



Item: AS-1

## **Academic and Student Affairs Committee**

**February 21, 2007**

**SUBJECT: APPROVAL OF THE PROPOSED CONSTITUTION FOR THE STUDENT GOVERNMENT ASSOCIATION**

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### **PROPOSED BOARD ACTION**

The Administration requests the Board of Trustees approve the new constitution for the Student Government Association for Florida Atlantic University (Attachment A). This document will replace the current constitution.

### **BACKGROUND INFORMATION**

During the past five months the Division of Student Affairs has worked closely with members of our student body and Student Government leaders to rewrite the Student Government constitution. Over the past several years, the constitution has evolved without a coordinated review by the general student body. For this reason, the Division of Student Affairs developed a multi-step initiative that began in October to review and rewrite the existing constitution.

The initial step in the process provided an opportunity for students to meet with an external student government consultant to review the current constitution and provide guidance for the rewriting process. The consultant visited with students on each campus from October 8-13.

The second phase of this process provided an opportunity for all students to participate in two constitutional conventions. A new draft of the constitution was created by students during this process.

- The proposed constitution has been posted on the FAU website since January 25, 2007.
- Students had additional opportunities to participate and to give feedback on the constitution at town hall meetings that were held on the Port St. Lucie, Davie, and Boca Raton campuses from January 30 – February 7, 2007.
- The student body voted for ratification of this constitution in online elections that took place Monday, February 12 and Tuesday, February 13, 2007 (Attachment B).

Highlights of the new Student Government Constitution:

1. The student body President, Vice President and Governor on each campus must have and maintain a minimum grade point average of 2.5.
2. The President, Vice President and Governor on each campus must be enrolled in nine hours if they are undergraduate students and six hours if they are graduate students.
3. The length of the constitution has been shortened from 28 pages (Attachment C) to 13.
4. The University-Wide Council and the President's Administrative Cabinet have been eliminated.
5. The University-Wide controller position has been eliminated and replaced with treasurers on each campus supported by a Student Affairs professional employee.

**IMPLEMENTATION PLAN/DATE**

The new constitution will be implemented and effective upon approval by the Board of Trustees. Once the new Student Government Constitution is adopted, student task forces will meet to rewrite the statutes that govern the day-to-day functions of Student Government.

The election of the student body President, Vice President and the four campus Governors will be held on Tuesday, March 27 and Wednesday, March 28, 2007.

**FISCAL IMPLICATIONS**

There are no fiscal implications to this proposed board action.

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**Supporting Documentation:**

**Proposed SG Constitution  
(Attachment A)**

**Online Voting Directions  
(Attachment B)**

**Current SG Constitution  
(Attachment C)**

**SG Timeline and Milestone Dates  
(Attachment D)**

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## ATTACHMENT A

### Florida Atlantic University Student Government Constitution

#### Preamble

We the students of the Florida Atlantic University, in order to form a Student Government, that will provide effective representation in the students' best interests, to promote the general welfare, to ensure the continuation of self-governance, to uphold the principles of the Constitution and laws of the United States and of the State of Florida, do ordain and establish this Constitution for the Florida Atlantic University Student Government.

#### Article I. Student Body

- Section 1. Name – The name of this organization shall be the Student Body of Florida Atlantic University. The governmental agency of this organization shall be the Florida Atlantic University Student Government, hereinafter referred to as Student Government (SG).
- Section 2. Purpose – The purpose of Student Government shall be:
- A. To ensure the greatest participation by students in the governance of and policy development for Florida Atlantic University.
  - B. To provide an official voice through which the opinion of the student body may be expressed.
  - C. To serve as an active participant in addressing student issues and concerns on all of FAU's campuses.
  - D. To develop SG statutes in a fair and open manner.
  - E. To inform all students of SG activities and encourage participation in them.
  - F. To allocate Activity and Service Fees.
- Section 3. Jurisdiction -- All students by virtue of their enrollment in Florida Atlantic University shall be members of the Student Body and shall be subject to this Constitution.
- Section 4. Franchise -- All students currently registered and paying Activity and Service Fees at Florida Atlantic University during the semester in which the election takes place shall be entitled to vote in the general, run-off, special and referendum elections of the Student Body.

#### Article II. Organization and Composition of FAU Student Government

- Section 1. The Student Government at Florida Atlantic University is organized into two (2) levels; a University-Wide level to represent the interests of all FAU students and a Campus-Based level to represent the interests of students on each individual campus grouping.
- Section 2. Each level is composed of a Legislative and Executive branch, along with a university wide Judicial branch as described in this Constitution.

Section 3. The executive officers of the Student Government are the university wide Student Body President and Student Body Vice President, along with four (4) Campus Governors.

Article III. Legislative Branch

Section 1. Authority  
The legislative authority of the Student Body shall be vested in the Senate and individual campus House of Representatives.

Section 2. Composition  
A. Senate. The Senate shall consist of two (2) individuals elected at -large from each individual campus.  
B. Houses of Representatives. The Houses of Representatives shall consist of the individual Campus House of Representatives: Boca Raton Campus, Broward Campuses, MacArthur Campus, and Treasure Coast Campus.

Section 3. Apportionment and Qualifications  
A. Each Campus House of Representatives shall consist of five (5) seats plus one (1) seat for every five hundred (500) students represented on each of the campus groupings based on unduplicated head count enrollment from the previous spring semester.  
B. Each Campus House of Representatives shall be apportioned as established by the procedures described in the Student Body Statutes.  
C. Members of Senate and House of Representatives must meet at least the Minimum Qualifications for Student Officers as set forth by University Regulations.

Section 4. Powers, Duties, and Limitations of Senate  
A. The Student Body Vice-President shall chair the meetings of the Senate. The Student Body Vice-President shall vote only in the case of a tie vote.  
B. The Senate shall only have jurisdiction over legislative matters that affect two (2) or more individual campuses.  
C. The Senate shall:  
1. Advise, consent and approve, by majority vote, all appointments made by the Student Body President.  
2. Approve the appointment of the Student Court Chief Justice by a two-thirds (2/3) vote.  
3. Approve and allocate the Activity and Service Fee fiscal budget of the Student Government, as provided by statute.  
4. Establish its own meeting times, rules and procedures in accordance with statutes.  
5. Propose Constitutional Amendments.  
6. Overturn a student body presidential veto by 2/3 vote.  
7. Provide for the elections of the Student Government.

8. Enact by majority vote legislation necessary and proper for the general well being of the Student Body.
9. Enact by majority vote, constitutional bylaws to be known as Student Body Statutes, subject to the procedure described in statute.
10. Exercise any other power or duty provided for in the constitution or statutes of the student body.

Section 5.

Powers, Duties and Limitations of Campus House of Representatives

- A. Each Campus House of Representatives shall elect a Speaker of the House by a majority vote from among its active membership. The Speaker's powers and duties shall be delineated in the Student Body Statutes.
- B. Each Campus House of Representatives shall have jurisdiction over legislative matters that affect only its campus.
- C. The individual Campus House of Representatives shall:
  1. Approve legislation that is deemed necessary and proper for the general welfare of the Student Body on their specific Campus by a majority vote of their total active membership.
  2. Advise, consent and approve, by majority vote, all campus appointments made by the Campus Governor.
  3. Confirm the appointment of the Campus Associate Justice of the Student Court by a two-thirds (2/3) vote.
  4. Override the Campus Governor's veto of Campus-based legislation by a 2/3 vote.
  5. Oversee and approve by a majority vote the expenditure and the disbursement of Activity and Service Fees on the specific campus of jurisdiction as provided in the Student Body Statutes.
  6. Provide for the compilation and publication of legislation.
  7. Approve Statutes by majority vote that are necessary and proper for the general operation of the Student Government on their specific campus subject to the procedure described in the Student Body Statutes.
  8. Establish its own rules and procedures, as well as meeting times, in accordance with the Statutes.

Section 6.

Prohibitions – The Senate and the individual Campus Houses of Representatives shall not:

- A. Enact any law that abridges its powers delegated by the constitution.
- B. Appropriate funds for a period of more than one fiscal year.
- C. Infringe the secrecy of the ballot in any Student Body election.
- D. Deny speaking privileges in any regular or special meeting of any student government official.
- E. Meet in a closed session or violate Florida Sunshine Laws.
- F. Change the dates of Student Body elections in the nine weeks before the scheduled election.
- G. Change the election laws during the nine weeks before the scheduled election to be effective for that election.

Section 7. Vacancies

- A. In the case of the absence, removal or vacancy of a member of Senate, the Governor from the campus in which the vacancy occurs will appoint a new member of Senate. This appointee shall be approved by a 2/3 majority vote of the campus House of Representatives.
- B. In the case of the absence, removal or vacancy of a Campus Speaker of the House, the procedure described in the Student Body Statutes shall be followed.
- C. In the case of the absence, removal or vacancy of a member of a Campus House of Representatives, the procedure described in the Student Body Statutes shall be followed.

Article IV. Executive Branch

Section 1. Executive Authority

All executive powers of the Student Body shall be vested in the Student Body President, assisted by the Student Body Vice-President and the individual Campus Governors.

Section 2. Terms & Qualifications -- To be eligible to run for and hold an elected position in the Executive Branch a student must meet the following requirements:

- A. The student must have a minimum cumulative GPA of 2.5.
- B. The student must be enrolled for at least nine (9) undergraduate credits or six (6) graduate credits.
- C. Must meet the minimum qualifications for student officers as set forth by University Regulation.
- D. To run and hold office, the Campus Governors must take at least 50% of their credits each semester on their respective campuses.

Section 3. Duties and Powers of Student Body President

The Student Body President shall:

- A. Represent the Student Body on the Board of Trustees of Florida Atlantic University.
- B. Administer, enforce, and abide by the Student Government Constitution and the Statutes of the Student Body.
- C. Be the chief executive of the Student Body.
- D. Call special meetings of the Senate given at least one (1) business day notice and in accordance with Florida Sunshine Laws.
- E. Sign or Veto legislation passed by the Senate within seven (7) academic days from passage from the Senate.
- F. Appoint students to serve on all University-Wide Committees, Councils and/or Boards.
- G. Appoint or remove members of the University Wide Cabinet. All such appointments shall require a majority vote of the Senate to be approved.

- H. Appoint a Chief Justice with a two-thirds (2/3) confirmation vote of the Senate.
- I. Be the official spokesperson for the Student Government.
- J. Present reports to the Senate at each of their meetings.
- K. Present reports to each of Campus House of Representatives meeting at least once per month, the report can be in person or in writing.
- L. Preside over a State of the Student Body Address.
- M. Any other power or duty provided for in this Constitution.

Section 4. Duties and Powers of Student Body Vice President

The Student Body Vice President shall:

- A. Assist the Student Body President in the daily operation of the Student Government.
- B. Be vested with the powers of the Student Body President if he/she temporarily can not perform his/her duties.
- C. Chair the meetings of the Senate. Only in the event of a tie vote in the Senate the Student Body Vice-President shall have the authority to cast his/her deciding vote.
- D. Coordinate the duties of the Executive Cabinet under the direction of the Student Body President.
- E. Administer, enforce, and abide by the Student Government Constitution and the Statutes of the Student Body.
- F. Perform other duties as assigned by the Student Body President.
- G. Assume the Office of Student Body President in the event of a permanent vacancy in the position of Student Body President.

Section 5. Duties and Powers of Campus Governors

The Campus Governors shall

- A. Sign or veto legislation passed by the Campus House of Representatives within seven (7) academic days following passage.
- B. Appoint or remove members of the Governor's Administrative Cabinets for their respective campus. The appointments shall require majority vote of the Campus House of Representatives.
- C. Call special meetings of the Campus House of Representatives with one (1) business day notice to the Speaker of the House.
- D. Serve as the voice of the Student Body for their respective campus.
- E. Officially represent the Student Body of their Specific Campus at any function in or outside of the University.
- F. Assist the Student Body President in the administration of the Executive Branch.
- G. Administer, enforce, and abide by the Student Government Constitution and the Statutes of the Student Body.
- H. Present a report to the Campus House on executive activities at each of their meetings.
- I. Any other power or duty provided for in this Constitution.

Section 6. Order of Succession

- A. Absence, resignation, or removal of Student Body President:  
In the case of the permanent absence, resignation or removal of the Student Body President, the Student Body Vice President will move into the position of Student Body President. The new Student Body President will appoint a new Student Body Vice President. This appointment must be approved by a two-thirds (2/3) vote of the Senate.
- B. Absence, resignation, or removal of Student Body Vice President:  
In the case of the permanent absence, resignation or removal of the Student Body Vice President, the Student Body President will appoint a new Student Body Vice President. This appointment must be approved by a two-thirds (2/3) vote of the Senate.
- C. Absence, resignation, or removal of a Campus Governor:  
In the case of permanent absence, resignation or removal of a campus Governor, the campus Speaker of the House will move into the position of campus Governor.
- D. Absence, resignation or removal of the Student Body President and the Student Body Vice President:  
In the case of a simultaneous permanent absence, resignation or removal of the Student Body President and the Student Body Vice President occurs, the Campus Governor from the campus with the largest student enrollment shall be acting Student Body President until there is a “special election”. The procedures for this special election shall be delineated in the Student Body Statutes.

Article V. Judicial Branch

Section 1. Judicial Authority

All judicial powers of the Student Body shall be vested in the Student Court.

Section 2. Purpose

The Student Court shall have jurisdiction over cases involving questions of interpretation of the Student Government Constitution and the constitutionality or interpretation of Student Body Statutes of Student Government as follows:

- A. Violations of the Student Government Constitution and the Student Body Statutes.
- B. Cases involving impeachment of officials of Student Government as set forth in Article VIII of the Student Government Constitution and procedures described in the Student Body Statutes.
- C. Violations of the Code of Ethics provided in the Student Body Statutes.
- D. Student(s) or Student Organization(s) disputes or violations of the Student Government Constitution or Statutes.
- E. Issuance of student summons for issues before the Student Court.

Section 3. Composition and Selection

- A. Structure of the Student Court



1. The Student Court shall consist of a Student Court Chief Justice and four (4) Student Court Associate Justices.
2. The Student Court Associate Justices shall consist of: One (1) Associate Justice of the Boca campus, one (1) Associate Justice of the Broward campuses, one (1) Associate Justice of the MacArthur campus, and one (1) Associate Justice of the Treasure Coast campus.

B. Appointments

1. The Student Court Chief Justice shall be appointed by the Student Body President and must be approved by a two-thirds (2/3) vote of the Senate.
2. Each Associate Justice shall be appointed by the respective Campus Governor, and shall be approved by a two-thirds (2/3) vote on the respective Campus House of Representatives, and each Associate Justice must take at least fifty (50%) percent of their classes on the campus which he/she represents.
3. If a Chief or Associate Justice has not been appointed within thirty (30) academic days of any vacancy, the Vice President of Student Affairs or designee shall appoint a student into the vacant position and immediately assume office.
4. All appointments must meet the same eligibility requirements as the Student Body President.

C. Term. Office shall be held for two (2) years from the date of appointment.

Section 4. Administration, Practice and Procedure

A. Student Court Chief Justice

The Chief Justice of the Student Court, as chief administrative officer of the Judicial Branch, shall be vested with and shall exercise, in accordance with rules adopted by the Court, the authority to:

1. Supervise the administration of the Student Court.
2. Call and preside over all sessions of the Student Court.
3. Keep all permanent records of the Student Court and release them in accordance with the laws of the State of Florida and any other statewide Governing Body's rules and regulations, and deliver them into the hands of his/her successor.
4. Sign all Court documents.
5. Serve as the official Student Court Spokesperson.
6. Shall publish written reports to inform on the status of cases on the Student Government website.
7. Shall update all changes and amendments to the Student Government Constitution and/or the Student Body Statutes.
8. The Student Court shall keep all official Student Government records, with the Chief Justice acting as the Clerk of the Court.

B. Campus Associate Justices

1. Campus Associate Justices serve the Student Body as unbiased members of the Student Government.
2. Campus Associate Justices shall have the following powers and duties:
  - a. Attend all meetings of the Student Court as voting members.
  - b. Serve as student members of the University Code of Conduct Hearing Board on the campuses they represent.
  - c. Perform duties as assigned by the Chief Justice.
- C. Attendance
  1. If a Chief Justice or Campus Associate Justice fails to attend two (2) court proceedings in a term, they shall be considered resigned from the position.
  2. A majority vote of the active membership of the Student Court, not including the judge petitioning the absences, may vote to expunge a Justice's absences if there is just cause.
- D. The Student Court shall meet as necessary to conduct business
- E. All meetings of the Student Court shall be open to the public.

#### Section 5. Complaint Process and Hearing Procedures

- A. Complaint Process
  1. Any student and/or student organization may file grievances with the Student Court against the Student Government and/or any of its officers, members, and/or student employees.
  2. Any student, student organization, and/or Student Government, Officer, member, and/or employee may appeal to the Student Court any non-legislative action taken against them by the Student Government and/or any of its officers, members, and/or employees.
- B. The process of petitioning the Student Court shall be:
  1. Filing a written petition form with the Office of the Student Court Chief Justice.
  2. The petition shall include:
    - a. Name of petitioner and address.
    - b. Name of respondent(s) and address (if known).
    - c. Detailed description of the complaint including names, dates, and locations.
  3. All court petitions shall be signed by the petitioner.
  4. If appropriate, cursory evidence, or copies thereof, shall be presented with petitions.
- C. Hearing Procedures
  1. Quorum is defined as three of five Justices present for all court proceedings, one being the Chief Justice.
  2. The Chief Justice shall hold a meeting with Campus Associate Justices as necessary to conduct the Student Court's business.

Article VI. Elections

Section 1. Qualifications for Office

To be able to run for and maintain an elected office in Student Government or hold any Student Government position, a student must obtain verification from the Student Affairs office that they meet the minimum qualifications as stated in University Regulations.

Section 2. General Procedures

A. Unless otherwise specified in the Student Body Statutes, all elections shall be decided by simple majority of those voting.

B. Fall Semester General Election

1. The fall election shall occur on the Tuesday and Wednesday of the fourth week (4<sup>th</sup>) of fall semester.

2. The fall election will be held for:

a. All seats in Senate

b. All seats in each of the Campus Houses of Representatives

C. Spring Semester General Election

1. The spring election shall occur on the last Tuesday and Wednesday in February.

2. The spring election will be held for:

a. The offices of Student Body President and Student Body Vice President

b. The office of Campus Governor for each campus

c. All vacant seats in each of the Campus House of Representatives

3. The Student Body President and Student Body Vice President shall be elected jointly university-wide by the student body.

4. The Campus Governor will be elected by each campus student body.

D. The only exceptions to these procedures would be in case of emergency as defined by the Student Body Statutes.

Section 3. Installation of Officers

A. The Student Body President, Student Body Vice President, Campus Governors elected during the spring semester election shall be administered the oath of office and assume his/her term of office at a University ceremony coordinated by Student Affairs on the first Monday after the last day of final examinations.

B. The Senate and Campus House of Representatives elected officials in the fall election shall be administered the oath of office and assume his or her term of office at a University ceremony coordinated by Student Affairs on the fifth (5) academic day after the election results have been officially published in accordance to Election Statute.

C. All vacant Senate and Campus Houses of Representatives seats elected in the spring semester election shall be administered the oath of office and assume his/her term of office on the Monday following Spring Break.

1. Individuals elected to fill vacant legislative seats in the Spring Semester Election shall have a term of office until the next Fall elections.
  2. The provision in Article VI, Section 3, Letter G(3) does not apply for individuals elected to vacant legislative branch seats filled in the Spring semester elections.
- D. No student may concurrently hold more than one (1) elected or appointed office in Student Government.
- E. No student shall serve in the same position/office within the Executive Branch more than twice.
- F. No student shall be sworn into office whose election is being contested in the Election Board and/or Student Court.
- G. Oath of Office
1. All elected and appointed Student Government positions shall be administered the following oath of office upon the commencement of their term: I, (name of the individual), do hereby affirm to uphold the office of (title), and to abide by the constitution of the Student Government of Florida Atlantic University, the Statutes incorporated thereto, and to strive for the betterment of the Student Body through which I was elected (appointed).
  2. At the University ceremony, the University President or a Board of Trustees member will swear in the Student Body President elect into office. The Student Body President or designee will administer the Oath of Office for the remaining elected and/or appointed officers during the University ceremony.
  3. All Student Government elected positions shall have terms of office of one (1) calendar year beginning upon installation and ending at the conclusion of three hundred and sixty-five (365) days.
- Section 4. Other requirements may be set forth in the Student Body Election Statute as long as they do not conflict with the Constitution.

#### Article VII. Constitution Amendment Process

- Section 1. Proposal by a Campus House of Representatives.
- A. A Campus House of Representatives may propose amendments to the constitution by a majority vote in two regular meetings. Each amendment proposed shall embrace only one subject and matter directly connected to that subject.
  - B. Upon approval, the proposed amendment shall be sent to the other Campus Houses of Representatives for placement on the agenda at their next meeting.
  - C. Upon approval of three (3) of the Campus Houses of Representatives, the proposed amendment shall be placed on the agenda of the Senate at their next meeting.
  - D. Upon a two-thirds (2/3) approval of the Senate, the proposed amendment shall be placed on the ballot at the next regularly scheduled student body election.
- Section 2. Proposal by the Senate

- A. The Senate may propose amendments to the constitution by a two-thirds (2/3) vote in two regular meetings. Each amendment proposed shall embrace only one subject and matter directly connected to that subject.
  - B. Upon approval, the proposed amendment shall be placed on the agenda of each of the Campus Houses of Representatives at their next meeting.
  - C. Upon a two-thirds (2/3) approval in a majority of the Campus Houses of Representatives, the proposed amendment shall be placed on the ballot at the next regularly scheduled student body election.
- Section 3. Proposal by initiative. Students may propose amendments to the constitution upon submission of a petition to the Student Court signed by ten (10%) percent of the student body no later than twenty-eight (28) days before the ratification election. Each proposed amendment shall embrace only one subject and matter directly connected to that subject.
- Section 4. All approved proposed amendments shall be disseminated through all FAU media agencies and made accessible to the student body no less than one (1) week before the student body vote.
- Section 5. Requirement for ratification.
- A. A majority approval vote of those voting in the student body election is necessary to ratify all constitutional amendments.
  - B. Upon student body ratification, the amendment shall be sent to the Board of Trustees for consideration at their next meeting according to University Regulations.
- Section 6. No new adoption, amendment, or repeal of any Student Government internal procedure, including constitution, statutes and all other legislation, shall become effective until approved by the Board of Trustees or its designee pursuant to University Regulations.

#### Article VIII. Impeachment & Recall of Student Government Offices

- Section 1. Impeachments. Procedural requirements of the impeachment of Executive, Legislative and/or Judicial Members shall be prescribed in the statutes, consistent with the following requirements.
- A. For the Student Body President or Student Body Vice President to be impeached, two-thirds (2/3) vote of the Senate and a two-thirds (2/3) vote in a three (3) of the Campus Houses of Representatives must concur.
  - B. For a Campus Governor to be impeached, two-thirds (2/3) vote of that Governor's Campus House of Representatives and upheld by the Student Court.
  - C. For a member of the Senate to be impeached, two-thirds (2/3) vote of the Senate and upheld by the Student Court.
  - D. For a member of a Campus House of Representatives to be impeached, two-thirds (2/3) vote of the member's Campus House of Representatives and upheld by the Student Court.
  - E. For the Chief Justice to be impeached, two-thirds (2/3) vote of the Senate and the Student Body President must concur. If the Student Body President does not concur, the Senate may still impeach the Chief Justice with a three-fourths (3/4) vote.
  - F. For a Campus Associate Justice to be impeached, two-thirds (2/3) vote of the Justice's Campus House of Representatives and the Campus Governor

must concur. If the Campus Governor does not concur, the Campus House of Representatives may still impeach the Associate Justice with a three-fourths (3/4) vote.

- Section 2. Recall
- A. Upon receipt of a petition of ten (10%) percent of the currently enrolled students of Florida Atlantic University requesting that a official in a university wide elected student government position be removed from office, within 30 days after the filing of the petition, a referendum must be held in which a majority vote of the students will remove the officer from their office.
  - B. Upon receipt of a petition of ten (10%) percent of the currently enrolled students on a specific campus of Florida Atlantic University requesting that an official in a campus elected student government position be removed from office, within 30 days after filing of the petition, a referendum must be held in which a majority vote of the students on the campus will remove the officer from their office.
  - C. The grounds for removing the Student Government Officer must be expressly contained within the petition.
- Section 3. Upon fulfillment of the requirements enumerated in Section 1 of this Article, the impeached official shall immediately be removed from office and may not seek another Student Government Office.

Article IX. Ratification and Review of Student Government Constitution

- Section 1. Ratification
- A. This Constitution shall be ratified by a majority of those voting in a University-wide election.
  - B. This Constitution shall become effective on the date of the Board of Trustees of Florida Atlantic University adoption with the following conditions:
    - 1. The Spring 2007 semester elections shall take place on March 27 and March 28.
    - 2. All currently elected officials in the Executive Branch shall remain in their positions until new officers are installed on May 7, 2007.
    - 3. All currently elected officials in the Legislative Branch shall remain in their positions until new officers are elected in the Fall 2007 semester elections.
    - 4. The University-wide At-Large Representatives shall assume seats in the Senate for their respective campus until the Fall 2007 semester elections.
    - 5. All currently appointed Justices of the Student Court shall remain in their positions.
    - 6. All prior constitutions and Student Government Statutes under the 1997 constitution are repealed and no longer in effect.
- Section 2. Review

- A. During January of 2010, and each fifth year thereafter, there shall be established a constitution revision commission that is composed of at least the following minimum twenty (20) members:
  - 1. Three (3) students selected by the student body president, of which one selectee shall not have held a position within student government during the previous one (1) year.
  - 2. Three (3) students selected by each of the Campus House of Representatives and approved by a majority vote of the Campus House of Representatives.
  - 3. Two (2) students selected by the Chief Justice.
  - 4. the Dean of Students; and
  - 5. Two (2) faculty members selected by the Vice President for Student Affairs.
  - 6. Other currently enrolled students who wish to volunteer for the commission.
- B. The student body president shall designate one member of the constitution revision commission as its chair. Vacancies occurring on the commission shall be filled by appointment by the chair from the same constituency as the original member.
- C. Each constitution revision commission shall convene at the call of its chair, adopt its own rules of procedure, and hold public hearings regarding the constitution. The commission shall submit its proposed amendments to the Chair of Elections Board not later than twenty-eight (28) days before the Fall semester elections of the same year. Amendments may be to the whole document, or any of its articles, sections, or provisions.
- D. Once appointed, the appointing authority may not rescind the appointment.
- E. All proposed revisions done through this review procedure are not subject to Senate or Campus House of Representatives review or approval and shall follow the requirements as set forth in Article VII, Sections 4 and 5.

Article X. University Endorsement

Section 1. Hierarchy of laws. The provisions of the student body constitution are governed by and subordinate to the constitution and laws of the United States and the State of Florida as well as the regulations and policies of the Board of Governors and the Regulations and policies of Florida Atlantic University.

Section 2. To become binding on Florida Atlantic University, this Constitution and any subsequent amendments shall require adoption by the Board of Trustees of Florida Atlantic University. However, to the extent that any provisions within this constitution afford greater individual rights than those rights provided by law, such provisions are understood to be aspirations of the students of Florida Atlantic University and not statements attributable to the University.

## ATTACHMENT B

It has been 11 years since your Student Government Constitution has been updated. Vote on-line on Monday, February 12 and Tuesday, February 13, at <http://eballot3.votenet.com/fau>.

Log in with your FAUNet ID (the part of your e-mail address before "@fau.edu") and use your Oasis PIN for the password. The default PIN is 00ddy of your birth (two zeros followed by 2-digit day and 2-digit year of your birth). Please note the University's system is not compatible with Internet Explorer 7. It is necessary to use another browser.

You may view the draft of the new SG constitution before voting, please visit the following website: (Link to PDF of new FAU SG Constitution)

If you have a disability under the American with Disabilities Act and need assistance with voting, please visit the Office of Students with Disabilities on your particular campus. Office locations are:

- Boca Raton campus, SU 133
- Ft. Lauderdale campus, HEC 507H
- Davie campus, MOD I
- Jupiter campus, SR 117
- Treasure Coast campus, JU 113

If you experience any problems with the voting process, including forgetting your PIN or logging into the ballot, please contact the Student Affairs Office on your respective campus during University business hours. We will be happy to assist you. Office locations are:

- Boca Raton campus, SU 226
- Ft.Lauderdale campus, HEC 507H
- Davie campus, LA 119
- Jupiter campus, SR 119
- Treasure Coast campus, JU 113

**Online voting is from 12:01 a.m., Monday, Feb. 12, 2007 until 11:59 p.m., Tuesday, Feb. 13, 2007/13/07.**



# **Constitution of the Student Government of Florida Atlantic University**

## **Preamble**

We, the students of Florida Atlantic University, in order to provide effective representation, to promote the general welfare, and to ensure the continuation of self-government, establish this Constitution.

## **Representation**

The Student Government is the recognized representative of the students enrolled at Florida Atlantic University and shall act in accordance with this Constitution.

1. Students shall be the major voice of student life on campus.
2. Students shall have a significant voice in the administration of student conduct on campus.
3. Students shall be the major voice in the allocation of all Activity & Service Fees (A&S Fees).

## **Article I.**

### **Declaration of Student Rights**

We, the students of Florida Atlantic University, agree to uphold the principles of the Constitutions of the United States and of the State of Florida. In particular, we subscribe to the principles of the first amendment to the United States Constitution and to equal protection. In so doing, we emphasize that the University is committed to the same principles.

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students and the general well being of society. The students of Florida Atlantic University believe unfettered inquiry and free expression are indispensable to the attainment of these goals.

The freedom to learn and the freedom to teach are inseparable facets of academic freedom, but must be exercised with responsibility. The purpose of this statement is to emphasize the essential provision for student freedom to learn with all rights, responsibilities and privileges afforded to all people living in the United States.

### **Section 1. Freedom of Access to Higher Education**

Florida Atlantic University should be open to all students, who are qualified according to its admission standards. The students of Florida Atlantic University believe that students should not be barred from admission based on race, gender, disability, national origin, age, religion, espoused beliefs, or sexual orientation.

All facilities, services and associate organizations of Florida Atlantic University shall be open to all students in accordance with the rules and regulations of the University.

### **Section 2. Freedom of Expression in the Classroom**

The students of Florida Atlantic University believe that students should be free to take reasoned exception to the data or views presented in any course of study and student performance should be evaluated solely on an academic basis.

### **Section 3. Freedom from Improper Disclosure**

Student records shall not be provided to anyone without permission of the student except under the circumstances set forth in accordance with the Federal Educational Rights and Privacy Act (FERPA) and in accordance with the Florida Statutes. Those laws permit access to student records only under certain circumstances. For example, the records can be obtained in certain cases through a subpoena or by order of a court of competent jurisdiction, and by University Administrators for legitimate university purposes.

### **Section 4. Freedom of Association**

Students shall be free to organize and join associations to promote their common interests. Affiliation with an extramural organization shall not of itself disqualify a student organization from institutional registration. Student organizations may be required to submit a statement of purpose and criteria for membership. Student Membership lists shall only be used by the institution in a manner which is consistent with the U.S. Constitution.

Student organizations shall be open to all students as provided by law, without regard to race, disability, religion, gender, creed, national origin or age. Additionally, the students of Florida Atlantic University believe that student organizations shall be open to all students regardless of sexual orientation and that Student Government shall not deny membership in student organizations based on a student's sexual orientation. Religious organizations shall be permitted to base their membership on religious affiliation and social fraternities and sororities shall be permitted to base membership on gender but in such cases shall not receive funding from the Student Government Association Activity and Service Fee Budget.

### **Section 5. Freedom of Inquiry and Expression**

A. Individual Students and Student Organizations shall be free to examine and discuss all questions of interest to them and express opinions publicly and privately according to the Bill of Rights of the United States Constitution. They shall always be free to support causes according to the United States Constitution. Students shall be allowed to invite and hear persons of their choosing, according to University rules and policies and State and Federal law. University or Student Government facilities shall be used in accordance with University policies and rules, except that use by students shall not be denied for the purposes of unlawful censorship. Students shall be free to express their views on issues, on institutional policy, and on matters of general interest within the Student Government. Student Government shall formulate policy affecting students.

#### **B. Student Government Media.**

The student media funded by Student Government belongs solely to the student body of Florida Atlantic University. The student media shall be defined as the Student Newspaper, Radio Station, Television Station, and other forms of student media funded by Student Government. The student media shall be governed by the canons of responsible journalism, such as the avoidance of libel, undocumented allegations, attacks on personal integrity, harassment and innuendo.

The student media shall be free of censorship and advanced approval of copy except as

provided by law. Managers shall be free to develop their own editorial policies and news coverage. The Student Media shall provide equal coverage and equal access to all political candidates except in editorial sections. The editors and managers shall be protected from arbitrary suspension and removal because of disapproval of editorial policy. The editorial pages shall explicitly state that the opinions therein expressed are not necessarily those of the Student Body, Student Government, and/or the University.

## **Section 6. Off-campus Freedom as Individual Students**

Student Government shall not interfere with the Constitutional rights of the Student.

## **Section 7. On-Campus Freedom of Students**

The University's role with regard to its students shall not be in loco parentis.

## **Section 8. Procedural Standards in Disciplinary Proceedings**

The procedures adopted in the Florida Administrative Code are to be adhered to in all student disciplinary matters. Students shall participate in the administration of student conduct on campus as set forth in the Florida Administrative Code. A student's personal possessions may only be searched in a manner consistent with the 4th Amendment to the United States Constitution.

## **Section 9. Redress of Grievances Against Student Government or its Agencies**

If any act of Student Government, its officers, or agencies adversely affects a student's rights or privileges, that student shall have the right to file a claim with the Student Court. At the time such action is taken, the Student Government, its officers, or agencies shall notify the Student of his or her right to file a claim with the Student Court.

## **Section 10. Student Activity and Service Fees**

Student Activities and Services fees shall be expended for lawful purposes in accordance with Florida law and FAU Student Body Statutes. Processes for Review, by the University, President of Student Government, purchasing, contracting and budgeting procedures are contained in the Student Government controller's manual and shall be adhered to by Student Government.

## **Section 11. Capital Projects**

Capital Improvement Trust Funds (CITF) shall be expended in accordance with Florida Law.

## **Section 12. Disciplinary Proceedings for Student Government Officials**

The selection and removal of elected and appointed student Government Officials shall be handled in accordance with Florida Statutes.

# **Article II.**

## **Definitions, Statutory References, Execution and Amendments**

### **Section 1. Definitions**

The definitions below are for purposes of the Student Government Association.

- A. "Academic Days" means any day classes are in session except for Saturdays. Any approval required to take place within a certain amount of academic days begins when the Student Government officer receives the document to be approved.
- B. "Broward Campuses" include the Broward Downtown Campus, the Davie Campus, the Commercial and the Sea Tech/Dania Campuses.
- C. "Northern Campuses" include the MacArthur Campus and the Treasure Coast Campus.
- D. "Corruptly" means done with a wrongful intent for the purpose of obtaining, compensating, or receiving compensation for any benefit resulting from some act or omission of a public servant which is consistent with the proper performance of their duties.
- E. "Student Government Officer, Official, or Employee" refers to officer or employee of Student Government whether elected or appointed, including but not limited to, any Executive, Legislative, or Judicial Officer including any Justices.
- F. "In loco parentis" means in the role of the parent.
- G. "Total Active Membership" means the total number of active members within any bodies (Executive, Legislative, and Judicial) of Student Government.
- H. "Campus Grouping" refers to the four branches of Student Government (Boca Raton, Broward, MacArthur, and Treasure Coast).
- I. "Student" shall be defined as anyone who is listed in the Registrar's Office as a currently enrolled student.
- J. An "alumnus" shall be defined as anyone who has graduated from Florida Atlantic University.
- K. "Notification" refers to written and verbal correspondence.

**Section 2.** Whenever a statutory or regulatory reference appearing in this Constitution is amended subsequent to the enactment of this Constitution, the amended language shall be incorporated by reference and it shall be controlling.

**Section 3.** This Constitution and any amendments shall take effect upon execution, as provided in Articles XIV, XV, and XVI. At least two originals shall be executed. An original shall be kept by the Student Court and one original forwarded to the Board of Trustees (BOT)

## **Article III. Student Government Code of Ethics**

### **Section 1. Intent and Declaration of Policy**

- A. It is essential to the proper conduct and operation of Student Government that its officials be independent and impartial. Student Government Officers and employees hold their positions for the benefit of the Student Body. Such officers and employees are bound to observe in their official acts the highest standards of ethics consistent with this Code, and all Federal and State laws.
- B. It is the intent of this Code to protect the integrity of Student Government by proscribing

restrictions against conflicts of interest and unethical practices.

## **Section 2. Standards of Conduct**

- A. Conflict of Interest. No officer, candidate, applicant or employee of Student Government shall engage in any conduct, which would place that person in a position where there is a conflict between the private interest and the best interest of the Student Body. This prohibition includes, but is not limited to private business or professional activity.
- B. Misuse of Student Government Property. No officer or employee shall, use or allow the use of Student Government property, facilities or personnel of any kind for other than strictly approved Student Government business. All such uses shall be for the benefit of the Student Body.

Student Government funds shall be used exclusively for the betterment of the Student Body and shall not be used to provide awards or monetary benefits to any individual non-student except for the reasonable cost of a plaque, certificate, or nominal gift.

- C. Intentional Wrongful Harm. No Student Government officer or employee shall make any verbal, written, or printed communication which directly or by inference is defamatory to another person's reputation, or which could reasonably cause the denial or termination of membership of another in any campus organization, without due process of law.
- D. Discrimination Prohibited. Student Government recognizes and celebrates the diversity of its student body. The Student Government and its officers and employees shall not discriminate with regards to race, disability, sexual orientation, religion, gender, creed, national origin or age.
- E. Inducing to Act. No officer or employee of Student Government shall aid, advise, procure, or in any way induce another to act in violation of this Constitution and/or the Student Body Statutes.

## **Article IV.**

### **The Student Government University-Wide Council**

#### **Section 1. Organization of University-Wide Council**

- A. The Student Government University-Wide Council shall consist of thirteen members: the Student Body President, the Student Body Vice President, three representatives from the Broward Campuses Student Government, three representatives from the Boca Raton Campus Student Government, and five representatives from the Northern Campuses Student Governments. The Student Body President shall chair the meetings. The Student Body Vice President shall be the Vice-Chair of the University-Wide Council.
  - 1. The Boca Raton Campus Student Government Representatives shall be the Boca Raton Campus Student Body Governor, the Boca Raton Campus Speaker of the

- Senate, and an at-large Representative elected in the Spring semester by the Student Body of the Boca Raton Campus.
2. The Broward Campuses Student Government representatives shall be the Broward Campuses Student Body Governor, the Broward Campuses Speaker of the Senate, and an at-large Representative elected in the Spring semester by the Student Body of the Broward Campuses.
  3. The Northern Campuses representatives shall be the MacArthur Campus Student Body Governor, the Treasure Coast Campus Student Body Governor, the MacArthur Campus Speaker of the Senate, the Treasure Coast Campus Speaker of the Senate, and an at-large Representative elected in the Spring semester by the Student Body of the Northern Campuses.

## **Section 2. Powers and Duties of the University-Wide Council**

The purpose of the Student Government University-Wide Council is to provide a University-Wide Forum for Student Government. The Student Government University-Wide Council shall be presided over by the Student Body President. The University-Wide Council:

- A. May approve amendments to this Constitution by a 2/3 vote of the University-Wide Council.
- B. May approve University-Wide Student Government Statutes with a majority vote of its total active membership.
- C. May override a Campus Student Body Governor's veto on specific legislation by a vote of 2/3 of the total active membership of the University-Wide Council upon referral from a Campus Senate.
- D. Shall provide for and approve by a 2/3 vote, the overall Student Government Activity and Service Fee Budget (the Student Government Activity & Service Fee Budget shall be considered legislation) as follows:
  1. Determine and approve by a 2/3 vote what measures/items are joint University-Wide Student Government accounts and commitments.
  2. Determine and approve by a 2/3 vote the University-Wide Student Government Budget and set the specific Campus-Based Student Government Budget Forecasts.
    - a. The University-Wide Council must send Campus-Based Budget Forecasts to the Campus Student Senates no later than March 1st.
    - b. The University-Wide Council shall not have the authority to mandate that the Campus- Based Student Governments fund any measures or items that the University-Wide Council is unwilling to fund.
- E. Shall ensure the integrity and sound business practice in the expenditure and disbursement of funds by the Student Government. Therefore, the University-Wide Council has the right to inspect the public documents related to the disbursement of Activity and Service Fees.
- F. May establish its own rules and procedures as well as meeting times, provided they are not contradictory to this Constitution and/or the Student Body Statutes.
- G. Shall establish University-wide policies for Activity and Service Fee allocations to student clubs and organizations. Establish University-Wide uniform student stipend ranges for all Student Government positions.
- H. Shall confirm the hiring of all University-Wide Student Government Agency Directors.

- I. May consider and approve with a majority vote of its total active membership, Legislation initiated on any campus and University-Wide statutes consistent with this Constitution, which are necessary and proper for the general welfare of the entire Student Body, regardless of campus.
- J. May override the Student Body President's veto, including a veto of a Campus-Based annual budget, by a 2/3 vote of the total active membership of the University-Wide Council.
- K. May refer legislation to the student body under the referendum process.
- L. May require at any regular or special meeting, by a majority vote, a report and explanation of any action taken by a Student Government officer, or any other member of Student Government taken in his or her official capacity.
- M. Shall confirm Student Government Presidential Appointments by a majority vote of its total active membership, except where otherwise provided in the Constitution.
- N. Shall establish a Student Government Judicial System.
- O. Shall meet at least twice per semester. The University-Wide Council shall have the ability to call a special meeting by at least 50% of the representatives of the University-Wide Council or by the Student Body President with at least twenty-four hour written notice to all University-Wide Council members.
- P. Shall have 2/3 of its members present for quorum with at least one representative from each Campus Grouping when it meets to consider business.
- Q. Shall not determine, write, produce or amend any campus-based budget.
- R. May remove Presidential Administrative Cabinet Appointments by a majority vote of its total active membership.
- S. May take disciplinary actions in accordance with Article X of the Student Government Constitution.

### **Section 3. Vacancies of University-Wide Council Seats**

In the event an at-large Representative seat on the University-Wide Council becomes vacant, the seat shall be filled by a special election within the Campus-based Student Senate that has the vacancy. A candidate in a special election does not have to be a Student Government Senator.

### **Section 4. Course of University-Wide Legislation**

- A. All proposed legislation must be submitted to the University-Wide Council two (2) academic days prior to any regular University-Wide Council meeting for placement on the agenda.
- B. The legislation is then given a number and shall be placed on the agenda. The numbering of legislation is defined in the Student Body Statutes.
- C. The University-Wide Council may approve legislation with a majority vote of its total active membership (except in the case of Constitutional Amendments).
- D. Upon approval of the University-Wide Council, the legislation is then sent to the Student Body President for Approval or Veto. The Student Body President has eight (8) academic days in which to Approve or Veto legislation. If there is no action on the legislation by the Student Body President for those eight (8) academic days, the legislation is then considered approved.
- E. Upon approval by the Student Body President, the legislation is considered Approved.
- F. If the legislation is vetoed by the Student Body President, the legislation returns to the

University-Wide Council under Vetoed Business at the next regularly scheduled meeting. A veto may be overridden by a 2/3 vote of the total active membership of the University-Wide Council and if it is overridden the legislation shall be considered Approved.

- G. Legislation proposing a Constitutional Amendment (CA) or amendment of the University-Wide Council Statutes (UWCS) shall not be effective until approved by the Board of Trustees.

## **Article V. The Executive Branch**

### **Section 1. Members of the Executive Branch**

All Executive Powers of the Student Government shall be vested in the Student Body President, assisted by the Student Body Vice President, individual Campus Student Body Governors, the Student Body Controller and Campus Controllers, and the Student Body President's and Campus Student Body Governor's Cabinets.

### **Section 2. Selection of the Executive Officers**

- A. The Student Body President and the Student Body Vice President shall run on a ticket and shall be elected in the spring by a majority vote of the total number of FAU students voting.
- B. The Campus Student Body Governors shall be elected in the spring by a majority vote of those voting on the respective individual campuses.
- C. Candidates shall have the option of campaigning together.
- D. All elections will be held according to the procedures set forth in Article VIII, Section 1 and in related Student Body Statutes.
- E. Vacancies that occur due to the resignation or dismissal of any elected Student Government officer shall be filled according to the procedures set forth in Article VIII section 2.

### **Section 3. Powers and Duties of the Student Body President**

#### **The Student Body President:**

- A. Shall effectuate the daily operation of the Student Government Association.
- B. Shall chair the University-Wide Council meetings. The Student Body President may vote and enter into debate at such meetings.
- C. May effect, during an emergency, any action deemed necessary for the welfare of the Student Body, which is not contrary to this Constitution or University Policies.
- D. Shall administer, enforce, and abide by the Student Government Constitution and the Statutes of the Student Body.
- E. Shall determine the general policy of the Executive Branch of Student Government.
- F. May call and preside over any general student assembly.
- G. Shall nominate students to serve on all University-Wide Student-Faculty Committees and any other necessary positions.
- H. May create, when deemed necessary, executive commissions with full investigative powers



of the Student Government.

- I. Shall officially represent the Student Body at any function in or outside the University. The Student Body President may designate another Student Government member in his or her place.
- J. May authorize and select administrative assistants as deemed necessary.
- K. May call emergency meetings of the University-Wide Council, as deemed necessary. Forty-Eight (48) hours written notification to all University-Wide Council representatives is required.
- L. May call emergency meetings of any of the individual Campus Senates. Forty-Eight (48) hours notification to all Campus Senators is required.
- M. May appoint cabinet members as specified in the Student Body Statutes, with the concurrence of a majority vote of the total active membership of the University-Wide Council.
- N. May discipline, suspend or remove any Student Body Presidential appointments, if necessary, excluding the Controller and the Chief Justice.
- O. May call a special meeting of the entire Student Government to discuss the state of the University, with at least one (1) week written notification to all Student Government members.
- P. Shall appoint the Chief Justice of the Student Court subject to approval by a majority vote of the total active membership of the University-Wide Council.
- Q. Shall be the official spokesperson for the Student Government Association for all official business and shall represent the Student Body of FAU at any official function in or outside of the University.
- R. May, if necessary, temporarily suspend further expenditures from any Student Government account which is judged inappropriate or illegal until the matter is considered by the University-Wide Council. The matter must be brought to the University-Wide Council within ten (10) academic days of the Student Body President's action or the suspension will expire. Written notification must be given immediately to the account manager.
- S. Shall effectuate any contracts on behalf of the Student Government Association as a whole.
- T. May approve or veto all Campus-Based and University-Wide Council legislation by his or her signature, as follows:
  1. University-Wide Council Legislation:
    - a. The Student Body President may approve legislation from the University-Wide Council within eight (8) academic days upon the University-Wide Council's action.
    - b. The Student Body President may veto legislation from the University-Wide Council within eight (8) academic days upon the University-Wide Council's action, in which case, the legislation will be returned to the University-Wide Council as Vetoed Business. The University-Wide Council may override the veto by a 2/3 vote of its total active membership.
    - c. Any University-Wide Council legislation that the Student Body President does not approve or veto within the eight (8) academic day period will automatically be considered approved without a signature.
  2. Campus-Based Legislation:
    - a. The Student Body President may approve legislation from the Campus-Based Student Senates within four (4) academic days of the Campus Student Body

Governor's recommendation for approval and signature. Campus-Based legislation must be approved by the Student Body President and the Campus Student Body Governor.

- b. The Student Body President may veto legislation within four (4) academic days of the Campus Student Body Governor's recommendation for approval and signature. In that event, the legislation shall be returned to the Campus Student Senate where the legislation originated and the Campus Student Senate may override the veto by a 2/3 vote of its total membership.

Except for a Campus-Based Budget, a budget that is vetoed by the Student Body President can only be overridden by a 2/3 vote of the total active membership of the Campus-Based Senate and a majority vote of the total active membership of the University-Wide Council.

- c. Any Campus-Based legislation that the Student Body President does not approve or veto within the four (4) academic day period after the Campus Student Body Governor's recommendation for approval and signature, will automatically be considered approved without a signature.

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

##### **The Student Body Vice President:**

- A. Shall assist the President to effectuate the daily operation of the Student Government Association.
- B. Shall be the University-Wide Council Vice-Chair and shall chair the meetings of the University-Wide Council in the absence of the Student Body President. The Student Body Vice President may vote and enter into debate at such occasions.
- C. Shall aid the Student Body President in determining the general policy of the Executive Branch of Student Government.
- D. Shall assist the Student Body President with administrative duties of Student Government.
- E. Shall help the Student Body President administer and enforce the Student Government Constitution and the Statutes of the Student Body.
- F. Shall abide by the Student Government Constitution and the Statutes of the Student Body.

#### **Section 5. Powers and Duties of the Campus Student Body Governor**

##### **The Campus Student Body Governor shall be empowered to:**

Recommend approval of campus-based legislation by signature specific to his or her campus, as follows:

1. The Student Body Governors may recommend approval of legislation from the Campus-Based Student Senates within four (4) academic days of receipt of the Campus Student Senates' action on the legislation. Campus-Based legislation must be approved by both the Student Body President and Campus Student Body Governor.
  2. The Student Body Governors may recommend veto of the legislation within four (4) academic days of receipt of the Campus Student Senate's action on the legislation. If so, the legislation shall be returned to the Campus Student Senate by written notification to the individual Campus Senate Speaker. The Campus Student Senate may override the recommended veto by a 2/3 vote of the total active membership of the Campus Student Senate, and then may submit the legislation to the Student Body President for signature or veto.
  3. Any Campus-Based legislation that the Campus Student Body Governor does not recommend for approval or veto with a signature within the four (4) academic day period after receipt of the Campus Student Senate's action will automatically become approved without a signature and will go to the Student Body President for a signature or veto.
- B. Nominate students to serve on all Campus-Based Student/Faculty Committees and any other necessary Campus-Based Student/Faculty Committees and any other necessary Campus-Based positions.
  - C. Officially represent the Student Body of the Specific Campus at any function in or outside of the University. The Campus Student Body Governor may designate a Student Government member to take his or her place.
  - D. Preside over the general administration of the Campus-Based Student Government in cooperation with the Student Body President.
  - E. Call individual meetings of the individual Campus Senate within Forty-Eight (48) hours notice to the Speaker of the Individual Campus Senate.
  - F. Assist the Student Body President in a cooperative spirit with general policy and general functioning of the Executive Branch.
  - G. Appoint cabinet members as specified in the Student Body Statutes, with confirmation by a majority vote of the total active membership of the Specific Campus Senate.
  - H. Appoint the Campus Associate Justice to the Student Court subject to the approval of the Campus Student Senate by a majority vote of its total active membership.
  - I. Abide by the general policy of the Executive Branch of Student Government.
  - J. Appeal directives from the Student Body President to the University-Wide Council.

## **Section 6. Boca Raton Campus Student Body Governor**

### **The Boca Raton Student Body Governor shall:**

Preside over the general administration of the Boca Raton Campus Student Government in cooperation with the Student Body President.

## **Section 7. Broward Campuses Student Body Governor**

### **The Broward Campuses Student Body Governor shall:**

Preside over the general administration of the Broward Campuses Student Government in cooperation with the Student Body President.

**Section 8. MacArthur Campus Student Body Governor**  
**The MacArthur Campus Student Body Governor shall:**

Preside over the general administration of the MacArthur Campuses Student Government in cooperation with the Student Body President.

**Section 9. Treasure Coast Campus Student Body Governor**  
**The Treasure Coast Campus Student Body Governor shall:**

Preside over the general administration of the Treasure Coast Campus Student Government in cooperation with the Student Body President.

**Section 10. Order of Succession**

In the event of temporary or permanent vacancy of the office of the Student Body President, the vacancy shall first be filled by the Student Body Vice President, then by the elected Campus Student Body Governor of the Campus with the largest population, and continue in order of elected Campus Student Body Governor by Campus population.

**Section 11. The Student Body Controller**

- A. The Student Body Controller shall be appointed as follows:
1. A screening committee shall be appointed and empowered to review all applications for the position of Student Body Controller. The committee shall be further empowered to approve and recommend an applicant to the University-Wide Council for confirmation with a majority vote of its total active membership by the end of March each year or such time as a vacancy shall occur.
  2. The screening committee shall be comprised of:
    - a. The Student Body President
    - b. Two (2) representatives from the University-Wide Council elected within the University-Wide Council with no more than one representative per campus
    - c. The University Controller (or designee), non-voting
    - d. The Dean of Student Affairs (or designee), non-voting; and/or
    - e. The Current Student Government Controller, non-voting
  3. The Student Body President shall submit the nomination of the committee to the University-Wide Council for its approval/confirmation by a majority vote of its total active membership.
  4. The term of office for the position shall be from May 1st to April 30th each year.
  5. The Student Body Controller may be removed from office by a 2/3 vote of the total active membership of the University-Wide Council.
- B. Powers and Duties of the Controller
- The Student Body Controller is an administrative position which reports to the Student Body President and the University-Wide Council. The Student Body Controller is the overall fiscal advisor to both. The Student Body Controller shall not make any policy decisions regarding the expenditures of A&S fees.

C. The Student Body Controller shall:

1. Maintain accurate records of all financial transactions concerning Student Government.
2. Work with the Student Body President and the University-Wide Council to prepare the budget forecasts for the University-Wide Council and the Campus Student Senates.
3. Oversee the disbursement of funds to the Campus Controllers according to the Student Government Budget.
4. Submit a report on the status of Student funds to the University-Wide Council at every University-Wide Council meeting.
5. Account for all expenditures of Student Government funds.
6. Advise the Student Body President and the University-Wide Council on all financial affairs affecting Student Government.
7. Immediately inform the Student Body President or University-Wide Council or both of any account where there appears to be mismanagement, inappropriate or unauthorized spending or failure to comply with established policies, procedures, and guidelines.
8. Serve as a non-voting member of the Screening Committee for the selection of the next Student Body Controller. However, if the Student Controller is being considered for the position he or she shall not serve as a member.
9. Follow and establish policies, procedures and guidelines as required for proper financial management and ensure the utilization of such, by all Student Government funded accounts.
10. Identify the individual who will be the authorized signatory for University-Wide accounts with University-Wide Council approval.

**Section 12. Student Body Campus Controllers**

A. The Student Body Campus Controllers shall be appointed as follows:

1. Screening committees shall be appointed and empowered to review all applications for the position(s) of Campus specific Student Body Campus Controllers. The committees shall be further empowered to approve and recommend an applicant to the Campus-Based Student Senates for confirmation by the end of March or at such time as a vacancy shall occur.
2. The screening committee shall be comprised of:
  - a. The Campus Student Body Governor
  - b. The Speaker of the Campus Student Senate
  - c. The Senate Committee Chair as determined by the individual Campuses and delineated in the Student Body Statutes.
  - d. The Campus Student Affairs Advisor (non-voting); and/or
  - e. The current Student Body Campus Controller (non-voting)
3. The Student Body Governor shall submit to the committee nominations for the position to the specific campus Student Senate for its approval/confirmation by a majority vote of its total active membership.
4. The term of office for the position shall be from May 1st to April 30th each year.
5. A Campus Controller may be removed from office by a 2/3 vote of the total active membership of the individual Campus Student Senate.

B. Powers and Duties of the Campus Controllers:

The Student Body Campus Controllers are administrative positions, which report to the individual campus Student Body Governor, the Campus Student Senate, and the Student Body Controller. The Campus Controllers shall not make any policy decision regarding the expenditures of A&S fees.

- C. The Campus Controllers shall be empowered to:
1. Maintain accurate records of all financial transactions concerning Student Government or his or her specific campus.
  2. Work with the Student Body Governor, Student Body Controller, and the Campus Student Senate to prepare the budget forecasts.
  3. Oversee the disbursement of funds according to the Student Government budget and the Campus specific budget.
  4. Submit a report on the status of student funds to the Campus Student Senate on a monthly basis.
  5. Account for all expenditures of Campus-Based Student Government funds.
  6. Advise the Campus Student Body Governor and Campus Student Senate on all financial affairs affecting the Campus Student Government.
  7. Serve as a non-voting member of the screening committee for the selection of the next Campus Controller unless being considered for the position.
  8. Adhere to all policies, procedures, and guidelines as required for proper financial management and ensure the utilization of such by all Student Government funded accounts under his or her area of jurisdiction.
  9. Inform the Student Body President, Campus Student Body Governor, Campus Student Senate and/or Student Body Controller of any account where there seems to be mismanagement, inappropriate or unauthorized spending or failure to comply with established policies, procedures, and guidelines.
  10. Serve on the Budget Committee of his/her specific campus.
  11. Has signature authority on all accounts under his/her campus of responsibility not to exceed the power granted in Article V, Section 12, Paragraph B.

### **Section 13. Student Body President's Cabinet**

There shall be a cabinet to assist and advise the Student Body President, the membership of which shall be determined by the Student Body Statutes.

### **Section 14. Student Body Governors' Cabinets**

There shall be assistants to the Campus Student Body Governors to assist and advise the Campus Student Body Governor, the membership of which shall be determined by the Student Body Statutes.

## **Article VI. The Legislative Branch**

### **Section 1. Legislative Powers**

The various Campus Student Senates shall exercise all legislative powers of the Student

Body except for:

- A. The specific powers granted to the University-Wide Council.
- B. The powers of initiative, referendum, and recall which are delegated to the Student Body under the provision of Article XI and XII of the Constitution.

## **Section 2. Composition of Campus Student Senates**

- A. Student Representation shall be based on unduplicated head count as determined by the University Registrar.
- B. The Legislative Branch shall consist of the Campus Student Senates: Boca Raton Campus, Broward Campuses, MacArthur Campus, and Treasure Coast Campus.
- C. Each Student Senate shall elect a Speaker of the Senate by majority vote from among its membership. The Speaker must be elected at the last Senate meeting of the prior semester. The Speaker's powers and duties shall be delineated in the Student Body Statutes.
- D. Each Student Body Senate shall be presided over by the Senate Speaker of that Campus.
- E. The Boca Raton Campus Student Senate shall consist of one (1) Senator for every five hundred (500) students represented on the Boca Raton Campus only, as determined from the previous fall semester's enrollment.
- F. The Broward Campuses Student Senate shall consist of five (5) at-large Senators plus one for every five hundred (500) students represented on the Broward Campuses only, as determined from the previous fall semester's enrollment. The Senate shall continue to consist of five at-large Senators until such time as enrollment on the Broward Campuses reached 10,000 students. When enrollment reaches 10,000, the Senate shall consist of one (1) Senator for every five hundred (500) students.
- G. The MacArthur Campus Student Senate shall consist of five (5) at-large Senators plus one (1) Senator for every five hundred (500) students represented on the MacArthur Campus only, as determined from the previous fall semester's enrollment. The Senate shall continue to consist of five at-large Senators until such time as enrollment on the MacArthur Campus reaches 10,000 students. When enrollment reaches 10,000, the Senate shall consist of one (1) Senator for every five hundred (500) students.
- H. The Treasure Coast Campus Student Senate shall consist of five (5) at-large Senators plus one (1) Senator for every five hundred (500) students represented on the Treasure Coast Campus only, as determined from the previous fall semester's enrollment. The Senate shall continue to consist of five at-large Senators until such time as enrollment on the Treasure Coast Campus reaches 10,000 students. When enrollment reaches 10,000, the Senate shall consist of one (1) Senator for every five hundred (500) students.

## **Section 3. Elections of Student Body Senators**

- A. All elections will be held according to the procedures specified in Article VIII of the Constitution and related Student Body Statutes.
- B. Vacancies which occur due to resignation, removal, or impeachment of any Student Body Senator shall be filled according to the vacancy procedures specified in Article VIII of

the Constitution.

- C. All Campus Senators shall be elected in the Spring term to seats of one year in length or the end of the legislative session; whichever is lesser.

#### **Section 4. Student Body Senate Legislative Session**

- A. Regular sessions of the individual Campus Senates shall begin during the first week of the Summer Semester and shall terminate at the end of the following Spring Semester.
- B. Special meetings of a Campus Senate can be called in accordance with Article V, Section 3, Paragraphs F and L.

#### **Section 5. Powers and Duties of the Campus Student Senate**

##### **The Campus Student Senates shall:**

- A. Approve legislation that is deemed necessary and proper for the general welfare of the Student Body on their specific Campus by a majority vote of their total active membership.
- B. Override the Campus Student Body Governor's veto of Campus-based legislation by a 2/3 vote of the total active membership or refer the veto to the University-Wide Council.
- C. Override the Student Body President's veto of Campus-based legislation by a 2/3 vote of its total active membership or refer the veto to the University-Wide Council, except for the annual Campus-based Budget.
- D. Oversee and approve by a majority vote the expenditure and the disbursement of Activity and Service Fees on the specific campus of jurisdiction except where otherwise provided in the Student Body Statutes.
- E. Establish and approve the Campus Budget by a majority vote of the total active membership of the Senate. The Campus-based Budget is considered to be legislation. A Campus-based Budget that is vetoed by the Student Body President can only be overridden by the procedure set forth in Article VI, Section 7.
- F. Approve Statutes by a majority vote of their total active membership that are necessary and proper for the general operation of the Student Government on his or her specific campus.
- G. Consider legislation necessary and proper for the general welfare of the Student Body on its specific Campus.
- H. Administer any special or regular Campus-based elections in accordance with the Constitution and the Statutes.
- I. Consider legislation introduced by a member of the specific Campus Student Senate.
- J. Establish its own rules and procedures, as well as meeting times, in accordance with the Constitution, Statutes, and University-Wide Council rules.
- K. Review University-Wide Council legislation. To overturn University-Wide Council legislation, a 2/3 vote of the total active membership in each Campus-Based Student Senate is required.
- L. Initiate and recommend University-wide legislation to the University-Wide Council by a



majority vote of the total active membership of the Campus Student Senate. The recommendation follows the normal course of Campus-based legislation except that upon recommendation of approval by the Student Body Governor the legislation shall be placed on the University-Wide Council agenda for consideration at the next regular or special meeting.

- M. Recommend to the University-Wide Council any Constitutional Amendments, as may be deemed necessary.
- N. May remove Campus Student Body Governor appointments by a majority vote of their total active membership except as provided elsewhere in the Constitution and/or Statutes.

## **Section 6. Course of Legislation for Campus-based Student Senates**

- A. All proposed legislation must be submitted to the Senate Speaker of the specific Campus-based Student Senate.
- B. The legislation will then be given a number and shall be placed on the agenda as New Business. The procedure for numbering legislation is defined in the Student Body Statutes.
- C. After legislation has appeared on the agenda as New Business, it will be forwarded to all standing committees on the specific campus. Each Campus-based Student Senate shall establish its own procedures for the course of legislation, which shall be delineated in the Student Body Statutes and shall not conflict with this Constitution and/or the Student Body Statutes.
- D. Upon approval of the Campus-based Student Senate, the legislation will be sent to the Campus Student Body Governor for Recommendation of Approval.
  - 1. If the Campus Student Body Governor recommends the legislation for veto, the legislation will return to the Student Senate under Vetoed Business to be voted on in order to override the recommendation for veto or refer the recommendation for veto to the University-Wide Council.
  - 2. The Campus Student Senate may override the recommendation for veto by a 2/3 vote of the total active membership of the Campus Student Senate.
  - 3. If the recommendation for veto is overridden, the legislation shall be sent to the Student Body President for approval or veto.
  - 4. The Campus Student Body Governor has four (4) academic days, upon receipt, in which to recommend for approval or veto the legislation. Upon inaction by the Campus Student Body Governor within those four (4) academic days, the legislation shall be considered approved without a signature and will be forwarded to the Student Body President for approval or veto.
- E. Upon approval by the Student Body President, the legislation shall be considered approved by Student Government.
- F. The Veto Process:
  - 1. The Student Body President has four (4) academic days, upon receipt, in which to approve or veto legislation.
  - 2. If the Student Body President takes no action within four (4) academic days, upon receipt, the legislation shall be considered approved without a signature.
  - 3. If the Student Body President vetoes the legislation, the legislation will return to the Campus Student Senate of jurisdiction to either be voted on in order to override the veto by a 2/3 vote of its total active membership or to refer the veto to the University-Wide

- Council by a 2/3 vote of the total active membership of the University-Wide Council.
4. If the veto is overridden, the legislation shall be considered approved.
- G. Legislation that amends Campus-Based Student Body Statutes shall be submitted to the Board of Trustees for approval.

## **Section 7. Campus-Based Budgets**

- A. The University-Wide Council must send Campus-based budget forecasts to the Campus Senates no later than March 1.
- B. The individual Campus Student Senates may establish and approve the Campus-based Budget by a majority vote of the total active membership of the Campus Student Senate.
- C. Upon approval of the Campus Student Senate, the Campus-Based budget shall be sent to the Student Body President for approval. The Student Body President shall have two (2) courses of action:
  1. Enact the Campus-Based Budget
  2. Veto the Campus-Based Budget along with recommended changes to the Campus Based Budget.
- D. Upon approval by the Student Body President, the budget shall be forwarded to the Student Body Controller to be compiled with the University-Wide Budget into the Student Government Activity and Service Fee Budget.
- E. If the budget is vetoed by the Student Body President, the Budget along with the recommended changes shall return to the Campus-based Senate under Vetoed Business to make the recommended changes to the Campus-Based Budget and re-submit for approval by the Student Body President; or the Campus-based Senate may override the veto by a two-thirds (2/3) vote of the total active membership of the Senate. If the veto is overridden, the University-Wide Council must also, by a majority vote of its total active membership, concur with the Campus-based Senate in order for the veto to be overridden. If the University-Wide Council concurs with the Campus Senate, the Student Body President's veto is effectively overridden, and no changes need to be made. If the Campus Student Senate fails to override the Student Body President's Veto or if the University-Wide Council does not concur with the Campus Senate, the Campus-based Senate must make the recommended changes to the Campus-Based Budget.
- F. Any amendment to the Student Activity and Service Fee Budget must follow the normal course of legislation and must be approved by a majority vote of the total active membership of the University-Wide Council.
  1. The Campus Based Senates must approve their campus-based budgets.
  2. Amendments to the specific Campus-based Budgets should follow the normal course of legislation as delineated in the Student Government Constitution, Article VI, Section 6.
  3. The University-Wide Council cannot make amendments to the individual Campus-based budgets once the Campus-based Senates have approved them.
  4. Once the Campus-based budgets are all approved, they shall be compiled by the Student Body Controller along with the University-Wide Budget into the Student Government A & S Fees Budget, which shall be submitted to the University President for approval. The University budget shall not be amended by Student Government after it has been approved by the University President.
- G. If the University-Wide Activity and Service Fee Budget is vetoed by the University

President, the University-Wide Council shall have the ability to amend the cause(s) of the veto, if necessary.

- H. If a Campus-Based Student Government Activity and Service Fee Budget is vetoed by the University President, the Campus-Based Senate shall have the ability to amend the cause(s) of the veto, if necessary.
- I. Upon the University President's approval, the budget shall be considered approved and the Student Body Controller shall send a memo of their respective budgets to all University-Wide Council members, Campus Controllers, and individual account managers.

### **Section 8. Powers and Duties of the Boca Raton Campus Senate**

The powers and duties of the Boca Raton Campus Senate shall be delineated in the Student Body Statutes, Chapter 500.

### **Section 9. Powers and Duties of the Broward Campuses Senate**

The powers and duties of the Broward Campuses Senate shall be delineated in the Student Body Statutes, Chapter 600.

### **Section 10. Powers and Duties of the MacArthur Campus Senate**

The powers and duties of the MacArthur Campus Senate shall be delineated in the Student Body Statutes, Chapter 700.

### **Section 11. Powers and Duties of the Treasure Coast Campus Senate**

The powers and duties of the Treasure Coast Campus Senate shall be delineated in the Student Body Statutes, Chapter 800.

## **Article VII. The Judicial Branch**

### **Section 1. Judicial Powers**

All Judicial powers of the Student Body shall be vested in the Student Court.

### **Section 2. Student Court**

A. The Student Court shall consist of a Student Court Chief Justice (appointed by the Student Body President and confirmed by a majority vote of the total active membership of the University-Wide Council) and 4 Campus Associate Justices appointed as follows:

1. Boca Raton Campus Associate Justice shall be appointed by the Boca Raton Campus Student Body Governor and confirmed by a majority vote of the total active membership of the Boca Raton Campus Student Senate.
2. Broward Campuses Associate Justice shall be appointed by the Broward Campuses Student Body Governor and confirmed by a majority vote of the total active membership

of the Broward Campuses Student Senate.

3. MacArthur Campus Associate Justice shall be appointed by the MacArthur Campus Student Body Governor and confirmed by a majority vote of the total active membership of the MacArthur Campus Student Senate.
4. Treasure Coast Campus Associate Justice shall be appointed by the Treasure Coast Campus Student Body Governor and confirmed by a majority vote of the total active membership of the Treasure Coast Campus Student Senate.

### **Section 3. Powers and Duties of the Student Court**

- A. The Student Court shall have jurisdiction over cases and controversies involving questions of the constitutionality, or interpretation of the Student Government Constitution or Statutes as follows:
  1. Violations of the Student Government Constitution and the Student Body Statutes.
  2. Cases involving impeachment of officials of Student Government as set forth in Article XII in the Student Government Constitution.
  3. Violations of the Code of Ethics provided in Article III of the Student Government Constitution.
  4. Conflicts concerning students or student organizations as may be provided by the Student Government Constitution and/or the Student Body Statutes.
  5. Issuance of student summons for issues before the Student Court.
  6. The determination of sanctions of matters within its jurisdiction.  
Such sanctions may include:
    - a. Revocation of organizational registration
    - b. Social probation
    - c. Assigned community service
    - d. Restitution
    - e. Any other sanction provided by the Student Government Constitution and/or the Student Body Statutes.
- B. Provided that four or more Justices (including the Student Court Chief Justice) are present and voting, concurrence of a majority of Justices voting shall be necessary to render an effective decision of the Student Court.
- C. The Student Court shall keep all official records of Student Government Association Election Results.
- D. The Student Court shall keep all official records of the Student Government Association including all approved legislation.
- E. Shall have the authority to develop its own internal rules by a majority opinion providing they are not contradictory to the Student Government Constitution and/or Student Body Statutes.
- F. Shall meet as necessary to conduct business, but shall meet at least monthly.

### **Section 4. Powers and Duties of the Student Court Chief Justice**

The Chief Justice of the Student Court, as chief administrative officer of the Judicial Branch, shall be vested with and shall exercise, in accordance with rules adopted by the Court, the

authority to:

- A. Assign cases and duties among the Justices of the Court.
- B. Supervise the administration of the Student Court.
- C. Inform the Legislative Branch of every Campus Student Government and the University-Wide Council of the condition of the Judicial Branch and recommend any measures for the improvement of the administration of justice.
- D. Report to the Legislative Branch of every Campus Student Government and the University-Wide Council any defects in the Student Government Constitution and/or the Student Body Statutes as may have been brought to his/her attention and to suggest any amendments or additional legislation as may be deemed necessary.
- E. Call and preside over all sessions of the Student Court.
- F. Keep all permanent records of the Student Court and the Student Government Association and release them in accordance with the laws of the State of Florida and any other statewide Governing Body's rules and regulations, and deliver them into the hands of his or her successor.
- G. Sign Court documents.
- H. Serve as the official Student Court Spokesperson.
- I. Submit a written report to the University-Wide Council on a monthly basis to inform them of the status of the Judicial Branch.
- J. Present a report in front of each Campus Student Senate at least once per semester excluding the summer semester. This report may be done under the Chief Justice Report or Judicial Branch Report. The Chief Justice may designate the respected Campus Associate Justice from the respective campus to present the report.
- K. Have the authority to convene an Ad-hoc Committee to make recommendations regarding necessary changes to the Student Government Constitution and/or the Student Body Statutes.
- L. Update all changes and amendments to the Student Government Constitution and/or the Student Body Statutes, both University-Wide and Campus-Based Statutes. The Student Court Chief Justice may assign the updating of changes and amendments to the Student Government Constitution and/or the Student Body Statutes, both University-Wide and Campus-Based Statutes, to any of the Campus Associate Justices.

## **Section 5. Campus Associate Justices**

- A. Campus Associate Justices serve the Student Body as unbiased members of the Student Government Association.
- B. Campus Associate Justices shall have the following powers and duties:
  - 1. Attend all meetings of the Student Court as voting members.
  - 2. Sit as a hearing officer over cases or issues initiated on that individual campus.
  - 3. Serve as student members of the University Judicial Council on the campuses he or she represents.
  - 4. Perform duties as assigned by the Chief Justice.

## **Section 6. Continuing Business for the Court.**

- A. In the event that an insufficient number of Justices are present to hear a case, within fifteen

(15) academic days from the date the case was filed with the court, the case shall be heard by the University-Wide Council, where the Chief Justice shall preside over the hearing. In the event that there is no Chief Justice appointed, the Student Body President shall preside over the hearing. In the event the Student Body President is a party to the case, then the next highest-ranking Student Government Official following the order of succession, who is not a party, shall preside over the hearing.

## **Article VIII. Elections**

### **Section 1. General Election Requirements**

- A. The Student Body President, the Student Body Vice President, Campus Student Body Governors, Legislative Officers (not Senators), the Student Court Chief Justice, Agency Directors, and University-Wide Council Members may not hold two Student Government positions concurrently. No person may hold two elected Student Government positions concurrently.
- B. To be able to seek and maintain office as a member of Student Government or hold any Student Government position, a student must meet and maintain the minimum qualifications as prescribed in the University's policy on minimum qualifications for student officers and leaders in the Student Handbook for that academic year. Other requirements may be set forth in the Student Body Statutes as long as they do not conflict with the Constitution.
- C. The annual elections shall take place on the first Tuesday and Wednesday of April, except in case of emergency as defined by the Elections Commission. A 2/3 vote of the Elections Commission shall be necessary to change the date of the elections.
- D. All elected officials of Student Government elected in the annual elections shall be administered the oath of office on the first regularly scheduled meeting of the Summer Semester. All elected officials of Student Government shall assume his or her term of office on the first Monday after the last day of final examinations.
- E. The first University-Wide Council meeting of the Summer Semester shall take place on the first Tuesday after the last day of final examinations of the Spring Semester on the Boca Raton Campus. The elected Student Body President, the Student Body Vice President, the Campus Student Body Governors, the Campus Senate Speakers and the University-Wide Council Representatives shall be administered the oath of office at this meeting.

### **Section 2. Vacancies**

- A. The process prescribed in the Student Body Statutes shall be used to fill vacancies that occur due to resignation and/or dismissal of any Senator.
- B. The process prescribed in the Student Body Statutes shall be used to fill vacancies that occur due to resignations and/or dismissal of any elected Student Government officer once serving in office.
- C. Vacancies that occur in the office of the Controller shall be filled in accordance with Article V, Section 11.
- D. Vacancies that occur due to resignation or dismissal of the Student Court Chief Justice and/or

- the Campus Associate Justices shall be filled in accordance with Article VII, Section 2.
- E. In the event a resignation is tendered by a Student Body Senator-elect before the second Senate meeting of the semester following the election, the individual with the next highest votes in that campus Senate's election shall assume the vacancy of the Senator-elect who resigned.

### **Article IX. Oath of Office**

All elected Student Government Officers shall be administered the following oath of office upon the commencement of their term:

I, (name of the individual), do hereby affirm to uphold the office of (title), and to abide by the constitution of the Student Government of Florida Atlantic University, the Statutes incorporated thereto, and to strive for the betterment of the Student Body through which I was elected.

### **Article X. Discipline of Appointed and Elected Officials**

Disciplinary process may be exercised when a student government official has violated the Student Government Code of Ethics, Constitution, statutes or rules, has been convicted of a felony, is unable for a time frame exceeding four weeks to perform official duties, has engaged in fiscal impropriety, malfeasance or misfeasance of office, neglect of duty, incompetence or any other circumstances determined to be not in the best interest of Florida Atlantic University Student Government Association.

Disciplinary sanctions may include verbal warning, written reprimand, suspension and removal. Suspension is the temporary restriction or loss of privileges associated with a Student Government position (including compensation, revocation of voting rights, and/or the ability to perform or appear on behalf of the Student Government Association). The nature of the restrictions and length of the suspension shall be determined by the individual or entity imposing the suspension. Removal is the immediate termination from any position, its compensation, and voting rights.

#### **Section 1. Appointed Officials**

An appointed official is an individual who has been selected for a position prescribed in Student Government law, and confirmed by the appropriate legislative body. Sanctions for any misconduct enumerated above include verbal warning, written reprimand, and:

- A. Suspension from the duties and privileges of the position. This may occur by any of the following:
1. A decision to suspend an appointee may be made by the Student Government Official who appointed him or her.
  2. A decision to suspend an appointee may be made by a 2/3 vote of the total active membership of the legislative body that confirmed him or her.

3. A decision to suspend University-Wide Council appointee may be made by a 2/3 vote of the total active membership of the University-Wide Council. The removal is effective through the next general election.
- B. Removal from the appointed position. This may occur by any of the following:
1. A decision to remove an appointee may be made by the Student Government official who appointed him or her. The removal is effective until the next general election.
  2. A decision to remove an appointee may be made by the majority vote of the total active membership of the legislative body that confirmed him or her, and by a 2/3 vote of the total active membership of the University-Wide Council. The removal is effective through the next general election.
  3. A decision to remove an appointee may be made by a 2/3 vote of the total active membership of the University-Wide Council. The removal is effective through the next general election.
- C. All other remedies set forth in Articles XI and XII of this Constitution.

## **Section 2. Elected Official**

An elected official is an individual who has been elected by a plurality or majority vote in the general election, or a majority vote in an in-house election, by Florida Atlantic University students. Sanctions for any misconduct enumerated in this article include verbal warning, written reprimand, and the following:

- A. Suspension from the duties and privileges of the position by a 2/3 majority vote of the total active membership of the University-Wide Council. The suspension is effective through the next general election.
- B. Removal from the position by a 2/3 majority vote of the total active membership of the University-Wide Council. The removal is effective through the next general election.
- C. All other remedies set forth in Articles XI and XII of this Constitution.

## **Article XI. Initiative and Referendum**

### **Section 1. Initiative**

- A. To submit any University-Wide legislation or Constitutional Amendment to the Student Body for a vote in the next regular special election, a petition signed by 5% of the Student Body must be submitted to the Student Court.
- B. To verify the petition, the Court shall review the Constitutionality and form of the legislation; the Constitutionality need not be verified where a Constitutional Amendment is submitted. The Student Court shall direct the University-Wide Council to place the legislation on the ballot in the next general election or special election for consideration by the Student Body.



- C. Any decision passed by a majority vote of the Student Body under the initiative process shall supercede any decision by any branch of Student Government.
- D. Campus-based legislation with a petition signed by 5% of the Student Body on a specific campus must be submitted to the Student Court. Upon verification of the petition, for Constitutionality and proper form, the Student Court shall direct the University-Wide Council to place the legislation on the ballot of the specific campus, which originated the legislation and petition.

## **Section 2. Referendum**

- A. A majority of Campus Student Senates by a majority vote of the total active membership in each Campus Student Senate and/or the University-Wide Council by a majority vote of its total active membership may submit any legislation or Constitutional Amendment proposed or already in effect to the Student Court for verification of Constitutionality and proper form; the Constitutionality need not be verified where a Constitutional Amendment is submitted. Upon verification by the Student Court, the Referendum shall be placed on the ballot to be voted on by the Student Body in the next regular or general election.
- B. Any decision passed by a majority of the voting Student Body under the process of Referendum shall supersede any decision by any branch of Student Government.
- C. Campus-Based Referendum. Each Campus Senate shall have the ability to initiate a Campus-Based Referendum by a majority vote of the Senate on the specific campus of jurisdiction, which shall be submitted to the Student Court for verification of Constitutionality and proper form. Upon verification by the Student Court, the Referendum shall be placed on the ballot of the specific campus of jurisdiction at the next regular or special election to be voted on by the Student Body of that campus.
- D. Any decision passed by a majority of the voting Campus Student Body under the process of Referendum shall supersede any decision by any branch of Student Government.

## **Article XII Removal**

### **Section 1. Recall**

- A. In order to remove any Campus Student Government official from office, both elected and/or appointed, a petition must be signed by 15% of the Student Body from the specific campus in question and be submitted to the Student Court.

In order to remove any University-Wide Student Government official from office, both elected and/or appointed, a petition must be signed by 15% of the Florida Atlantic University Student Body as a whole and must be submitted to the Court.

- B. Upon verifying the petition, the Student Court shall direct the University-Wide Council to hold a special Campus-Based or University-Wide Referendum to bring the official before the Student Body. The Referendum must be held no later than sixty (60) days after the filing of the petition
- C. Shall be in accordance with Florida Law.

- D. Majority acceptance of the petition by those voting in the election shall result in the removal of the official named from office for the remainder of his or her term.
- E. Once a Student Government Official is removed from office by the recall process, that person cannot serve in a Student Government position unless elected by the Student Body but not before the original term has ended.

## **Section 2. Impeachment**

Any Student Government Official may be removed from office for violation of the Student Government Constitution or Student Body Statutes where such violation constitutes gross malfeasance, misfeasance, neglect, incompetence, nonfeasance of office or if convicted of a felony by the following process:

- A. Articles of Impeachment against a Student Body Senator, a Campus University-Wide Council Representative At-Large, a Campus Associate Justice, and/or a Campus Student Body Governor must set forth the charges and reasons for removal from office. It must be signed and notarized by twenty-five percent of the total Student Body Senators from the same campus.

Articles of Impeachment against the Student Body President, the Student Body Vice President, and/or the Student Court Chief Justice must set forth the charges and reasons for removal from office. It must be signed and notarized by thirty-three (1/3) percent of the Student Body Senators from at least two different campus groupings.

- B. Articles of Impeachment must be presented in writing and by certified mail to the accused official, the Student Court, the University-Wide Council and the specific Campus Senate (in the case of a Campus Officer).

The Articles of Impeachment must be filed with the Student Court. In the case of a Campus Officer, the specific Campus Student Senate must then accept the charges by a 2/3 vote of its total active membership and forward the charges to the University-Wide Council within twenty-four (24) hours of the Senate's decision. The University-Wide Council shall then be called into an emergency meeting with forty-eight (48) hours notice to consider the Articles of Impeachment. In order to approve impeachment, the University-Wide Council must accept the charges by a majority vote of its total active membership and forward the charges to the Student Court within twenty-four (24) hours of the University-Wide Council's decision. The Student Court shall then be called into an emergency meeting with forty-eight (48) hours notice to sit as a Court of Impeachment. If two-thirds (2/3) of the total active membership of the Student Court renders judgment in support of the Articles of Impeachment, the accused Campus Officer shall then be considered immediately removed from office and forfeit all rights for the remainder of that term of office.

- C. The Student Court must give the accused at least two weeks, or may by a majority vote extend additional time to the accused, for the preparation of a proper defense. After the Articles of Impeachment have been accepted by the Campus Student Senate (in the case of a Campus Officer) and University-Wide Council, the Student Court shall sit as a Court

of Impeachment. At that time, the accused shall face the accusers, shall be permitted to take a full defense of his or her actions and may present witnesses and documentary evidence.

For cases involving Campus Associate Justices, a special Judiciary Committee consisting of the Student Body President, three representatives from the University-Wide Council, who shall be elected within the University-Wide Council, and the Chief Justice shall sit as a Court of Impeachment. In cases involving the removal of the Chief Justice, the Court shall designate a member by majority vote, excluding the Chief Justice, to replace the Chief Justice's position on the special Judiciary Committee. In the event that the court is unable to designate a member by a majority vote, the Vice-President shall make the tie breaking vote.

- D. If two-thirds (2/3) of the total active membership of the Student Court membership renders judgment in support of the Articles of Impeachment, the official who has been charged shall then be considered immediately removed from the position and forfeit all rights for the remainder of that term of office.
- E. Once an elected official is impeached, that person cannot serve in an elected position unless re-elected by the Student Body, but not before the original term has ended.

### **Section 3. Removal for the failure to meet or maintain Minimum Qualifications of Student Officers**

In the event an appointed or elected official falls below the minimum qualifications for a Student Government official, the Office of Student Affairs should forward a letter to the Student Body President, University –Wide Council, corresponding Governor, Senate Speaker and to the individual in question. Once the Student Government Officer is advised that he/she has not met or maintained the minimum qualifications for student officers he/she shall have a ten (10) academic day grace period to resolve any outstanding issues. During this period, the student may file an appeal with the Eligibility Appeals Committee of the Office of Student Affairs; however, this does not change or extend the 3 day deadline for filing an appeal with the Office of Student Affairs.

### **Article XIII. Right to Vote**

Any student of Florida Atlantic University as defined by the Constitution may vote in Student Government Elections.

### **Article XIV. Amendment Process**

Amendments to the Constitution may be initiated by the University-Wide Council or through the Initiative and Referendum processes as delineated in Article XI, Sections 1 & 2. Constitutional Amendments are University-Wide legislation. All Constitutional Amendments

shall require a first and second reading in both the University-Wide Council and each Campus Senate. After approval by the University-Wide Council, an amendment shall be sent to the Campus Student Senates for ratification. At least two (2) weeks must transpire between University-Wide Council approval and an action being taken in a Campus Student Senate. No motion may be made to consider a constitutional amendment as read. Passage of an amendment shall require a 2/3 vote of the total active membership of the University-Wide Council. A 2/3 vote of the total active membership in each Campus Student Senate is needed to ratify an amendment. A majority of Campus Student Senates voting for ratification and the approval of the Florida Atlantic University Board of Trustees are needed for an amendment to become effective. At least two originals of each amendment shall be executed and kept in accordance with Article II.

## ATTACHMENT D

### Student Government Timeline and Milestone Dates

#### Completed

- |   |  |                              |
|---|--|------------------------------|
| ✓ | Constitutional Convention I  | Nov. 10 & 11, 2006           |
| ✓ | Initial draft constitution completed   | Nov. 17, 2006                |
| ✓ | Task forces created and began working for various sections of Constitution & Statutes -- Elections (Terry Mena), Budget (Lisa Bardill and Heather Bishara), Executive (Lisa Bardill and Joe Isadore), Judicial (Marion Merzer and Leslie Bates), and Legislative (Heather Bishara and Joe Isadore) | Dec. 1, 2006 – Jan. 19, 2007 |
| ✓ | New draft of SG constitution to General Counsel & Dr. Brown  | Jan. 8, 2007                 |
| ✓ | Advisors meeting to report on task forces and plan Constitutional Convention II  | Jan. 16, 2007                |
| ✓ | Student Government and Student Organizations Regulation 4.006 to BOT   | Jan. 17, 2007                |
| ✓ | Comments from General Counsel & Dr. Brown due  | Jan. 18, 2007                |
| ✓ | Constitutional Convention II – Task Forces will report back to the group   | Jan. 20, 2007                |
| ✓ | Final draft of constitution completed  | Jan. 20, 2007                |
| ✓ | New constitution posted to FAU website   | Jan. 26, 2007                |
| ✓ | Town Hall meeting on the various campuses to answer questions and concerns from students about the SG constitution   | Jan. 30 – Feb. 7, 2007       |
| □ | Task Forces continue Statutes rewriting process(University wide)   | Jan. 22 – Mar. 16, 2007      |
| □ | Student Body votes on new SG constitution  | Feb. 12 – 13, 2007           |
| □ | Constitution to BOT CASA and full BOT for vote   | Feb. 21, 2007                |
| □ | With BOT approval, new constitution becomes effective  | Feb. 21, 2007                |
| □ | Campus Task Forces continue Statutes rewriting process   | Feb 22 – Mar. 30, 2007       |
| □ | Declaration of Candidacy for SG elections (Executive Branch only)  | Feb. 26 – Mar. 2, 2007       |
| □ | Budget forms available for FY 2007-2008  | Feb. 26, 2007                |

<input type="checkbox"/> Student Affairs verifies eligibility of candidates	March 5 – 9, 2007
<input type="checkbox"/> Candidates' meetings on campuses	March 12 & 13, 2007
<input type="checkbox"/> Campaigning	March 14 – 28, 2007
<input type="checkbox"/> SG President and Vice President candidates debate (video conference)	March 19 – 23, 2007
<input type="checkbox"/> Campus Governor debates (on each campus)	March 19 – 23, 2007
<input type="checkbox"/> Budget requests due (University wide & campuses)	March 23, 2007
<input type="checkbox"/> SG elections (on-line)	March 27 & 28, 2007
<input type="checkbox"/> Statutes rewriting process - comments from General Counsel & Dr. Brown due	April 5, 2007
<input type="checkbox"/> University wide Legislative & Campus Legislative branches vote on new statutes	April 9 – 16, 2007
<input type="checkbox"/> Budget hearings for FY 2007-2008 (University wide)	April 9 – 27, 2007
<input type="checkbox"/> Campus budget committee hearings for FY 2007-2008	April 9 – 27, 2007
<input type="checkbox"/> Run-off elections (if necessary)	April 10 & 11, 2007
<input type="checkbox"/> Statutes to VPSA for approval	April 25, 2007
<input type="checkbox"/> Installation of Officers and Assumption of Office	May 7, 2007
<input type="checkbox"/> New SG Officer training	May 7 & 8, 2007
<input type="checkbox"/> Vote on FY 2007-2008 budget (University wide)	May 2007
<input type="checkbox"/> Vote on FY 2007-2008 budget by campuses	May 2007
<input type="checkbox"/> Compile all approved budgets into one document	May 23 – 25, 2007
<input type="checkbox"/> FY 2007-2008 budget to University President through VPSA	May 29, 2007
<input type="checkbox"/> Final approved budget to University budget office	May 29, 2007
<input type="checkbox"/> A&S Fee budget to BOT for vote	June 2007

NOTE: Student Government Statutes Chapters completed after February 21, 2007 MAY go before the appropriate Senate or Campus House for approval regardless of the above timeline dates.