

# CONSTITUTION OF THE STUDENT GOVERNMENT ASSOCIATION OF SHEPHERD UNIVERSITY

Revised: February 2022 | Ratified: April 2022

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## PREAMBLE

We, the Student Government Association, in order to establish a more effective and representative student government, to encourage interest and participation in responsible student government, to protect the rights of students, and to initiate, direct, and promote students' activities designed to enhance the welfare of the entire student body, do establish and ordain this Constitution.

### Article I. Name

- Section 1. The governmental organization of the students of this institution shall be known as the Student Government Association of Shepherd University (SGA).
- Section 2. Any enrolled degree seeking undergraduate students of Shepherd University shall be members of the Student Government Association, but only those serving as senators in this body will have a voting seat.

### Article II. Governing Power

- Section 1. The Student Government Association shall be divided into three departments: Executive (Executive Board), Legislative (the Student Senate), and Judicial (the Campus Judicial Board), which shall be separate and distinct.

### Article III. Student Bill of Rights

- Section 1. The student has the right to be considered in for membership in any student organization or group without regards to race, age, gender, sexual orientation, handicap, nationality, and religious or political beliefs.

- Section 2. The student is guaranteed all rights given to him or her in the United States Constitution, Bill of Rights, by the state of West Virginia and the Shepherd University Student Handbook.
- Section 3. The student has the right to petition the Student Government Association for consideration of policies.
- Section 4. The SGA may not review a student's academic, personal, or disciplinary record without written permission from the same student.
- Section 5. The student has the right to appear before the Senate regarding any matter under consideration by the Senate, subject to Senate rules.
- Section 6. The student has the right to establish a free press and publish in any medium, free from censorship or other official action intended to control content or edit policy or content by any person; to form, join and participate in any group for any legal purpose, and the right to use campus facilities in accordance with institutional guidelines.
- Section 7. The student has the right to petition the Student Government Association for any new right to be guaranteed by the Student Bill of Rights, or cessation of a violation of right guaranteed by the Student Bill of Rights.

#### **Article IV. Legislative Branch**

- Section 1. The legislative power of the Student Government Association shall be vested in the Student Senate.
- A.) A duly constituted meeting will occur when a quorum, being two-thirds of the regular membership of the Senate, is present.
  - B.) The Senate shall enact no legislation or pass any motions unless a quorum is present.
  - C.) The Senate will operate under Robert's Rules of Order.
- Section 2. The internal powers enumerated to the Student Senate.
- A.) To enact legislation in support of the best interests of the entire student body.
  - B.) To pass by a (2/3) vote any motion brought to the floor of the Student Senate.
  - C.) Approve by a two-thirds (2/3) majority vote the Student Government Association budget and appropriations to Student Activities and Co-curricular Activities.
  - D.) To override the Presidential veto by a two-thirds (2/3) majority vote of those present at a duly constituted meeting of the Senate.
  - E.) Approve by a two-thirds (2/3) majority vote any appointment made by the President, with the exception of the executive board.
  - F.) Remove by a two-thirds (2/3) majority vote, for any cause, any person appointed by the President.
  - G.) Determine rules for governing its meetings, discipline members, and if necessary, by a two-thirds (2/3) majority, vote to expel a member.
  - H.) Establish all committees necessary to serve at the will and necessity of the Senate

### Section 3. The external powers enumerated to the Student Senate.

- A.) Work with the administration of the University in establishing rules and regulations governing student life.
- B.) The right to request and receive information or explanation on any subject the Senate deems pertinent to Student Life and to present recommendations to the administration and faculty.
- C.) Assist and advise the University in preparing any literature, including but not limited to the University Handbook, Student Handbook, or any other publication which may directly affect student welfare.
- D.) Call meetings of the student body or any part thereof when such meetings shall be deemed necessary.
- E.) Recognize all campus organizations if they meet the criteria established by the institution and the Student Government Association.
- F.) Penalize any recognized organization, which is a member of the Senate and refuses to abide by the rules and regulations of the Student Government Association.
  - 1. By a two-thirds (2/3) vote of the Senate, revoke an organization's seat in the Senate and all the rights and privileges included.
  - 2. By a two-thirds (2/3) vote of the Senate, an organization whose seat was revoked may be declared ineligible for future benefits until the seat is restored.

### Section 4. The Composition of the Student Senate.

- A.) Any recognized student organization on the Shepherd University campus may be granted a seat if it so desires, providing the organization meets rules established by the Student Government Association and has been recognized by the Student Government Association.
- B.) Providing an organization fulfills the requirements for recognition set down by the Student Government Association, the organization will then be considered for recognition by the Senate. A two-thirds (2/3) majority vote will be required to recognize an organization, and upon recognition of the organization, the organization's Senator will be granted all rights vested in the Student Government.
- C.) Four seats shall be granted for class presidents of the University.
- D.) One seat shall be granted for a commuter on campus to represent the needs and wants of commuter students

### Section 5. Senator qualifications.

- A.) Any member of a recognized organization may be eligible to be a Senator for that organization providing they carry a full course load of at least twelve credit hours and have a 2.2 overall Grade Point Average.
- B.) All senators shall serve for at least one semester. If the organization they represent wishes to recall, terminate, or otherwise end a Senator's term, the organization must give notice to the Student Government Association President,

and replace them with an individual qualified according to Article IV, Section 5, Sub-section A.

## **Article V. Executive Branch**

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

- A.) The Executive Power of the Student Government Association shall be vested in the President who will be the official representative of the Student Government Association.
- B.) The President shall have the power and the authority to enact all resolutions, make all appointments, present all recommendations, and allocate all appropriations deemed necessary.
- C.) The President shall be the ex officio member of all committees established by the Student Government Association.
- D.) The President shall have the power to execute policies of the Senate.
- E.) The President shall have the power to call sessions of the Senate at any time it is deemed necessary.
- F.) The President shall have the power to veto acts of the Senate, but such veto may be overridden at any time by a two-thirds (2/3) majority vote of senators present at a duly constituted meeting.
- G.) The President shall have the power to formulate policy and suggest it to the Senate.
- H.) The President shall have the power to remove all appointees for any reason, the President for any reason, after notifying the Senate.
- I.) The President may call a conference of all organizational Presidents when deemed necessary.
- J.) The President shall appoint the Executive Board, which will consist of the Communications Director, Treasurer, Campus Relations Officer, and Parliamentarian.
- K.) The President shall be the student representative to the Shepherd University Board of Governors.
- L.) The President shall preside at the meetings of the Executive Board.

### **Section 2. Powers of the Vice-President.**

- A.) The Vice-President shall assume the powers and responsibilities of the President upon the absence or inability of the President of the Student Government Association.
- B.) The Vice-President may waive the responsibility of presiding over the Senate in the President's absence to another member of the Executive Board.
- C.) The Vice-President shall be ex officio of any committees established by the Senate. D.) If the President of the Student Government Association is unable to complete his or her term of office, the Vice-President will become President for the remainder of the term of office. The new President shall nominate a new Vice-President, who is eligible according to Article V, Section 3. The nominee shall be subject to approval of the Senate. A two thirds (2/3) vote of those present at a duly constituted meeting of the Senate is needed for confirmation. If the Senate rejects the nominee, the process of nomination and confirmation begins again.
- E.) The Vice President shall preside at meetings of the Senate.

- F.) The Vice President will only have a vote if a vote is needed to break a tie.
- G.) The Vice President shall have the power to call sessions of the Senate at any time it is deemed necessary.

### Section 3. Officer Qualifications.

- A.) Candidates for President or Vice-President must have completed at least two regular semesters at Shepherd University.
- B.) All officers must carry a full course load of at least twelve credit hours and have a cumulative grade point average of 2.5.

### Section 4. Impeachment Procedure.

- A.) The President and/or Vice-President of the Student Government Association can be removed from office by three-fourths (3/4) majority of the Senate membership voting on a petition of one-third (1/3) of the students at Shepherd University.
- B.) If the President alone is removed from office, refer to Article V, Section 2, Sub-section E. If the Vice-President were removed, the President shall appoint a new Vice-President qualified as specified in Article V, Section 3; this individual is subject to approval of the Senate by a two-thirds (2/3) majority vote. However, if both parties are removed, new elections must occur, and the new board must be installed and fully functional within two weeks.

## Article VI. Election Procedure

### Section 1. An appointed Election Committee shall run elections.

- A.) The election committee is required to publicize, regulate, and hold all campus wide elections under the election rules established by the Senate.
- B.) No person who is a candidate in an election may serve on the Election Committee that oversees the same election.

### Section 2. President and Vice-President Elections.

- A.) Elections must be held and finalized two weeks prior to the final meeting of the Senate.
- B.) If there are no candidates for the offices of President and Vice-President, the Senate shall nominate at least two qualified candidates for each office.

## Article VII. Amending Procedure

### Section 1. The following may introduce amendments to the Student Government Association Constitution:

- A.) Two-thirds (2/3) vote of the Senate at a duly constituted meeting.
- B.) Signed petition, by no less than five percent (5%) of the Student Body.
- C.) The Executive Board.

Section 2. An amendment shall be effective when ratified by a two-thirds (2/3) majority of those voting in a campus-wide election.

### **Article VIII. Ratification**

Section 1. This Constitution shall take effect immediately upon ratification by a majority of those voting in a campus-wide election.

Section 2. Effects of the Ratification of Student Government Association Constitution.

- A.) The Constitution shall supersede, replace, and make null and void any conflicting policies formerly held by the Shepherd University Student Government Association and all previous Constitutions of the student body of Shepherd University.
- B.) Current officers as well as current members of the Senate shall remain in their positions.
- C.) The Student Government Association Constitution supersedes all other organizational constitutions, provided that the organization is a member of the Student Senate and/or is recognized by the Shepherd University administration.

# BYLAWS OF THE STUDENT GOVERNMENT ASSOCIATION OF SHEPHERD UNIVERSITY

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## **Article I. Allocations / Grant Money**

- Section 1. Every recognized organization of the Student Government Association may request allocations money no less than \$200\* and no more than \$500\* per academic year after presentation of proper receipts. The allocation amount is equal to 50% of the amount the organization can prove was spent. The purchases on the receipts must follow state guidelines. No money will be paid before an event under any circumstances. \*Not for routine organizational expenses. This money is for conferences, special programs, etc.
- Section 2. Grant money may be available for various programs at the discretion of the Student Government Association Executive Board with proper documentation.
- Section 3. Applications for allocations must be submitted and grant expenditures must be resolved by April 30 of the academic year in which they occurred. Failure to do so will result in the loss of the allocation or award.
- Section 4: For a grant proposal to be considered complete, it must contain, but is not limited to the following criteria:
- A.) When the event takes place (including date and time, as well as a schedule of events that will occur in this time)
  - B.) Who is sponsoring the event.
  - C.) How it will benefit Shepherd students/this campus
  - D.) What the total cost of the event is (this includes a detailed budget of all expenses, not a general estimate)
  - E.) How other funds are being raised
  - F.) All contracts completed in accordance with university procedure
  - G.) A detailed description of the event

- H.) Name and contact information of grant writer and event director
- Section 2. Grants must be turned into the SGA office by Monday at 12:00PM to be placed on the next day's Executive Board meeting agenda.
- Section 3. Grants are subject to a two-week feedback period from the time proposal is placed on the agenda.
- Section 4. There is no minimum or maximum amount that a grant must be funded.
- Section 5. Approved grants will be presented in writing as well as at SGA meetings. Denied grants will be presented in writing.
- Section 6. An assessment of the program must be completed and turned into the SGA office by two weeks of the date of the event

### **Grant Proposals**

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[ More information may be requested at the discretion of the Executive Board Student Government]

### **Article II. Recognition**



Section 1. All organizations must complete a RamPulse Registration Renewal at the beginning of each new academic year.

Section 2.

A.) Organizations that have lost recognition are not entitled to apply for an allocation. They may receive the reward money (while actively pursuing reinstatement) and after one full academic year (from date of re-recognition) are eligible to request the full \$200 plus rewards.

B.) If an organization loses recognition, that group can gain re-recognition in the Student Government Association by written appeal and 1.) Pay a reinstatement fee of \$50.00. 2.) Pay \$15.00 fee and perform a community service activity, through the Office of Student Community Services, in which no less than 5 active members participate.

C.) Documentation must be attached to a description of the activity completed with at least one authorizing signature from an outside party that the community service was completed. Exemptions from the \$15.00 payment must be submitted in writing and will be reviewed by the Student Government Association Executive Board.

Section 3. Should an organization lose recognition 21 days or less from the date an allocation for that group was M/S/P, that organization will be responsible for paying back 50% of the amount of money they received. This allocation must be paid back prior to being readmitted to the SGA per Article II, Section 2B.

### **Article III. Budget**

Section 1. The Executive Board shall propose an annual budget, which will be voted upon by the Senate. The treasurer of the SGA shall be the chair of this committee. The president of SGA will be vice-chair of this committee. The decision is presented to the Senate and will pass on the majority vote of those present at a duly constituted meeting.

Section 2. Budget proposals are due to SGA Executive Board at least one week prior to the budget hearing. The dates of the hearings are set by the Treasurer.

Section 3. Student activities and Co-Curricular Groups are eligible for funding from the Student Government Association with the following guidelines.

Part 1. The dates of the hearings are set by the SGA Treasurer.

Part 2. Budget proposals are due to said chair at least one week prior to the budget hearing in the form of a Budget Request Packet with the following items:

1. A cover letter with the group's mission statement, number of students in the group, past programs/events, expected programs/events, and how the group plans to fulfill the mission statement of Shepherd University in the next year.

2. A copy of the current year's budget and a detailed descriptive schedule of how the funds were spent.
3. Current balances in the current year's budget accounts, along with the expected expenses for the rest of the fiscal year.
4. A budget request for the next year and a descriptive schedule of expected disbursements.

Part 3. Any group receiving funding from more than one account must show said funding on the current year's budget report. External funding and other University funding must also be shown.

Part 4. The following items will be taken into consideration during budget request. The organization has:

1. Sent a student representative to SGA Senate meetings, missing fewer than three (3) Senate meetings.
  2. Sent at least two (2) student representatives to the Student Leadership Conference that current academic year.
- Suggested amendment: Posted all group events on RamPulse.

- Section 4. The Executive Board must set up a time to discuss budget requests with all groups eligible for funding.
- Section 5. No group funding shall be used for international travel, with the exception of study abroad scholarship; Canada and Mexico are subject to exemption, with the endorsement of Shepherd University Student Government Association Executive Board, and the approval of the student senate.
- Section 6. Once voted on by the Senate, budgets are final, unless there is a M/S/P and two-thirds (2/3) majority vote to change the budget.

## **Article IV. Elections**

### **Section 1. Requirements for those running**

- A.) SGA executive board- 2.5 Cumulative GPA, full time student enrolled for both Fall and Spring semesters
- B.) Student Life Council - 2.5 Cumulative GPA, full time student enrolled for both Fall and Spring semesters
- C.) Class Officers- 2.2 GPA, full time student enrolled for both Fall and Spring semesters
- D.) Homecoming Court - Nominated by students and organizations, 2.5 Cumulative GPA
- E.) All candidates must sign a grade release form and the election agreement form

### **Section 2. Rules to follow during election**

- A.) It is the policy of Student Life Council and Shepherd University that all clubs and organizations must have flyers or signs approved beforehand; therefore, SGA or the office of Student Activities must approve and stamp any election flyers before posting.
- B.) Every candidate has the right to hang up flyers to campaign and it is considered an infraction if those signs are taken down by the opposition.
- C.) No signs and no campaigning inside the buildings where in-person balloting is held.
- D.) Signs that are posted in balloting areas need to be taken down the night before balloting begins in that building.
- E.) All campaign materials need to be taken down within 72 hours after the election has ended.

### Section 3. Penalties for infractions

- A.) Infractions will be reported using an Election Infraction form and will be reviewed by the Election Committee.
- B.) The Election Committee will then either disqualify the candidate or allow them to continue running.
- C.) Disqualifications are determined at the discretion of the Election Committee. The committee will have the final say in the candidate's eligibility.

Section 4. The chair of the Election Committee will be the Parliamentarian of the Student Government Association Executive Board, unless he/she is on the ballot at which time the chair will be a member of the Executive Board not on the ballot as decided by the SGA president. If all members of the Executive Board are on the ballot, the President will nominate a Chair from the Senate. This nomination will then be brought to vote by the Senate.

Section 5. Requirements for a Chair if the Parliamentarian cannot serve in the position and if no one on the board can hold this position:

- A.) Member of the Senate
- B.) Not on the Ballot
- C.) Nominated and receives a simple majority in the Senate

Section 6. Candidates will have three business days to contest the elections.

### Section 7. Publicity

The Elections Committee is required to publicize, regulate, and run whole campus wide elections. The President, upon request, may also instruct the Election Committee to regulate and hold non-campus elections.

Section 8. The elections committee will be held in the Fall and Spring. The Fall elections are to be held with Homecoming elections and the Spring elections are to be held two weeks after Spring Break.

## Article V. Student Activity and Co-Curricular Attendance

- Section 1. Student activity and Co-Curricular groups have the right to motion, initiate discussion, and vote in all SGA meetings.
- Section 2. Absences over two will be taken into consideration during Budget Hearings which can result in a decrease in budget for the next fiscal year.
- Section 3. Voting members must be students, whose GPA is not less than 2.2 and carry no less than 12 credit hours per semester.
- Section 4. Co-curricular, Student Activity groups, and recognized SGA organizations may only have one voting member. No senator can represent more than one Co-curricular, Student Activity, and recognized SGA organization.
- Section 5. Faculty/Staff/advisor(s) may represent a group and prevent an absence from being recorded, but he/she will not have the power to vote or make motions.
- Section 6. Quorum will be established by the number of recognized SGA organizations.

## **Article VI. Executive Board Duties**

### **Section 1. President**

- A.) Facilitates meeting of the Executive Board.
- B.) Is a liaison between the SGA and the University administration.
- C.) Attends regular meetings with the Vice President of Student Affairs and the University President.
- D.) Serves as ex-officio of any committee established by the Senate.
- E.) Serves as a student representative to the Shepherd University Board of Governors.
- F.) Is responsible for representing Shepherd University on the West Virginia Advisory Council of Students.
- G.) Is responsible for public relations between the Student Government Association and the state of West Virginia, the city of Shepherdstown, and Jefferson County.

### **Section 2. Vice President**

- A.) Ensures student representation to multiple University committees, including, but not limited to: Safety, Buildings and Grounds, Administrative Council, Student Life Council, Master Planning, Strategic Planning, and Parking.
- B.) Serves as ex-officio of any committee established by the Senate.
- C.) Facilitates staffing of sports concessions.
- D.) Facilitates Senate meetings.
- E.) Serve as a student representative on Student Life Council.

### **Section 3. Communications Director**

- A.) Serves as custodian of all records of all Senate and executive Committee meetings and handles all Senate and Student Government Association correspondence.
- B.) Sends letters to organizations that are at risk or who have lost recognition to inform them of the steps they must take to become re-recognized.
- C.) Is responsible for the distribution of all organizational correspondence.
- D.) Records all votes of the Executive Board and Senate.

E.) Responsible for managing and directing the student government's social media accounts.

#### Section 4. Treasurer

- A.) Verify that receipts are acceptable with procurement services.
- B.) Serves as custodian of all financial records and transactions concerning the Senate and shall provide the Senate with a report of all financial business at each Senate meeting and shall propose an annual budget for presentation to the Senate at the end of the spring semester.
- C.) Serves as the chairman of the budget committee with full voting power on that committee.
- D.) Serve as the student representative of the University's Budget Advisory Committee.
- E.) Shall oversee group fundraising approval.

#### Section 5. Parliamentarian

- A.) As the interpreter of the Constitution, he or she has the final word as to whether any act of the Executive Board or Senate is Constitutional.
- B.) Is responsible for running any and all campus-wide elections.
- C.) Is chair of the Election Committee.
- D.) Shall facilitate Senate meetings in the event the President and Vice-President are absent.
- E.) Shall oversee attendance at senate meetings

#### Section 6. Campus Relations Officer

- A.) Promote and encourage multiculturalism on campus.
- B.) Confer with student leaders to coordinate and plan activities to enhance the inclusiveness atmosphere at Shepherd University.
- C.) Encourage participation from all students in campus activities and support representation from the many populations of Shepherd University.
- D.) Ensures updates are shared with the Senate; ensures the community and university are communicating frequently to build mutual understanding.
- E.) The Campus Relations Officer acts as a liaison to the Senate and serves on planning committees for two campuswide events each semester such as, but not limited to, Shep-or-Treat and the Involvement Fair.

### **Article VII. Class Officer Voting Student Seats**

One voting seat shall be designated for the Class Presidents (freshman, sophomore, junior, and senior) to allow for the sharing of class concerns and input.

### **Article VIII. Commuter Student Representative Voting Seat**

One voting seat shall be designated for a commuter student representative to represent the needs and concerns of commuter students.

