



**The Constitution of the  
Student Government Association  
Of Missouri State University**

# TABLE OF CONTENTS

|  |           |
|--|-----------|
| <b>PREAMBLE</b>                          | <b>3</b>  |
| <b>ARTICLE I: STUDENT BILL OF RIGHTS</b> | <b>4</b>  |
| <b>ARTICLE II: GENERAL PROVISIONS</b>    | <b>6</b>  |
| <b>ARTICLE III: EXECUTIVE</b>            | <b>7</b>  |
| <b>ARTICLE IV: LEGISLATIVE</b>           | <b>13</b> |
| <b>ARTICLE V: JUDICIAL</b>               | <b>19</b> |
| <b>ARTICLE VI: ELECTIONS</b>             | <b>22</b> |
| <b>ARTICLE VII: AMENDMENTS</b>           | <b>23</b> |
| <b>ARTICLE VIII: RECALL</b>              | <b>24</b> |
| <b>ARTICLE IX: BYLAWS</b>                | <b>25</b> |
| <b>ARTICLE X: RATIFICATION</b>           | <b>26</b> |

## **PREAMBLE**

We, the students of Missouri State University, in order to form a more effective and representative student government and to better express the needs and opinions of the student body, do establish this Constitution in accordance with the rules and regulations of Missouri State University, the laws of the State of Missouri, and the laws of the United States of America.

## **ARTICLE I: STUDENT BILL OF RIGHTS**

The purpose of the Student Bill of Rights is to ensure the entire student body of certain unalienable rights. These include, but are not limited to, the following rights:

### **1. Right to Representation**

All students will have the right to representation in the Student Senate and to all other rights given to constituents in democratic societies, including, but not limited to, the rights of petition and recall.

### **2. Right to Personal Judgment**

All students will have the right to take reasonable exception to views and ideas presented in any course of study and to reserve their judgment on matters of opinion; students are, however, liable for learning the content of any course in which they are enrolled.

### **3. Right to Protection from Prejudiced Grading**

All students will have the right to protection from prejudiced academic evaluations based on student views, opinions, political associations, organizational memberships, or biases based on the character of the student. Furthermore, all students will have the right to appeal grades to instructors, department heads, college deans, and the Provost.

### **4. Right to Secure Records**

All students will have the right to have their academic and disciplinary records protected from unauthorized access by any person without the written consent of the student, except under compulsion by a University or civil court the University's Board of Governors, or as allowed by state and federal law.

### **5. Right to Association**

All students will have the right to join any organization they wish within the membership guidelines of each individual organization. Furthermore, all student organizations will have the right to express their views on any issue they see fit.

### **6. Right to Academic Freedom**

All students will have the right to examine and discuss any questions of interest, to practice academic freedom, and to further express their opinions in a peaceful fashion where such expression does not conflict with municipal, state, or federal laws or University regulations.

### **7. Right to Due Process and a Fair Hearing**

All students will have the right to due process and to a fair and impartial judicial hearing with student peers among the judges.

### **8. Right to Unhindered Access**

All students will have the right to free and unhindered access to all University structures to the upkeep of which student fees or fines directly contribute, except private offices and other areas where student access could compromise privacy.

**9. Right to Bring Grievances**

All students will have the right to bring grievances and complaints to the appropriate University officials about any matters the students see fit.

**10. Right to Rights**

These rights, guaranteed under the Code of Student Rights and Responsibilities, will not be infringed upon by University administrators, faculty, staff, or fellow students.

## **ARTICLE II: GENERAL PROVISIONS**

### **Section 1: Title**

The name of this organization will be the Student Government Association of Missouri State University; it may also be known as the SGA.

### **Section 2: Nondiscrimination Policy**

It is the policy of Missouri State University and the Student Government Association not to discriminate on the basis of race, color, religion, sex, national origin, ancestry, age, disability, or veteran status in employment or in any program or activity sponsored by Missouri State University. It is also the policy of the SGA not to discriminate on the basis of political affiliation or beliefs, marital or parental status, participation in constitutionally protected activities, or sexual orientation.

### **Section 3: Organization**

The SGA will consist of three branches: the Executive Branch, the Legislative Branch, and the Judicial Branch.

### **Section 4: Powers**

The elected and appointed officials of the SGA will be recognized as the official voice of the student body to represent the students of Missouri State University. In that capacity, the SGA may exercise the right to investigate general problems of student life and activity in the University and to report to officials on the local, state, and national levels on matters of student interest.

### **Section 5: Limitation of Service**

No member of the SGA may serve concurrently in two different branches of the SGA, unless duly noted by this Constitution.

### **Section 6: Advisement**

The Dean of Students will serve as an advisor of the Student Government Association.

## **ARTICLE III: EXECUTIVE**

### **Section 1: Composition**

- A. The Executive Branch of the SGA will be composed of the President and Vice President of the student body, the Chief of Staff, the Chief Communications Officer, the Chief Financial Officer, any duly appointed Executive Assistant(s), the Senior Class President, and Executive Commissioners.
- B. All executive powers herein granted will be vested in the President and Vice President of the student body, the Senior Class President, and the Executive Commissioners.
- C. The President, Vice President, Chief of Staff, Chief Communications Officers, Chief Financial Officer, any duly appointed Executive Assistant(s), Executive Commissioners, Directors of Senate Committees, advisor(s), and other officers as designated by executive order will constitute the SGA Cabinet. The Cabinet will assist with the planning, development, and delegation of SGA business.
- D. All members of the Executive Branch must be attending classes on the Springfield Campus of Missouri State University while holding office in the SGA with the exception of summer and intersession terms. Failure to meet this requirement will result in automatic and immediate removal from office.

### **Section 2: Election**

- A. Candidates for President and Vice President of the student body will run for their prospective offices as a ticket.
- B. The President and Vice President of the student body and the Senior Class President will be elected during the first or second full academic week in April each year. They will assume office during the last meeting of the Senate in the spring semester, which is the first meeting of the next session.
- C. Any candidates for Executive Branch offices must have a minimum cumulative grade point average (GPA) of 2.75 at the time of the election.
  - 1. For SGA purposes, cumulative GPA can be interpreted to mean transfer as well as Missouri State University GPA, or Missouri State University GPA alone, to the benefit of the applicants or candidates.
  - 2. Failure of any Executive Branch official to maintain a 2.75 GPA while in office will result in immediate and automatic removal from office.
  - 3. Candidates for President and Vice President must be full-time students as defined by University guidelines.
- D. To be eligible for Senior Class President, a candidate either must have completed ninety (90) hours by the time of the election or have registered for sufficient classes to have completed ninety (90) hours by the end of the summer semester following the election.
- E. Candidates for President and Vice President of the Student Body must attain at least seven hundred fifty (750) signatures of current Missouri State University students. The Elections Commission is responsible for the verification of the signatures.

- F. Each ticket consisting of a candidate for President and a candidate for Vice President of the student body must submit a written platform to the Elections Commission for publicity, detailing issues they would address during their administration, in order to be declared eligible to run.
- G. The newly elected President and Vice President must attend a training session presented by the current President and Vice President.

### **Section 3: Limited Service**

While serving in the office of President or Vice President of the student body, no person may hold any office in other recognized student organizations, nor may they serve as the Student Member of the Board of Governors.

### **Section 4: Duties and Powers of the Student Body President**

- A. The President may regularly provide the Senate information concerning the state of the campus and may recommend such measures as are warranted.
- B. The President may, on extraordinary occasions, convene the Senate. It will be the responsibility of the President to see that all members of the Senate are contacted and informed of the complete agenda of such a meeting. A formal agenda must be sent out electronically by the Secretary of the Senate to Senators prior to the meeting. If the Senate is convened in the summer, the President, or their designee, must send a copy of the minutes to all Senators from the previous Senate session and to all students with pending applications. The President must make a full report of all such meetings at the first meeting of the fall semester.
- C. The President will serve as the official head of the student body and will perform all official and social functions pertaining to the presidential office.
- D. The President, or their designee, must ensure that judicial nominations are made in accordance with Article V, Section 3.
- E. The President may veto General Business (GB) acts of the Senate in accordance with the procedures, rules, and regulations of such veto acts as provided for in Article IV, Section 13. The President will have five (5) academic days after delivery of the act by the Speaker of the Senate to either sign or veto the act.
- F. The President will have the power to request legislation passed by Senate, requiring the signature of the President, from the Vice President in the instance that it is not delivered within two (2) academic days.
- G. The President will nominate and, with the consent of a majority of Senate seats filled, appoint all executive commission heads, the Chief of Staff, the Chief Communications Officer, Chief Financial Officer, Executive Assistant(s), and all other officers whose appointment is not otherwise herein provided for or which will be established by law or Senate action.
- H. The President may appoint, by executive order, such Executive Assistants as deemed necessary for the proper functioning of the Student Government Association.
- I. The President may create and appoint, by executive order, such commissions as are necessary for the functioning of the Executive Branch.

- J. The President may, with the consent of a majority of Senate seats filled, have the power to remove any presidentially appointed official for incompetence or neglect of duty in office.
- K. The President may require written reports of the members of Cabinet on any subject related to the duties of their respective offices.
- L. The President will serve as a nonvoting member of all executive commissions except the Elections Commission.
- M. The President will confer with various members of Missouri State on matters of student interest.
- N. The President, or their designee, will maintain correspondence (either in person or otherwise) with officials on the local, state, and national governmental levels and with student government officials of other institutions on matters of student interest.
- O. The President must, in conjunction with the Chief Financial Officer, annually formulate the SGA budget, which will be subject to the consent of a majority of Senate seats filled. The President must present this budget to the Senate one week prior to Senate approval with a written defense explaining the proposed budget. The President must also prepare a written copy of the approved budget and a written explanation for the advisor of the Student Government Association.
- P. The President, or their designee, must administer the oath of office to student Senators, executive officers other than the Vice President and Senior Class President.
- Q. The President may, in conjunction with two-thirds (2/3) majority vote of Senate seats filled, have the power to call special elections.
- R. The President may request an advisory opinion of the Campus Judicial Board concerning the interpretation of the Constitution and bylaws of the SGA. Before the request can be sent to the CJB, the President must notify the Senate during a Senate meeting.
- S. The President, or their designee, will preside over meetings of the SGA Cabinet.
- T. The President may, upon necessity, issue executive orders exercising powers currently vested in their office.

#### **Section 5: Duties and Powers of the Student Body Vice President**

- A. The Vice President will have the power to call sessions of the Senate and preside over Senate meetings.
- B. The Vice President reserves the option to allow the Speaker Pro-Tempore to conduct Senate meetings.
- C. The Vice President will appoint committees and committee chairs needed to carry out the work of the Senate. The appointment of chairs of various committees are subject to the consent of a majority of Senate seats filled.
- D. The Vice President will serve as an ex officio member of all committees of the Senate.
- E. The Vice President must assume the duties of the President of the student body in the absence of the President per the process prescribed in Article III, Section 8.
- F. The Vice President, or their designee, must ensure that all legislation passed by the Senate requiring the signature of the President be delivered to the President within two (2) academic days after passage by the Senate. If the legislation is not delivered

to the President within two (2) academic days, then the Vice President must deliver it as soon as possible and give an oral explanation to Senate during a Senate meeting as to why it was not delivered on time.

#### **Section 6: Duties and Powers of the Senior Class President**

- A. The Senior Class President must assist the administration with commencement activities.
- B. The Senior Class President, in conjunction with the senior class advisor and the Missouri State University Foundation, will be responsible for the acquisition of the senior class gift by chairing the Senior Class Gift Commission.
- C. The Senior Class President will be responsible for arranging and presiding over all senior banquets.
- D. The Senior Class President may, at their discretion, give an oral report to recognize and represent the accomplishments of the graduating senior class at each senior banquet.

#### **Section 7: Other Executives**

- A. The Chief Financial Officer must assist the President in formulating the budget of the Student Government Association. The Chief Financial Officer will be in charge of all financial transactions involving the SGA, must keep a financial record of all monies spent during the University's fiscal year, and provide written reports at least twice a year regarding the financial status of the SGA and upon request from the Senate or the Student Body President. The Chief Financial Officer will monitor and review all non-academic student services fees and make recommendations to the Student Body President regarding the expenditure of the fees collected.
- B. The Chief of Staff must keep records, present agendas, carry out correspondence, make stylistic revisions to the Constitution, and perform other duties necessary to the maintenance of the Executive Branch as directed by the President or by their designee.
- C. Executive Assistant(s) appointed by the president must carry out the duties as described in the Executive Order creating the position. Executive Assistant(s) may hold any title as described in the Executive Order creating the position. Any position in the executive branch not otherwise provided for in this article shall be considered an Executive Assistant.
- D. The Chief Communications Officer is responsible for maintaining communication and correspondence between SGA and members of the media as well as between SGA and the student body.
- E. The Chief Elections Commissioner, Chief Sustainability Commissioner, Chief Wyrick Commissioner, and Chief Title IX Commissioner will follow the guidelines in their respective manuals. The Chief Commissioners will nominate members of their commission by present a resolution before the Senate for confirmation.
- F. Commissions created by the President must create a manual governing their actions during the semester in which they are created. If the commission fails to do so the Senate may dissolve the commission as outlined in Article IV, Section 11, Paragraph

Q. Commissions not dissolved by the Senate may be subject to dissolution until a manual governing their actions is ratified by the Senate.

## **Section 8: Line of Succession and Transfers of Power**

### **A. Vacancies**

1. Should a permanent vacancy occur in the office of the President, the Vice President will become President.
2. Should a permanent vacancy occur in the office of the Vice President, the President must nominate a Vice President who will take office upon confirmation by a two-thirds (2/3) vote of Senate seats filled.
3. Should a permanent vacancy occur in the office of the Speaker Pro Tempore, the Senate must elect a new Speaker Pro Tempore from within its membership.
4. Should simultaneous vacancies occur in the offices of the President and the Vice President, the Speaker Pro Tempore will serve as Acting President until such time as new elections are called by the Senate and held and the newly elected President and Vice President are sworn into office. During this time, the Senate must elect an Acting Speaker Pro Tempore from within its membership.
5. Should a vacancy occur in the office of the Senior Class President, the Election Commission will hold an election.
6. The Election Commission is in charge of holding an election to fill the position(s). The election must be held during the academic year and may not be held sooner than four (4) weeks or later than six (6) weeks after the Senate and the Election Commission are notified of a vacancy in the offices.

### **B. Transfers of Power**

1. The line of succession for temporary transfers of power will consist of the President, Vice President, Speaker Pro Tempore, and member of the Senate elected in accordance with the procedure in Section 3, Paragraph C.
2. Whenever the President transmits to the Vice President and the Speaker Pro Tempore a written declaration that they are unable to discharge the powers and duties of the office, such powers and duties will be discharged by the Vice President as Acting President. For the duration that the Vice President serves in this capacity, the Speaker Pro Tempore will discharge the powers and duties of the office of the Vice President. The Vice President and Speaker Pro Tempore must ensure that the Senate and the Chief Justice of the CJB are notified of the transfer of power.
3. Should the President be unable to fulfill their duties but has not provided for the transfer of power, the Vice President will notify the Senate of this concern. The Senate will then convene as soon as possible and determine by a three-fourths (3/4) vote of Senate seats filled whether such an incapacity exists. If the Senate so determines, it may vest the powers and duties of the office of the President with the Vice President until the President may competently assume their office. The Vice President and the Speaker Pro Tempore will ensure that the Chief Justice of the CJB is notified. For the

duration that the Vice President serves in this capacity, the Speaker Pro Tempore will discharge the powers and duties of the office of the Vice President. For the President to reassume the office, they will provide a written declaration to the Vice President, the Speaker Pro Tempore, and the Chief Justice of the CJB stating that their inability to serve has passed. The Vice President and the Speaker Pro Tempore must ensure that the Senate is notified.

- C. The Senate will elect from within its membership a Senator to be the Speaker Pro Tempore. The Speaker Pro Tempore will serve as the Speaker of the Senate in the absence of the Vice President when asked to do so by the Vice President or when the Vice President assumes the duties of the President of the student body per the process prescribed in Article III, Section 8. In the absence of both the Vice President and the Speaker Pro Tempore from a Senate meeting, the Secretary of the Senate will convene the Senate and conduct the election of an Acting Speaker of the Senate to serve for the duration of that meeting.

### **Section 9: Impeachment**

- A. The President or Vice President of the student body may be impeached for malfeasance in office or failure to carry out the duties and responsibilities of office as provided in this Constitution and its Bylaws.
- B. Impeachment may be initiated by a petition signed by twenty (20) percent of Senators at the Springfield Campus and will be effective by a majority vote of Senate seats filled.
- C. The Senior Class President may be impeached for malfeasance in office or failure to carry out the duties and responsibilities of office as provided in this Constitution and its Bylaws. Impeachment may be initiated by a petition signed by three percent (3%) of the Senior class.
- D. The Senate will have the sole power to try impeachments of executive officials. Convictions will be effective with a three-quarters (3/4) majority vote of senate seats filled.

### **Section 10: Resignation**

The President, Vice President, or Senior Class President may resign by writing a letter of resignation and presenting it to the Chief Justice. The Chief Justice is responsible for informing the Senate and the Elections Commission at the next regularly scheduled Senate meeting.

## **ARTICLE IV: LEGISLATIVE**

### **Section 1: Title**

The legislature of the SGA will be known as the Student Senate.

### **Section 2: Purpose**

The Student Senate of Missouri State University must assume all legislative responsibilities, duties, and powers herein granted.

### **Section 3: Composition**

- A. The Senate will be composed of the Vice President and elected and appointed Senators as provided for herein.
- B. Senators will be elected or appointed by official student organizations in good standing. Each recognized student organization will be allowed two (2) Senators.
- C. There will be one-hundred (100) at-large seats to be divided as follows:
  1. Fifty (50) at-large seats will be divided by class. Petitions for class seats must only be from members of that class as defined by the University guidelines. The class seats will be allocated as follows:
    - i. Graduate students (10)
    - ii. Senior students (10)
    - iii. Junior students (10)
    - iv. Sophomore students (10)
    - v. Freshman students (10)
  2. Fifty (50) at-large seats will be open to any current Missouri State University student. Eligibility for these seats requires the signatures of fifty (50) Missouri State University students.

### **Section 4: Candidacy**

- A. Each applicant for Senate must be a student at the Springfield campus and have a minimum cumulative GPA of 2.0 (or the equivalent thereof) at the time of the election. Failure to maintain this cumulative GPA while in office will result in immediate and automatic removal from office. For the purpose of this section, a first semester freshman will be presumed to have a GPA sufficient to hold a Senate seat. Senators may serve no longer than one Senate session per application.
- B. The director of each committee, the Speaker Pro Tempore, Secretary of the Senate and Sergeant at Arms must maintain a 2.75 cumulative GPA in order to maintain their position.

### **Section 5: Speaker of the Senate**

- A. The Vice President of the student body or the Speaker Pro Tempore will be the Speaker of the Senate and preside at all meetings of the SGA.
- B. The Speaker of the Senate will vote only if such a vote is necessary to break a tie.
- C. The Speaker of the Senate will teach parliamentary procedure to Senators.

### **Section 6: Speaker Pro Tempore**

- D. The Senate will elect from within its membership a Senator to be the Speaker Pro Tempore. Duties and Powers of the Speaker Pro Tempore
  1. The Speaker Pro Tempore will serve as Parliamentarian of the Senate.
  2. The Speaker Pro Tempore will be responsible for maintenance and changes to the SGA Constitution, Bylaws, and governing documents.
  3. The Speaker Pro Tempore will chair the Internal Affairs Committee.

### **Section 7: Sergeant at Arms**

- A. The Sergeant at Arms will be chosen by the Vice President of the student body from the Senate. The Sergeant at Arms will serve as the Parliamentarian when the Speaker Pro Tempore serves as Speaker of the Senate.
- B. Duties and Powers of the Sergeant at Arms
  1. The Sergeant at Arms will maintain orderly conduct in the Senate chambers.
  2. The Sergeant at Arms will keep a record of the attendance of the Senate.
  3. The Sergeant at Arms will count and handle all votes, including votes cast by secret ballot.
  4. The Sergeant at Arms will serve as a nonvoting member of the Internal Affairs Committee.

### **Section 8: Secretary of the Senate**

- A. The Secretary of the Senate will be appointed by the Vice President of the student body, with the consent of a majority of Senate seats filled.
- B. The Secretary of the Senate will maintain all Senate records, minutes, and legislation, and perform other duties as directed by the Speaker or the Senate.
- C. The Secretary of the Senate will submit to the University Archives a record of the activities of SGA.

### **Section 9: Meetings**

- A. During the opening of the Senate session, the President must issue an executive order to approve as Senators the first ten (10) students that request to represent their recognized student organizations or submit at-large petitions. After these ten (10) Senators have been sworn in, they will comprise the initial Senate.
- B. The Senate will hold regular meetings during the fall and spring semesters of each academic year.
  1. At the discretion of the Speaker of the Senate, or upon petition of one fourth (1/4) of the Senate seats filled, the Senate may be convened into special session. The Speaker will see that all Senate members are notified at least one day in advance of such a special session.
  2. A regular meeting of the Senate may be omitted by a two-thirds (2/3) vote of the membership.
  3. If the University is closed on a day when the Senate is scheduled to meet, the Speaker will have the discretion to cancel the meeting. The Senate will determine the rules of attendance.
- C. Quorum will consist of a majority of Senators sworn in. If, during official meetings (including special sessions), the Senate does not have quorum, it may form a

committee of the whole. This committee will report to the full Senate at the next regular meeting.

- D. Business conducted within the Senate will be divided into three categories:
  1. Senate Business (SB) will be used for acts directly pertaining to the internal functions of the Senate and that discharge powers vested in the Senate. Senate Business includes but is not limited to issues dealing with changes in the Bylaws, budget and commendations. Senate Business does not require executive action.
  2. Constitutional Business (CB) will be used for acts pertaining to the amendment or revision of the SGA Constitution. Constitutional Business does not require executive action.
  3. All other legislation which is necessary and proper to promote the general welfare of the student body, and not provided for herein, will be considered General Business (GB). General Business requires executive action.

### **Section 10: Procedure of Meetings**

- A. All Senate meetings must be conducted according to the current edition of *Robert's Rules of Order Newly Revised*, except as otherwise noted in this Constitution or its Bylaws.
- B. The Student Government Association of Missouri State University will practice parliamentary procedure in good faith, which will be defined at the discretion of the Chair.

### **Section 11: Duties and Powers of the Senate**

- B. The Senate will keep a record of all of its proceedings. Updated copies of all minutes and legislation of the Senate will be kept on file in the University Archives and on the SGA website.
- C. The Senate may impeach and try any official of the SGA.
- D. The Senate may, in cooperation with the President and the Chief Financial Officer, and in accordance with Article III, Section 4, Paragraph N, to budget and allocate funds assigned to the Student Government Association and other funds that may come into the treasury of the SGA.
- E. The Senate may make stylistic changes to this Constitution with majority vote. Any changes will be given to the Chief of Staff.
- F. The Senate may select faculty, administrative, and staff advisors. The Dean of Students will serve as an advisor. All other advisors may be elected and removed by a majority vote of the Senate.
- G. The Senate may approve constitutions of student organizations and amendments to those constitutions by a majority vote. In order for a student organization to be fully recognized, it must have its constitution and amendments approved by the Senate whenever it makes changes to or amends its constitution. All other student organizations must adhere to the rules set forth by the Senate.
- H. The Senate may revoke the constitution of any recognized student organization in accordance with the procedure in Section 12.

- I. The Senate may, by a two-thirds (2/3) vote of Senate seats filled, to call special elections.
- J. Each Senator will join and serve on an SGA committee as well as perform one work hour per week.
- K. The Senate may, with a majority vote of the Senators present, request the CJB to provide an advisory opinion concerning the interpretation of this Constitution and Bylaws. The request for the advisory opinion must be delivered to the CJB by the Student Body President within five (5) academic days of its passage.
- L. If the Senate is ever named as an applicant or defendant by a case in front of the CJB, then the Senate may to elect its representation from within its membership.
- M. The Senate may form Ad Hoc Committees by a majority of the Senators present.
- N. The Senate will have the authority to oversee all expenditures from University-received funding of student organizations
- O. The Senate will have the power to confirm all members of the Executive Commissions.
- P. The Senate will have the power to ratify the manuals of Executive Commissions and any subsequent amendments by a two-thirds vote of Senate seats filled.
- Q. The Senate will have the power to dissolve executive commissions by a two-thirds (2/3) vote of Senate seats filled, created by the President only when the commission fails to abide by Article III, Section 7, Paragraph F.

### **Section 12: Revoking Student Organization Constitutions**

- A. Any alleged violation of a Senate rule by a student organization must first be heard by the CJB. The CJB will make a written report to the Senate. The Senate has the power to revoke the constitution of a student organization with a two-thirds (2/3) vote of Senators present.
- B. Any student organization whose constitution has been revoked by the SGA will be suspended for at least a one (1) year period. Following the suspension, the organization has the right to apply to become a student organization, provided it follows the procedure set out by the University and Article IV, Section 11, Paragraph G of this Constitution.
- C. The Senate may reinstate suspended student organizations with two-thirds (2/3) majority vote of Senators present, following the appeal procedure, which is: A suspended organization may submit a written appeal to the Internal Affairs Committee requesting reinstatement. The Internal Affairs Committee must review the request and present the petition and a written recommendation on the matter to the Senate.

### **Section 13: Presidential Veto**

A vetoed General Business (GB) Resolution must be returned to the Speaker of the Senate during the five (5) academic days after its delivery to the President or it takes effect as if it had been signed. After receiving a vetoed General Business Resolution, the Speaker of the Senate must read the President's written explanation at the next regular meeting of the Senate. The Senate may override a veto by a two-thirds (2/3) majority vote of Senators present within two (2) weeks after being returned. Once a veto is overridden it is final and

will be signed by the Speaker of the Senate for verification. The Speaker of the Senate must sign the resolution. A request for an advisory opinion cannot be vetoed.

#### **Section 14: Informing the Electorate**

Senators are responsible for keeping their representative areas informed of all Senate activities and representing the interests of their constituents to the best of their ability.

#### **Section 15: Activity Funds Management**

The Senate will have the authority to oversee all expenditures from University-received funding of student organizations. If an organization is found to have misused funds, the Senate has the power to take away its funding and revoke its constitution. All organizations that receive University funding must be recognized by the SGA.

#### **Section 16: Fiscal Responsibility**

All SGA expenditures exceeding 1.5% of the original projected budget on a single project, issue, or initiative must be approved by Senate vote prior to allocation while Senate is in session. Any revision to the SGA budget must be presented to Senate at least one week before its submission as a resolution

#### **Section 17: Vacancies**

A vacant Senate seat may be filled with a replacement Senator from the same organization. At-large Senate seats may be filled by the next applicant on a first come, first serve basis.

#### **Section 18: Impeachment**

- A. The Senate will have the sole power of bringing charges of impeachment against its members.
- B. A Senator may be impeached for malfeasance in office or failure to carry out the duties and responsibilities of office as provided in this Constitution and its Bylaws. Impeachment may be instigated by a petition signed by ten (10) Senators and will be effective by a two-thirds (2/3) vote of Senate seats filled. The specific causes for impeachment include, but are not limited to, the following:
  1. A total of three (3) unexcused absences per semester in the Senate.
  2. Failure to do work in a Senate committee. It is the responsibility of the chair of each committee to ensure that committee members work. If they do not, the committee may recommend that the Senator be impeached.
- C. The Senate will have the power to impeach officials of the SGA. An official may be subject to impeachment for negligence of duty, malfeasance in office, or failure to uphold this Constitution and its Bylaws.
- D. The Campus Judicial Board will try impeachments of Senators. The conviction will be effective by a majority of the Campus Judicial Board.

#### **Section 19: Resignation**

- A. The Speaker Pro Tempore may resign by reading a letter of resignation to the Senate.
- B. Any other legislative offices may resign by informing the Vice President.

- C. A Senator may resign by informing the Sergeant at Arms and the organization they represent. If the Senator is an at large Senator, then they are not required to inform the students they represent.

## **ARTICLE V: JUDICIAL**

### **Section 1: Title**

The judicial power of the SGA will be vested in one supreme Campus Judicial Board (CJB) and in such subordinate boards as the Senate may ordain and establish.

### **Section 2: Purpose**

The CJB was established in order to provide students with a representative voice in the regulation of their actions and to encourage their participation in an understanding of the administration of fairness.

### **Section 3: Composition**

- A. The CJB consists of seven (7) students of Missouri State University.
- B. The CJB will be nominated by a committee comprised of MSU students, appointed by the President of the student body. The committee may nominate any of the seven justices to serve as Chief Justice. All nominees must be full-time students with a 2.75 minimum cumulative GPA. The committee may only nominate individuals to vacant seats. In the event that the Chief Justice position becomes vacant and an interim Chief Justice is appointed, the committee will consider the position vacant and the committee must nominate an individual for the position of Chief Justice. Nominees for the office of Chief Justice must have a 2.75 GPA. Confirmation by a two-thirds (2/3) vote of Senate seats filled is required for all nominees.
- C. The justices may serve, pending good behavior, for no more than a total of four (4) years. Associate justices must maintain at least a 2.75 cumulative GPA to remain on the CJB. The Chief Justice must maintain at least a 2.75 cumulative GPA to remain on the CJB.
- D. Before the third (3rd) Senate meeting of the fall semester, the committee must present nominations for all vacant judicial positions to the Senate. The justices may take office upon confirmation and upon being sworn in by the President of the student body.
- E. All members of the Judicial Branch must be attending classes on the Springfield Campus of Missouri State University while holding office in the SGA with the exception of summer and intercession terms. Failure to meet this requirement must result in automatic and immediate removal from office.

### **Section 4: Board Procedure**

The Chief Justice will preside over the CJB. In the absence of the Chief Justice, an interim Chief Justice may preside over the CJB. The Associate Justice with the highest seniority on the CJB will serve as interim Chief Justice. In the event that no Associate Justice has seniority, the President may choose an interim Chief Justice. Each justice will have one (1) vote on all decisions made by the board. A simple majority of the justice's present is required on all decisions unless otherwise noted by this Constitution. Quorum consists of four (4) justices present. A tie vote must be considered approval of the decision of the lower board. In cases where there is no lower board decision, a tie vote must remand the case to

the proper administrative authorities. A decision must be rendered within ten (10) academic days after presentation before the CJB.

### **Section 5: Jurisdiction**

All student organizations and all students enrolled in this University are subject to the jurisdiction of this board.

### **Section 6: Duties and Powers of the Campus Judicial Board**

- A. The CJB will have the power to interpret the Constitution, Bylaws, and the Manuals of Commissions of the SGA.
- B. The CJB will be the appellate body for student organizations and individuals appealing decisions from subordinate student hearing boards.
- C. The CJB will have the power of original jurisdiction in the following cases:
  1. Conflicts between organizations not otherwise under the jurisdiction of a subordinate student board.
  2. Any conflicts involving students that are not provided for herein and that do not fall under the jurisdiction of another board.
- D. The CJB will have the power to try impeachment charges as provided in the sections addressing impeachment in Articles III, IV, and V.
- E. The Chief Justice must administer the oath of office to the President and Vice President of the student body and to the President of the Senior Class.
- F. The Campus Judicial Board has the right to hear advisory opinions brought to it by the Senate or the Student Body President. In an advisory opinion, the CJB may choose at its discretion to hear oral arguments. If oral arguments are to be heard, then the CJB must take measures to ensure that all sides of the issue are represented. The CJB must report back to the Senate regarding its findings within five (5) academic days.

### **Section 7: Records**

The CJB must keep records of all heard cases from the past ten (10) years on file in the SGA office for reference to precedents. These records must include a record of the proceedings and any written opinions. After ten (10) years the record may be moved to the University Archives for permanent storage. The Chief Justice may appoint a board secretary to keep these records up to date.

### **Section 8: Vacancies**

Vacancies on the Campus Judicial Board must be filled in the manner prescribed for the original appointment of members of the CJB.

### **Section 9: Impeachment**

- A. Members of the Campus Judicial Board may be impeached for malfeasance in office or failure to carry out the duties and responsibilities of office as provided in this Constitution and its Bylaws.

- B. Impeachment may be initiated by a petition signed by twenty (20) percent of Senators at the Springfield Campus and will be effective by a majority vote of Senate seats filled or by a two-thirds (2/3) vote of Campus Judicial Board Members.
- C. The Senate will have the sole power to try impeachments of judicial officials. Convictions will be effective with a three-quarters (3/4) majority vote of Senate seats filled.

**Section 10: Notice of Hearing and Decisions**

- A. It is the responsibility of the CJB to notify the other branches of the Student Government Association of upcoming hearings by posting a notice in the SGA office at least 24 hours in advance.
- B. The notice of the hearing must include the names of involved parties, while protecting the privacy of individual students when applicable.
- C. When a case arises concerning the SGA or other student organizations, the CJB must make all opinions available to the rest of the SGA within forty-eight (48) hours after their finalization. These decisions must also be available online within 48 hours of being made available to the SGA.

**Section 11: Resignation Process**

If a member of the CJB resigns, they must send a letter of resignation to the SGA President and to the remaining members of the CJB.

## **ARTICLE VI: ELECTIONS**

### **Section 1: President and Vice President of the Student Body**

All students of Missouri State University at the Springfield Campus will be eligible to vote for the President and Vice President of the student body in an at-large election to be held in April.

### **Section 2: President of the Senior Class**

All students who have completed at least seventy-five (75) credit hours will be eligible to vote for the Senior Class President in an at-large election to be held in April.

### **Section 3: Dates of Elections**

The elections for President and Vice President of the student body and the Senior Class President must be held during the first or second full academic week in April. Other elections will, upon necessity, take place at the discretion of the SGA Senate or the President of the student body, in accordance with the provisions prescribed in this Constitution.

### **Section 4: Time of Elections**

Within these time limits, the specific time of elections will be determined by the Elections Commission and the Bylaws of the SGA.

### **Section 5: Issues**

The issues that may be voted on during the elections are the SGA Constitution, election of the Senior Class President, election of President and Vice President, Wyrick proposals, and other issues deemed necessary by two-thirds (2/3) vote of Senate seats filled.

### **Section 6: Referendums**

A referendum to put an issue before the student body for a vote may be initiated by the submission to the Elections Commission of a petition containing signatures from seven hundred fifty (750) current Missouri State University students. This procedure must be followed unless otherwise provided for in this Constitution.

## **ARTICLE VII: AMENDMENTS**

### **Section 1: Proposal**

Amendments to this Constitution may be proposed upon a majority vote of Senate seats filled or upon recommendation or request of the student body through the presentation of a petition of amendment signed by at least two (2) percent of the student body.

### **Section 2: Procedure**

Proposed amendments to this Constitution must be presented in writing to the Senate in a meeting. After referral to the Senate's Internal Affairs Committee, proposed amendments must be reintroduced to the Senate after no more than two (2) weeks. They will then be re-read and voted upon by the Senate before being submitted to a referendum.

### **Section 3: Stylistic Revisions**

The Chief of Staff is responsible for correcting any spelling, grammar, or formatting errors in this Constitution. Any such stylistic revisions must be presented to the Senate within two weeks of being made. These revisions do not require Senate Approval.

### **Section 4: Ratification**

Amendments to this Constitution may be ratified only after approval by three-fourths (3/4) of the Senate seats filled and a majority of the votes cast in the general student body referendum.

### **Section 5: Referendum**

A proposed petition amendment defeated in the Senate and not referred to the student body for a vote may be, upon presentation to the Senate of a petition for amendment containing the signatures of ten (10) percent of the student body calling for a referendum, automatically referred to the student body for a referendum. Such proposed amendments must be adopted when ratified by a majority of those voting in the referendum.

### **Section 6: Administrative Approval**

The approval of the President of Missouri State University is necessary for the enactment of any and all amendments.

## **ARTICLE VIII: RECALL**

### **Section 1: Student Senate**

Each student organization will have the power of recall of its Senators. At-large Senators cannot be recalled.

### **Section 2: President and/or Vice President of the Student Body**

The President and/or Vice President may be subject to recall upon presentation to the Elections Commission of a petition signed by five (5) percent of the eligible voters of the student body. Two-thirds (2/3) of all the votes of a special recall election are required for removal from office. A special recall election must take place no sooner than four (4) weeks and no later than six (6) weeks and must occur during the academic year.

### **Section 3: Senior Class President**

The Senior Class President may be subject to recall upon presentation to the Elections Commission of a petition signed by five (5) percent of the eligible voters of the senior class. Two-thirds (2/3) of all the votes cast by students that are seniors of a special recall election are required for removal from office. A special recall election must take place no sooner than four (4) weeks and no later than six (6) weeks and must occur during the academic year.

## **ARTICLE IX: BYLAWS**

### **Section 1: Enactment and Amendment of Bylaws**

Bylaws to this Constitution may be enacted or amended by a two-thirds (2/3) vote of Senate seats filled.

### **Section 2: Suspension of Bylaws**

Bylaws related to Senate procedure may be temporarily suspended by a two-thirds (2/3) vote of Senators present for the duration of the meeting at which they are suspended.

## **ARTICLE X: RATIFICATION**

This Constitution will be fully ratified after its passage by a three-fourths (3/4) vote of Senate seats filled, after its passage by a majority of the student body votes in a referendum, and after it is signed by the President of Missouri State University. Future Constitutions must be ratified in like manner.

Approved by the SGA Senate on March 21<sup>st</sup>, 2017.

Ratified by the student body on April 7<sup>th</sup>, 2017.

Ratified by the SGA Senate on April 18<sup>th</sup>, 2017.

---

Clifton M. Smart III  
President

---

Dr. Thomas Lane  
Dean of Students and SGA Advisor

---

Adam Coffman  
Student Body President