

# **Constitution of the Student Government Association**

Middle Tennessee State University, Murfreesboro, Tennessee

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

## **ARTICLE I**

### **Definition of Existence**

**Section 1:** The name of the organization shall be the **STUDENT GOVERNMENT ASSOCIATION OF MIDDLE TENNESSEE STATE UNIVERSITY**.

**Section 2:** The purpose of the Student Government Association of Middle Tennessee State University is to provide a formal process for student input into the governance of the institution, to control all matters which are delegated to the Student Government Association by the administration of Middle Tennessee State University, to work cooperatively in the administration in all matters affecting the welfare of the student body, and to promote the best possible understanding between faculty, administration, and students. In all its endeavors, the Student Government Association shall strive to represent the best interest of the student body as a whole and to reflect favorably upon Middle Tennessee State University.

**Section 3:** Any person that is considered to be a student by the university during any given semester shall be entitled to all the rights and benefits under this Constitution.

**Section 4:** The powers of the Student Government Association of Middle Tennessee State University shall be divided into three distinct branches; those powers which are legislative shall be given to the Student Government Association Senate, those which are executive to the President, Vice Presidents and Election Commissioner of the Student Government Association, and those which are judicial to the Student Judicial Board.

## ARTICLE II

### Statement of Governing Principles

In all matters, members of the Student Government Association shall conduct themselves in a manner deserving of the high level of trust that the student body places in their leadership. Furthermore, members should strive at all times to promote the following principles:

**Section 1:** Honesty. All members of the Student Government Association shall uphold the most stringent level of honesty with their colleagues, the administration of MTSU, the general public, and above all, the students at Middle Tennessee State University, whose welfare they are pledged.

**Section 2:** Recognition of basic human rights. All people are deserving of equal treatment and equal service. Neither the Student Government Association, nor any representative thereof, shall violate these rights on the basis of race, gender, religion, disability, or sexual orientation.

**Section 3:** Academic Integrity. The members of the Student Government Association are representatives of the students, and shall therefore pledge not to commit infractions of rules prohibiting academic misconduct. All members of the SGA will strive to achieve and maintain the highest standards of academic achievement.

## ARTICLE III

### Voting

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

**Section 2:** Voting at all elections or referenda shall be by secret ballot and in conformity with other methods as may be prescribed by the SGA Electoral Act.

**Section 3:** Balloting shall take place via PipelineMT as determined by the Election Commission and defined in the SGA Electoral Act.

## **ARTICLE IV**

### **The Executive Branch**

#### **Section 1: Generally**

- A. The Executive Branch shall be responsible for the proper administration of the Student Government Association, for the development of policy and the implementation of legislation. It shall be composed of the President, the Executive Vice President, the Vice President for Administration and Public Affairs, and the Election Commissioner.
- B. The members of the Executive Branch shall annually review the operations and responsibilities of the Executive Branch and its committees.
- C. Eligibility for executive branch officers:
  - 1. Be a full or part-time student;
  - 2. Have accumulated a minimum of forty-five (45) credit hours from any accredited institution, or be a graduate student at the time of the candidacy;
  - 3. Have been enrolled at least (2) consecutive semesters as a full or part-time student at Middle Tennessee State University, and;
  - 4. Have at least a 2.5 cumulative grade point average at the time of the candidacy and maintain such average throughout the term of office.
- D. In the event an executive officer fails to maintain the qualifications of his/her position, he/she shall be removed from office immediately.

#### **Section 2: Terms of Office**

- A. The Executive Board is comprised of the President, Executive Vice President, Vice President for Administration and Public Affairs and the Election Commissioner.
- B. The Executive Board shall serve a transitional term starting upon their certification by the Election Commission, and then serve a regular term commencing on the first of May.
- C. No member of the Executive Board shall be eligible to serve concurrently in any other capacity or office within the Student Government Association.

#### **Section 3: President**

- A. During the transition period between the certification of the election by the Election Commissioner and the first Monday of May. The President-elect shall work closely with the outgoing President to ensure a smooth transition of power and consistency of service for the student body, and may make appointments to his/her Cabinet.
- B. Duties and Responsibilities of the President:
  - 1. The President shall see that all responsibilities delegated to the Student Government Association are faithfully performed.
  - 2. The President shall be the official representative of the student body.
  - 3. The President shall be empowered to appoint all officials, assistants, and committees within the Student Government Association necessary to

discharge his/her duties with the approval of the Student Senate except as otherwise noted.

4. The President shall be required to attend at least four Senate meetings per semester.
5. The President shall convene all meetings of the Administrative Cabinet.
6. The President shall be required to deliver a report concerning legislative updates and/or on the affairs of the SGA at Senate meetings that he/she attends.
7. The President shall appoint replacements for any Senate seat that may be vacant. Such appointments require Senate approval by a simple majority vote.
8. The President shall have the power of line item veto over bills passed by the Senate. His/her veto may be overridden by two-thirds vote of the Senate.

#### **Section 4: Administrative Cabinet**

- A. The President may appoint, with the approval of the Senate, an Administrative Cabinet as he or she shall deem necessary to execute his or her office.
- B. The Administrative Cabinet consists of the President, Executive Vice President, Vice President for Administration and Public Affairs, Election Commissioner. Cabinet positions may also include:
  1. Attorney General
    - a. Responsible for overseeing the process of student parking citation appeals.
    - b. Works with the Associate Dean of Student Life to oversee the appeal process.
    - c. When necessary, assists with the certification of candidates for SGA Elections.
    - d. Shall represent the SGA in matters before the Student Judicial Board and/or Election Commission.
    - e. Shall appoint, with approval by a simple majority of the Senate, members to serve on the Court of Traffic Appeals.
  2. Homecoming Director
    - a. Shall work with the director of Student Organizations and other necessary offices to coordinate MTSU Homecoming activities.
    - b. At their discretion, shall appoint a homecoming committee to assist in performing the duties of the office.
  3. Philanthropic Coordinator
    - a. Responsible for coordinating all philanthropic programs sponsored by the Student Government Association.
    - b. Responsible for appointing AIDS Awareness Director and Habitat for Humanity Director
      1. AIDS Awareness Director
        - A. Responsible for coordinating programs to raise funds for AIDS Quilt.
        - B. Coordinates marketing efforts with the Philanthropic Coordinator and the Vice President for Administration and Public Affairs to promote all events and/or activities.
      2. Habitat for Humanity Director

- A. Responsible for working closely with a representative from the office of Student Organizations and Community Service in order to coordinate programs to raise funds for Habitat for Humanity.
  - B. Responsible for working closely with a representative from the office of Student Organizations and Community Service in order to coordinate with Habitat for Humanity Blitz Build efforts.
  - C. Coordinates marketing efforts with the Philanthropic Coordinator and the Vice President for Administration and Public Affairs to promote all events and/or activities.
  - c. Shall be the Student Government Association Liaison on the Up 'til Dawn Executive Board.
  - d. Responsible for coordinating "Make-A-Difference Week"
- C. The President may appoint an Executive Assistant whose duties may include:
    - 1. Responsibility for assisting the President and Vice Presidents in communicating with the SGA or with outside organizations as delegated.
    - 2. Attendance at campus meetings on behalf of the SGA as delegated by the SGA President and/or Vice Presidents.
  - D. Additional cabinet positions may be created by the President as needed for an academic year with simple majority approval of the Senate.
  - E. No member of the Administrative Cabinet shall be eligible to serve concurrently in any other capacity or office within the Student Government Association.
  - F. Cabinet members shall be required to attend all meetings of the Administrative Cabinet unless otherwise excused by the President.

**Section 5: Executive Vice President**

- A. The Executive Vice President shall work closely with the outgoing Executive Vice President to ensure a smooth transition of power and consistency of service for the student body.
- B. Duties and Responsibilities of the Executive Vice President:
  - 1. Shall preside over the Student Senate.
  - 2. In the event of a tie in the Senate, he/she shall have the power to cast the deciding vote.
  - 3. Shall assume responsibility for such other duties as may be assigned, or by the President of the Student Government Association.
  - 4. Shall preside in the absence of the President at Student Government meetings or functions
  - 5. Shall serve as an ex-officio member of all standing committees and shall report to the President any information regarding their activities.

**Section 6: Vice President for Administration and Public Affairs**

- A. The Vice President for Administration and Public Affairs shall be in charge of public relations for the Student Government Association, and will assist with the marketing of Student Government programs.
- B. Duties and Responsibilities of the Vice President for Administration and Public Affairs:

1. Help keep all students informed of important issues concerning them
2. Work closely with the Office of Student Organizations and all student organizations
3. Serve as the liaison between student organizations, the Senate, and President of the Student Government Association.
4. Responsible for assisting the President with coordinating and organizing all Student Government Association Ad Hoc committees, and University Standing committee assignments.
5. Oversee regular updates of the SGA website to keep students informed and interested in SGA.
6. Serve as a liaison between SGA and the community with such projects as the Heart Walk, Up Til Dawn and blood drives.
7. Publicize all events sponsored by SGA. Coordinate advertising for events with officers, senators or committee chairs.
8. Create marketing materials for the SGA.
9. Perform other duties assigned to him/her by the President of the Student Government Association.
10. Work closely with the Executive Vice President and President to provide a strong voice for all students.
11. May appoint a Legislative Liaison to be approved by the Senate's majority vote of the chosen individual.

**Section 7:** Election Commissioner.

- A. The Election Commissioner shall preside over the Election Commission and oversee all Student Government Association elections.
- B. Duties and Responsibilities of the Election Commissioner:
  1. Appoint members of the Election Commission and present nominees to the Senate for approval. Appointees must receive Senate approval by simple majority.
  2. Schedule all SGA Elections, referendum, Homecoming elections and special elections.

**Section 8:** Succession of office

- A. In the event that the office of the President of the Student Government Association shall be vacated, the Executive Vice President shall assume the duties of the President and all the duties and responsibilities thereof.
- B. Should the President and the Executive Vice President both be prevented from continuing in office, the Vice President of Administration and Public Affairs shall succeed to the office of President, and shall assume all the duties and responsibilities thereof.
- C. In the event that the office of Executive Vice President and Vice President of Administration and Public Affairs shall be vacated, the Speaker Pro Tempore of the Senate shall immediately fill the position of President. The President shall, at that time, appoint a new senator to fill the vacancy in the senate, as set forth in Article 5, Section 2.

- D. If one of the Vice-President positions becomes vacant, the Election Commission shall then call for a new election. The election shall be held within twenty-one (21) calendar days of the vacancy. In the event there are less than twenty-one (21) calendar days remaining in the semester or in the term of the Vice President, the election will be held during the next regularly scheduled election.
- E. The President may appoint an individual to fill the vacancy until such time as the election can be held. This appointment would require simple majority approval by the Senate.

**Section 9:** Oath of office

All elected officials of the Student Government Association shall take and subscribe to the following affirmation: “I do solemnly affirm that I will support and defend the Constitution of the Student Government Association, and that I will faithfully discharge the duties of the office of \_\_\_\_\_ to the best of my ability.”

**Section 10:** Release of grades.

All members of the Student Government Association, whether elected or appointed, shall be required, as a condition of office, to sign a waiver allowing the release of that portion of their academic record relevant to determining that they meet minimum standards. Grades will be released only to the SGA administrative advisor, his/her designee and/or the Election Commissioner. It shall be the responsibility of the Student Government Association administrative advisor to monitor these records each grading period.

**ARTICLE V**  
**The Legislative Branch**

**Section 1:** Legislative Power.

The legislative power shall be vested in the Student Government Association, which shall consist of a Senate.

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

- A. The Executive Vice President shall be the presiding officer of the Senate. In the event the Executive Vice President is unable to preside, the Senate Pro Tempe will assume this responsibility.
- B. For each college, one (1) Senate seat shall be allocated for every five hundred (500) students enrolled in the college. If a college has between five hundred and one (501) and one thousand (1000) students majoring in it, it shall be appointed two (2) Senate seats, and so forth. Senators elected by college shall be elected during the spring semester.
- C. Freshmen senators and graduate students shall be elected within the first two months of the fall semester. One (1) Senate seat shall be allocated for every five hundred (500) students enrolled with less than fifteen (15) accredited hours, and one (1) Senate seat shall be allocated for every five hundred (500) students enrolled in graduate programs.

- D. There shall be seven (7) At-Large Senate seats allocated. These At-Large seats shall be open to all students, who otherwise meet the standards set forth in Article V, Section 3.
- E. In the event a Senate seat is vacated, the President can appoint a replacement upon approval of the Senate. Qualifications of candidates shall be determined in accordance with the rules set forth in the Electoral Act.
- F. Any elected senator who shall have three (3) unexcused absences from meetings of the Senate in one semester or two (2) consecutive unexcused absences shall appear before the Senate Judiciary committee to show just cause why he/she should not be impeached. After hearing the Senators case, the Judiciary committee shall vote on whether to send the matter to the Senate for impeachment. If approved, a hearing will be held before the full Senate following the procedures set forth in Article IX.

**Section 3: Qualifications.**

- A. Members of the Senate shall have a 2.30 cumulative grade point average at the time of their election or selection, and shall maintain said average to continue in office. The only exception to this rule shall be in the case of first semester Freshman Senators.
- B. In the event a senator fails to maintain the qualifications of office, he/she shall be removed from office immediately.

**Section 4: Session.**

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

**Section 5: Organization and Procedure.**

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

**Section 6: Limitations.**

No member of the Senate can serve in any other position elected by the student body or appointed by a member of the Executive Branch within the Student Government Association; however, all are eligible for recommendation to positions exterior to the Student Government Association.

**Section 7: Transaction of Business.**

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

**Section 8: Bills and Resolutions.**

- A. Any procedure to be considered by the legislature to affect the internal operation of the Student Government Association must be presented in the form of a bill.
- B. Any attempt to affect the operations of any entity exterior to the Student Government Association must be presented in the form of a resolution.
- C. A bill or resolution may be passed in the following manner:
  - 1. If a majority of the Senate approves a bill or resolution, it shall be sent to the President of the Student Government Association President for his/her signature. All legislation shall require a majority vote of the Senate for passage.
  - 2. All bills and resolutions shall be submitted to the President of the Student Government Association for his/her signature by the Executive Vice President immediately following Senate approval. The President may veto any bill within five (5) class days after it has been presented to him/her in person. If the Student Government Association fails to take actions within five (5) class days, the bill is automatically forwarded to the Vice President for Student Affairs. If the President of the Student Government Association vetoes a bill, then he/she shall return the bill to the Senate for their reconsideration. Any veto of the President of the Student Government Association may be overridden by a two-thirds affirmative vote of the Senate on that part that was vetoed. In the event that the veto of the President of the Student Government Association is overridden by the Senate, or in the event that the President fails to return a vetoed bill to the Senate in the aforementioned time period, then said bill shall be forwarded to the Vice President for Student Affairs for approval.
  - 3. The Vice President for Student Affairs shall retain a final veto power over bills or any part thereof. This item veto power shall be exercised within fifteen (15) class days after the bill has been presented to him/her in person for his/her signature. After fifteen (15) class days, any bill that is not vetoed shall be adopted by the Student Government Association. Any veto of the Vice-President of Student Affairs may be overridden by a two-thirds affirmative vote of the Senate on the part that was vetoed. In the event that the veto of the Vice-President of Student Affairs in overridden by the Senate, the said legislation will be forwarded to the President of the University and shall become law upon his/her approval.
  - 4. Resolutions are not subject to veto by the Student Government Association President or the Vice President for Student Affairs.

**ARTICLE VI  
Direct Legislation**

Any student upon presentation of a petition signed by fifty (50) or more currently enrolled students at Middle Tennessee State University shall be allowed to introduce to the Senate the specific legislation called for in the aforementioned petition. One petition

shall allow the introduction of only one piece of legislation. It shall be the responsibility of the petitioning student to present at the time of introduction fifty (50) copies of said student's legislation. The signed petition must be presented to the Executive Vice President at least five (5) class days prior to the presentation of the petition to the Senate. Failure to present the petition to the Executive Vice President will delay consideration by the Senate.

## **ARTICLE VII**

### **The Judicial Branch**

**Section 1:** The judicial powers of the Student Government Association shall be vested in the Student Judicial Board (SJB), and within other boards as the Student Government Association may establish. The Student Judicial Board will operate under the supervision of the Associate Vice President of Student Affairs or his/her designee.

**Section 2:** Composition of the Student Judicial Board.

The Student Judicial Board shall consist of seven members and three alternates selected from eligible members of the student body. Members shall be selected for one-year terms, and are eligible to serve additional terms with reapplication and approval as proscribed herein. The chair and vice-chair of the SJB will be selected by a majority vote of the committee members.

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

- A. Application. Procedures to select the Student Judicial Board members will be initiated and supervised by the Associate Vice President for Student Affairs or his/her designee and the President of the Student Government Association, as set forth in Part B of this section. Recruitment shall be campus-wide and the pool of candidates should reflect the diversity of the University community. The selection process includes an application and interview. The Associate Vice President for Student Affairs or his/her designee will serve as a non-voting advisor to the SJB.
- B. Selection Procedure. Applications for membership will be submitted to the Associate Vice President for Student Affairs or his/her designee. Interviews for the SJB will be conducted by a selection committee who shall be appointed by the Associate Vice President for Student Affairs or his/her designee and the President of the Student Government Association. The composition of the selection committee shall represent the diversity of the campus community.
- C. Qualifications. Applicants meeting the following minimum qualifications may be invited to participate in the interview portion of the selection process:
  1. Currently enrolled as a full-time student at MTSU
  2. Cumulative GPA of not less than 2.5, which will be maintained throughout the duration of a student's participation.
  3. Be on "Good Standing" with the University, i.e. members are not permitted to be on academic or disciplinary probation.
  4. A minimum of 12 credit hours completed at MTSU.

#### **Section 4: Jurisdiction**

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

**Section 5: Vacancies.** Vacancies that cannot be filled by alternate board members will be filled by a process developed by the Associate Vice President for Student Affairs or his/her designee in consultation with the President of the Student Government Association.

**Section 6: Appeals.** Matters in which SJB exercised original jurisdiction may be appealed to the Vice President for Student Affairs consistent with the procedures outlined in the *Rights and Responsibilities of Students*. The policies and procedures enacted by the Student Judicial Board shall be consistent with those contained within the *Rights and Responsibilities of Students*.

### **ARTICLE VIII Financial Responsibility**

**Section 1:** By the end of the first four weeks of the fall semester, the President of the Student Government Association shall submit to the Senate for approval a budget setting forth a general outline of proposed expenditures and anticipated income from all sources for the forthcoming school year (fall, spring and summer semesters). At the time of submitting the budget to the Senate, the President shall introduce a general appropriation bill to authorize all the proposed expenditures set forth in the budget. Failure to submit the budget to the Senate by the President of the Student Government Association or any misuse of the budget by the President or any other member of the Student Government Association constitutes grounds for impeachment.

**Section 2:** No money shall be expended except in accordance with the procedures established by Middle Tennessee State University.

**Section 3:** The University Business Office shall have the authority to prescribe any additional procedural measures for the handling of Student Government Association funds.

## **ARTICLE IX**

### **Removal from Office**

**Section 1:** Removal of appointed officials. Any appointed official may be removed from their position by their appointer. If the removal involves a position that had previously been approved by the Senate, a simple majority vote of the Senate is required for removal. This section applies only to executive appointments.

**Section 2:** Removal of elected officials. Any elected official of the Student Government Association shall be removable from his or her office by means of impeachment and conviction of malfeasance in office.

**Section 3:** Procedures to remove an elected official shall be handled as follows:

- A. The Senate shall have solo power of impeachment, and possible removal from office. The Chair of the Student Judicial Board shall preside over the hearing. Should charges be brought against the Chair of the Student Judicial Board, the Vice Chair of the Student Judicial Board shall preside.
- B. A resolution shall be submitted to the floor of the Senate by any Senator outlining the reasons for impeachment. With a simple majority approval of the resolution, the Speaker shall appoint a committee of five Senators for the purposes of general investigation. If the committee determines that their findings support the accusations, the committee shall present to the floor a resolution outlining formal Articles of Impeachment. If this resolution passes by a simple majority, then the Chair of the Student Judicial Board will preside over the final impeachment hearing. Any questions involving procedure shall be resolved by a vote of the Senators. A two-thirds vote in favor of any one of the formal Articles of Impeachment shall result in removal from office.
- C. Any official who has been removed from office pursuant to Article IX, Section 2 shall not be permitted to hold any office or serve in any other capacity within the Student Government Association for the remainder of their attendance at this institution.

## **ARTICLE X**

### **Amendments**

Amendments to the Constitution may be proposed by the Student Government Association Senate at any two regular meetings, or by petition of the student body signed by at least five hundred (500) students. Any amendment proposed by petition shall be brought to immediate vote of the student body. Amendments proposed in the Senate shall be approved only by a two-thirds vote at two regular meetings. Upon approval by Senate, the proposed amendment shall be presented to the students of Middle Tennessee State University in a referendum that shall be publicized for at least two weeks in advance. If said amendment is approved by a two-thirds vote of the students voting, the amendment shall then become a part of this Constitution.

**ARTICLE XI**  
**Enactment**

This Constitution shall go into effect May 1, 2009.