of this Constitution shall serve until the end of their terms.

## **Section 4. Transition of Existing Bylaws, Rules, and Procedures**

All existing bylaws, rules, and procedures shall remain in full force and effect, except as they may be modified by or are in conflict with this Constitution. Nothing herein shall prevent subsequent amendments to the existing Bylaws, rules, and procedures, if such amendments are in accord with this Constitution.