

CONSTITUTION

West Virginia State University Student Government Association

(West Virginia State University Student Government Association Constitution revised and replaces West Virginia State University Student Government Association Constitution dated July 1, 2014. To be implemented July 1, 2015.)

Preamble

We, the students of West Virginia State University, in order to provide an organizational structure by which the student body can: (1) participate in formulation of institutional policy affecting academic and student affairs; (2) foster effective communication between students, administration, faculty, and staff; (3) express the breadth, relevance, and urgency of student interests; and (4) share in the pursuit of institutional goals, do hereby establish this Constitution.

ARTICLE I

Name

The name of the student representative body shall be the West Virginia State University Student Government Association - designated in this document by the initials SGA.

ARTICLE II

Membership and Jurisdiction

- I. Each and every SGA fee paying student enrolled at West Virginia State University shall be members of SGA and shall be subject to this Constitution.
- II. The jurisdiction of SGA shall extend to all matters involving student academics, discipline, social events and activities.

ARTICLE III

Powers

The powers of SGA are derived from institutional policies, rules, and regulations regarding student rights, responsibilities and conduct issued within the authority granted to the West Virginia State University Board of Governors.

ARTICLE IV

Organization

SGA shall utilize three distinct branches to perform functions authorized by this Constitution. They shall be known as the Executive Cabinet, the Student Senate, and the Student Hearing Council.

- I. The SGA shall serve as an advisory council to the President in accordance with the Organizational Chart of West Virginia State University, approved by the Board of Governors on November 7th, 2002.

ARTICLE V

Executive Cabinet

- I. **Membership** - The Executive Cabinet shall consist of the SGA President, Vice-president, Treasurer, Secretary, Social Activities Director, Chief Hearing Examiner, and the four Class Presidents, as well as an institutional Representative, such as the SGA Advisor, a Student Senate representative, and the WVSU Board of Governors Student Representative, as ex-officio members without voting privileges.
- II. **Chairmanship** - As chief executive officer, the SGA President shall chair all Executive Cabinet meetings.
- III. **Powers and Duties** - The Executive Cabinet shall:
 - A. Address and implement SGA policies and programs resulting from Student Senate legislation. It shall serve as a liaison between students, administration, faculty, and staff and have the power to act, on an emergency basis, in those areas contained in this document. "Emergency" is defined as any matter needing resolution within three (3) scholastic days. Actions taken under this power shall be reported to the Student Senate meeting. Such actions shall be considered as temporary legislation until acted upon by the Student Senate.
 - B. Expedite the bringing of reports and materials to the Student Senate, publish the Student Senate agenda at least two (2) days prior to a regular meeting, and establish a semester calendar for such meetings.
 - C. Supervise the Student Appointees on the various Campus-wide Committees and subcommittees. SGA will also supervise its employees to insure their continued effective and efficient performance of their duties and responsibilities.

ARTICLE VI

Student Senate

- I. **Membership** - The Student Senate shall consist of Senators representing the academic colleges of West Virginia State University, the SGA Vice-president (except as indicated in the following section), and the WVSU Board of Governors Student Representative (an ex-officio member with no voting privileges).
- II. **Chairmanship** - The SGA Vice-president shall chair the Student Senate meetings with vote to make or break a tie. In the absence of the Vice-president, the Senate representative to the Executive Cabinet shall chair the meeting.
- III. **Powers** - The Student Senate shall have the Power to:
 - A. Enact legislation concerning students and student organizations as set forth in Articles II and III.
 - B. Create and disband committees.
 - C. Approve/disapprove the operating SGA budget.
 - D. Approve/disapprove all appointment (with the exception of SGA employees) made by the President with a simple majority vote.
 - E. Override an SGA Presidential veto with a two-thirds vote.
 - F. Create temporary employment positions.

- IV. **Meetings** - Meetings shall be held at least twice a month during the academic year, as designated by the entering Student Senate. The Vice-president shall call special meetings when deemed necessary.
- V. **Quorum** - Two-thirds of the Senators in office shall constitute a quorum for Student Senate meetings.
- VI. **Senator Vacancies** - A Senator's position shall be considered vacant if he/she has acquired more than one unexcused absence from Student Senate meetings, submitted resignation, or left the Institution permanently. Acceptance of excuses shall be left to Senate discretion. The runner-up candidate from the preceding election shall fill any vacant Senator seat if he/she is available and still meets qualifications. Otherwise, the SGA President shall appoint a Senator to fill a vacant seat.

ARTICLE VII

Hearing Council

- I. **Membership** - The Student Hearing Council shall consist of:
 - A. Five (5) Student hearing Examiners, one of whom shall be named Chief Hearing Examiner. The SGA president shall appoint the Chief Hearing Examiner with the approval of the Student Senate. The Chief Hearing Examiner shall appoint the members of the Student Hearing Council with the approval of the SGA president and Student Senate.
 - B. The members of the Student Hearing Council shall serve on the All University Hearing Council.
- II. **Qualifications** - All newly appointed Hearing Examiners must attend an Administrative Hearing Seminar before being confirmed to fill the duties and responsibilities of the Student Hearing Council. A Student Hearing Examiner must be enrolled at West Virginia State University, must have completed 30 hours of credit at the Institution, have at least a 3.0 cumulative grade point average, and have had no disciplinary problems with any segment of the institution at the time of appointment. Once appointed, if a Hearing Examiner drops below the required 3.0 cumulative GPA, he/she shall vacate his/her seat. A Student Hearing Examiner may serve on the Student Hearing Council until graduation or for three (3) years, whichever comes first.
- III. **Leadership** - The Chief Hearing Examiner shall preside over the Student Hearing Council making and interpreting decisions rendered by the Associate Student Hearing Examiners. The Chief Hearing Examiner shall also chair the Elections Committee, unless he/she is a candidate for another office; then an Associate Hearing Examiner shall chair the Elections Committee.
- IV. **Powers** - The Student Hearing Council shall have the power to:
 - A. Hear cases resulting from actions that would make them disciplinary in nature in conjunction with the All University Hearing Council
 - B. Hear and make judgments on any cases involving any violation of election rules and/or procedures.
 - C. Make and render decisions on the judgment of the members of the Student Hearing Council, not based on precedent, and not influenced by personal or outside interference.

- D. Coordinate with the Student Affairs Office as to the Institution rules and procedures to follow, recommended sanctions, and recommend to the President of the Institution that the All University Hearing Council hear a case involving the possible expulsion or suspension of a student or students.
- E. Interpret the SGA Constitution.
- F. Possess the power to impeach Senators as stated in Article XIII.

ARTICLE VIII

Executive Officers

- I. **Definition** - The Executive Officers of the SGA shall be the SGA President, Vice-president, Treasurer, Social Activities Director, the Chief Hearing Examiner, and the Secretary.
- II. **Duties**
 - A. The SGA President shall preside at all Executive Cabinet and SGA meetings, be a member of ex-officio of all SGA Committees with voting privileges, and perform other duties as specified in **Robert's Ruler of Order**.
 - B. The Vice-president shall be in charge of Administration and Operations. He/she shall preside in the absence of the President and be an ex-officio member of all SGA Committees, monitoring their work. The Vice-president shall plan, organize, coordinate and supervise the SGA student services programs.
 - C. The Treasurer shall be in charge of Finance and Organizational Matters. He/she shall preside in the absence of the President and Vice-president. As Treasurer of Finance, he/she shall prepare and present a proposed SGA budget each school year for Student Senate approval and keep adequate records of SGA expenditures.
 - D. During the month of February, the SGA President must make a speech to the student body addressing the state of the student government.
 - E. The Executive Officers elected in the Spring will be required to attend the Student Leadership Workshop before assuming their executive office responsibilities.
- III. **Executive Vacancies** - Upon resignation or ineligibility of the SGA President, the Vice-president shall become President. Upon resignation or ineligibility of the Vice-president, the Treasurer shall become the Vice-president.

ARTICLE IX

Elections

- I. **General** - The SGA elections shall be held during the first full week of April, with a minimum of fourteen (14) days between the close of the filing period and the actual election. Each candidate for any office must attend a Candidate's Forum, organized and hosted by the SGA Executive Cabinet at a mutually agreed upon date and time, with two weeks' notice of the event. The student body at-large shall elect Student Body President and Vice-President, Senators, Board of Governors Representative, Mr. State, and Miss State.

- II. **Terms** - Terms for President, Vice-President, WVSU Board of Governors Student Representative, Miss State and Mr. Sate, when generally elected shall be twelve (12) months. Terms for Senators shall be twenty-four (24) months, when generally elected. All terms begin at the end of the academic year. Student Hearing Examiners may serve on the Student Hearing Council until graduation, or for three years, whichever comes first. Terms for appointed officers shall end at the end of the academic year in which the appointment takes place. Appointed officers must file and be voted into office in the next general election.
- III. **Class Officers and Class Queens** - The elections for class officers (i.e. Freshmen class president, Sophomore class vice-president, etc.) and class queens shall be held between 20 and 25 days after the first day of the new academic year. Filing period for Class Officers and Class Queens shall begin the first day of the new academic year and end fourteen (14) days after the filing period begins. Installation will take place no later than five (5) days after the certification of the election.
- IV. **Voting** - Voting shall be secret ballot and shall be conducted by the Student Hearing Council as directed in Article X. In all cases, pending verification of qualifications, the top vote-getter shall assume office. For the office of President and Vice-President, candidates must run together on a ticket; individual candidacy will not be allowed.
- V. **Mandatory Training** - All newly elected and appointed officials must attend a Student Leadership Workshop before assuming the powers and duties of their respective office. The Student Leadership Workshop must be approved by the SGA Advisor.
- VI. **Applying** - During the application process, the person(s) applying for an elected or appointed office must provide at least two (2) letters of support from members of faculty, administration, staff, and/or a former member of the SGA executive cabinet. President and Vice-President candidates must run on a ticket; individual candidacy will not be allowed.
- VII. **Write-in Candidates** - Write-in candidates will not be permitted.

ARTICLE X

Committees

The Elections and Student Life Committees shall be the only standing committees.

- I. The Student Hearing Council shall serve as the Elections Committee with the assistance of the SGA advisor and members of the Office of Student Activities.
- II. The Student Life Committee shall consist of Student Senate representatives and be elected by the members of the Senate.

ARTICLE XI

Expenditures

- I. **Validation** - Requests for SGA expenditures must come before the Student Senate prior to this use, except in emergency situations set forth in Article V, Section 3a.
- II. **Approval** - Expenditures shall be made with the approval of the voting members of the Student Senate by a simple majority vote in accordance with its annual budget.

ARTICLE XII

Impeachment's

Any elected or appointed official may be impeached for maladministration, corruption, and/or dereliction or neglect of duty. The Student Hearing Council shall have sole power to impeach Senators, and the Senate shall have sole power to impeach members of the Executive Cabinet, (except the Senate representative), and the Student Hearing Council. In each case, a two-thirds (2/3) vote of all voting members of the respective branch shall be necessary to remove the impeached official from office.

**BYLAWS
To the Constitution
West Virginia State University
Student Government Association**

ARTICLE I

Special Meetings

Within two (2) school days upon receipt of a petition in writing signed by a simple majority of the Student Senate, the President of SGA shall call a special Senate meeting.

ARTICLE II

Qualifications of Elected Officers and Senators

- I. At the time of filing a candidate for normally elected offices must have at least 3.0 cumulative grade point average, except for *first-time* freshmen (no cumulative GPA), and must not be graduating before the fulfillment of his/her term. Upon taking office, all normally elected officials must maintain at least a 2.80 cumulative GPA. The SGA Advisor will verify certification of GPA and all other requirements.
- II. The SGA President and Vice-president must have completed 45 hours of college/university credit by the end of the scholastic term in which they filed for election and must have completed at least 12 hours at this institution at the time of filing.

ARTICLE III

Filing Periods

- I. During a 14 day filing period, each candidate for election must submit to the SGA Elections Committee an application of candidacy stating intention to run for office and verifying his/her qualifications for said office. All candidates shall give written permission for the SGA Elections Committee to investigate authenticity of his/her qualifications.
- II. No candidate may file for more than one office.

ARTICLE IV

Elections for Elected Officers

If an elected officer is unable to assume, take another, or resigns from office (except Senators), the Elections Committee shall arrange a special election to fill the vacancy with the proposed election procedures being approved/disapproved by the Senate.

ARTICLE V

Student Senate Representation

- I. One Senator shall be elected to represent each academic college of the institution.
- II. When populations exceed 1000 students enrolled, an additional Senator shall be elected to represent the academic college with greater enrollment, strictly observing a ratio of 1:1000.

ARTICLE VI

Student Court Proceedings

- I. **Student Rights** - The (accused) student(s) shall have the right to:
 - A. Be present, present evidence, and call witnesses;
 - B. Have student counsel to assist him/her;

- C. Challenge any Hearing Examiner for removal from his/her case on the grounds of a lack of impartiality; (the Advisor to the Student Hearing Council shall decide each challenge.)
 - D. Testify as a witness without losing his/her privilege against self-incrimination; Examine and object to the introduction of real and documentary evidence;
 - E. Make an opening and closing argument; and
 - F. Receive a copy of the final report of proceedings and submit a written statement on his/her behalf to the Hearing Council to be attached to the report.
- II. **Powers of the Student Hearing Examiner** - The Student Chief Hearing Examiner of the Student Hearing Council shall preside over the Council, recess or adjourn the Council as necessary, and determine the time for Council sessions. He/she will supervise the Associate Hearing Examiner as Administrative Officer with responsibility for administrative preparation and support for each Council session.
- III. **Duties of the Chief Hearing Examiner of Student Hearing Council** - The assigned Administrative Officer shall notify the appointed Counselor and parties to a case as to the date, time, and place of the Council session. He/she shall see that the site for the session is adequate and in good order and arrange for clerical support, recording equipment, and other supplies as necessary. He/she will supervise the Associate Hearing Examiner as Administrative Officer with responsibility for administrative preparation and support for each Council session.
- IV. **Duties of the SGA Counselor** - The Appointed Counselor for the Student Hearing Council shall, prior to the Council session, investigate the alleged charge(s) and Plaintiff(s). He/she shall notify student body witnesses as to the date, hour, and place of the Council session. During the session, the Counselor shall administer oaths, present evidence, and examine witnesses to bring out all the facts in an impartial manner. After the session, the Counselor shall prepare a report of the proceedings.
- V. **The Role of the Director of Judicial Affairs (Advisor) to Student Hearing Council** - The Advisor shall rule on all challenges of the Council during the proceedings and confer with the SGA Counselor and the bench to assist in clarifying legal and procedural matters. Without dismissing any question or issue before the Council, the Advisor shall make final rules as to Council procedure and admissibility of evidence. The Advisor shall intervene in such matters only when he/she feels the Council is in error. Otherwise, the Advisor shall allow the functioning of the Council to the Student Hearing Examiners.
- VI. **Quorum for Student Hearing Council** - Three members of the Student Hearing Council shall constitute a quorum when hearing cases in conjunction with the All University Hearing Council. A majority of the Student Hearing Council shall constitute a quorum when hearing cases that are in the sole power of the Student Hearing Council. If a sustained challenge prevents a quorum, the Council will adjourn and the Student Senate shall appoint a/some temporary Examiner(s). The proceedings shall then be resumed.
- VII. **Absence of a Hearing Examiner from Part of a Case** - A Hearing Examiner who is not present at a prior Council session of a case that is still being heard may participate fully in all subsequent proceedings provided that he/she first familiarizes himself/herself with the proceedings held and the evidence accepted during the absence. The report of the proceedings will reflect how the Examiner(s) so familiarized himself/herself.

ARTICLE VII

Senate Approvals

Unless otherwise stated in this Constitution, all Senate approvals/disapprovals shall be on the basis of a simple majority vote.

ARTICLE VIII

Student Representation to Campus-wide Committees

The SGA President shall appoint all student representatives to Campus-wide committees with the approval of the Senate.

ARTICLE IX

Senate Order of Business

The order of business for Senate meetings shall be:

1. Call to order
2. Roll call
3. Approval and changes to the agenda
4. Approval of the minutes
5. SGA President's Report
6. Other Executive Cabinet Reports
7. Committee reports
8. Old business
9. New business
10. Remarks
11. Adjournment

Upon adjournment of the Senate, the Executive Cabinet will immediately go into executive session to expedite business.

ARTICLE X

Rules or Order for Senate Meetings

Robert's Rule of Order shall be the basis for all Senate Meetings.

ARTICLE XI

Effect of Legislation

No legislation shall take effect within four (4) school days. The President has three (3) school days in which to veto. On the fourth day, he/she has to convene the Senate in case of veto.

ARTICLE XII

Campus Organizations

To be recognized to function on campus, organizations are required to submit a list of officers and advisors to the SGA office and the Office of Student Activities.

ARTICLE XIII

Proxy Votes

No proxy votes will be accepted in any branch of SGA.

ARTICLE XIV

Administrative Transition

- I. The elected administration is responsible for the Homecoming coronation, and parade for the Fall semester in which they hold office.
- II. All officers (elected or appointed) shall at the expiration of their terms serve in an advisory capacity for four (4) weeks to the incoming officers in any combination at the end of the Spring term and/or the start of the Fall term.

ARTICLE XV

Elected Officers

The elected officers shall be the SGA President, SGA Vice-president, Mr. State, Miss State, Senators, WVSU Board of Governors Student Representative, and the class Presidents, Vice-presidents, and Queens. The SGA President appoints all other SGA positions (excluding four (4) members of the Student Hearing Council) with advice/consent from the Student Senate.

ARTICLE XVI

Paid Positions

The following are the only permanent paid positions: SGA President, SGA Vice-president, Secretary, Treasurer, Social Activities Director, and Student Chief Hearing Examiner. Payroll for officers begins with the second pay period in August and runs consecutively through the first pay period in May. The pay ranges for officers shall observe the follow minimums and maximums:

<i>average # of office hours per week</i>	<i>minimum pay per pay period</i>	<i>maximum pay per pay period</i>
4 to 9	\$ 60.00	\$ 150.00
10 to 15	\$ 145.00	\$ 250.00
16+	\$ 235.00	\$ 330.00

ARTICLE XVII

Mr. & Miss State

All officers, including Mr. and Miss State, must have at least 3.0 cumulative grade point average and must maintain an overall grade point average of 2.80 or above to hold these positions. Must have completed 45 hours of college/university credit by the end of the scholastic term in which they filed for election, and must have completed 12 hours at this institution at the time of filing.

ARTICLE XVIII

Requirements and obligations for Mr. and Miss State:

- 1. Required to speak at both meet-the-candidate forums
- 2. During tenure, perform 15hrs. of on-campus community service each semester
- 3. Must have a platform and execute at least ONE activity pertaining to his/her platform
- 4. Must attend all convocations sponsored by West Virginia State University for students, unless class schedule does not permit

Requirements and Obligations for class kings/queens:

1. During class king/queen tenure, perform 10 hrs. of on-campus community service each semester
2. Shall sponsor one event for his/her class
3. Shall work with the class officers
4. Must attend all convocations sponsored by West Virginia State University for students, unless class schedule does not permit

Fulfillment of Mr. and Miss State's and the class kings'/queens' obligations shall be monitored by SGA. They will be responsible for submitting an end-of-the-semester report stating on-campus community service involvement. If the student does not fulfill the obligations and requirements, the position will be revoked.

Article XIX

Funding Requests

The Student Government Association shall not fund requests for individuals. Organizations properly registered with the Office of Student Activities and the Student Government Association may be granted funding per requirements set forth by the current SGA Administration. Each organization must send a representative to all Organization Meetings held by SGA in order to receive this funding. Additional funding requests from organizations must be presented before the Student Senate for consideration. SGA members, including Senators, class presidents and Mr. and Miss State, cannot present before the Senate on behalf of organizations they represent to prevent a conflict of interest.

Article XX

SGA Awards Banquet

An SGA Awards Banquet shall be held in May, between three and four weeks after the SGA elections has been held in April. At the banquet, the organization of the year, faculty of the year; and staff member of the year shall be recognized. After the recognitions the president and vice president elect will be sworn in and given the opportunity to give an acceptance speech.