

# Student Government Association (SGA) Constitution\*

**Last amended: August 21, 2024.**

## **Preamble**

*In order to provide for the orderly and representative governance of out-of-classroom student affairs at Emory & Henry University, with a view to creating a vital community in which students, with the aid of faculty and administration, take responsibility for supporting the goals and purposes of the University, we hereby establish this Constitution of the Student Government of Emory & Henry University, Emory, Virginia, on this sixteenth day of March, Nineteen-hundred and ninety-nine.*

## **Article I. Name**

The name of this body shall be the Student Government Association (SGA) of Emory & Henry University, Emory, Virginia.

## **Article II. Functions and Responsibilities**

The SGA shall collaborate with the Student Life Committee of the Board of Trustees, the President of Emory & Henry University, the Dean of Faculty, the Dean of Students, and the faculty in the formulation and implementation of regulations and programs related to student life. This is meant to include general student regulations, student housing, social/recreational activities, student media, student organizations, intramural activities, and judicial/honor affairs. All prior regulations or policies from the previous body shall remain in effect unless duly altered.

Further, the SGA shall serve as an advocate for the interests of the student body and shall represent the student body in all campus matters. These interests may include areas such as religious life, cultural life, food services, health services, academic interests, intercollegiate athletics, vehicle and safety regulations, community relations, and any other area of student interest.

## **Article III. The University Senate**

### **A. Membership**

The University Senate shall be composed of twenty students, five from each of the following four categories of the student body: first year, sophomore, junior, and senior. Eligibility for these categories will be dependent upon a student's status as defined by the University. There will be one advisor from the administration which will be the Dean of Students. SGA will work to foster a relationship with the faculty of the University and the Faculty Senate. The Student Body President or their designee shall serve as an ex officio member of the Senate. The Chief of Staff and officers of the executive shall serve as ex officio members of the Senate. The Dean of Students may be called upon by the Senate for advice and counsel as needed, but shall not be a voting member of the body.

### **B. Officers**

1. The Vice President of the Student Body shall serve as the Presiding Officer of the University Senate, performing all duties listed in [Article IV, Part B](#). The responsibilities of the Presiding Officer shall include:
  - A. Conducting all meetings of the SGA in accordance with parliamentary procedure and Senate rules
  - B. Serving as the official bc representative of the Senate when called upon

- C. Appointing all employees of the Senate with the approval of a majority of the Senate
- D. Communicating with the appropriate officers of the executive about all legislation.

The Presiding Officer shall have no vote except in case of a tie.

- 2. The Senate shall elect an alternate to serve in the place of the Presiding Officer should the need arise.
- 3. The Presiding Officer shall appoint a Senate Chaplain to provide spiritual guidance to the body by offering the invocation at the opening and the close of any Senate proceeding.
- 4. The President shall nominate the SGA Corresponding Secretary to attend every Senate and SGA meeting. The Corresponding Secretary may also attend meetings of the Executive Cabinet at the invitation of the President of the student body. The Corresponding Secretary is responsible for keeping attendance of all Senate seminars, and for keeping minutes of seminars. The Corresponding Secretary shall be confirmed by a simple majority of the Senate.

### **C. Responsibilities of the Senate**

The University Senate shall be the principal legislative body of the Student Government Association (SGA). It shall be responsible for considering, formulating, and enacting all legislation appropriate for the conduct of the business of the SGA. All Senate proceedings will be conducted in accordance with the rules that the Senate shall adopt or establish. In order for the Senate to conduct business, a quorum must be present. For the purposes of this body, a quorum shall consist of one-half of all Student Senators. While officers of the executive may be called upon to submit legislation appropriate to their expertise, the Senate shall retain all responsibility for the legislative function of the SGA. Specifically, the Senate must:

- 1) Create or adopt a system of rules or procedures
- 2) Approve an operating budget for the SGA
- 3) Review and approve the appointments of the executive officers by the Student Body President
- 4) Any or all other legislation necessary to provide for the operation of the SGA and the best interest of the Student Body

### **D. Meetings**

The University Senate is to convene in two capacities; the first is seminars, which are composed of the Senate in its entirety, as defined by [Article III. Subsection A](#). Legislation will be considered during these meetings, and they will be a public forum for the Emory & Henry Community. The second is Senate Meetings, which are composed of the student senate, the Presiding Officer, and the SGA Corresponding Secretary. Officers of the Executive, the Student Body President, and the Dean of Students shall attend when appropriate. Workshops will be conducted, senators will meet in committees, and other functions not completed in seminars will be done during these meetings.

- 1. Seminars must be convened at least once a month during the academic term. Senate Meetings must be convened at least once a month during the academic term. The proposed system as of 2020-21 Academic Year: months are divided into four weeks. Seminars will be convened on weeks one and three, Senate Meetings will be convened on weeks two and four. The schedule of these meetings will be proposed by the Presiding Officer and approved by a simple majority of the Senate.
- 2. Special meetings of the SGA may be called by the Presiding Officer, the Student Body President, the President of the University, or by a signed petition containing the signatures of two-thirds of the Senate membership.

### **E. Legislative Process**

## **1. Academic Year Senate**

- a. The Senate may opt to consider legislation while assembled as a whole body, or the Presiding Officer may appoint committees to study legislation and report to the body as a whole. No legislation may be passed by the Senate without discussion by the members. Outside speakers may be called into the discussion by the Presiding Officer, no person who is not a member of the Senate may address the Senate when assembled unless recognized by the Presiding Officer. Passage of legislation shall require a simple majority unless specifically noted elsewhere in this Constitution. The passage of the bill passed by the Senate can be assumed to be affirmed by the President unless otherwise vetoed; the veto must occur within ten days of the passage of the bill and must be accompanied by a written reply to the Senate. The veto of the Student Body President may be overridden by a two-thirds majority of the entire Senate. The President of the University or the Board of Trustees also has the power of veto. A veto by the President of the University or nullification by the Board of Trustees may not be overturned.

## **2. Summer Senate**

- a. The Executive Committee as appointed by the SGA President and Vice President will serve as the Senate during the summer break. They have the authority to create and pass legislation with a simple majority. The passage of the bill passed by the Summer Senate can be assumed to be affirmed by the President unless otherwise vetoed; the veto must occur within ten days of the passage of the bill and must be accompanied by a written reply to the Summer Senate. The veto of the Student Body President may be overridden by a two-thirds majority of the Summer Senate. The President of the University or the Board of Trustees also has the power of veto. A veto by the President of the University or nullification by the Board of Trustees may not be overturned.

## **Article IV. The Executive**

### **A. The Student Body President**

The Student Body President shall be elected by the Student Body as a whole. The President shall be the principal Executive Officer of the SGA. Pursuant to Senate Bill #191 (March 21, 2007), in order to qualify for the office of President, they must have achieved at least a junior status, have a cumulative GPA of at least 2.5, have never been suspended for disciplinary reasons, and must have attended Emory & Henry University for at least two consecutive semesters. With the assistance and counsel of the Dean of Students, the President shall be responsible for the execution of policies, regulations, and programs legislated by the University Senate. The President shall present a report to the assembled Senate each semester, detailing the progress of the SGA for that semester. The President shall also have the authority to veto legislation of the Senate, subject to a two-thirds majority override vote. The President or their designee shall serve as the official representative of the Student Body and SGA. In addition, the President or their designee shall serve as the representative of the interests of the Student Body in all bodies responsible for the governance of the various aspects of the University when such representation is requested. The President shall appoint Executive Officers to administer the different individual functions of the executive. These Executive Officers must be approved by the Senate before taking office.

### **B. The Student Body Vice President**

The Student Body Vice President shall be elected by the Student Body as a whole. They will serve as an assistant to the President in formulating policy and legislation, as well as in representing the Student Body. Pursuant to Senate Bill #191 (March 19, 2007), in order to qualify for the office of the Vice President, they must have achieved at least junior status, have a cumulative GPA of at least 2.5, have never been suspended for disciplinary reasons, and must have attended Emory & Henry for at least two consecutive semesters. The Vice

President shall serve as Presiding Officer of the Senate, performing all the duties listed in [Article III, Part B](#). Other specific duties of the Vice President shall be determined by the Student Body President. The Vice President will be called upon to act on behalf of the President in the event that they are not available. The Vice President will become the Student Body President should the President resign, be removed from office, or be otherwise permanently unable to discharge the duties of the office.

**C. The Student Body Treasurer**

The Student Body President shall appoint a student to serve as the Student Body Treasurer. The Treasurer, under the direction of the Student Body President and with the assistance of the Dean of Students, shall be responsible for the fiscal management of the SGA, including the creation of a proposed budget including the operating budget for the SGA and all student organizations. The Treasurer shall create the budget in consultation with the Budget Committee. The Treasurer shall submit this proposed budget to the Senate for approval within four weeks of the beginning of each academic semester. Throughout the semester, the Treasurer shall track all expenditures, and with the Dean of Students, authorize payment on all SGA expenditures. The Student Body Treasurer shall be confirmed by a simple majority of the Senate.

**E. Chief of Staff**

The Student Body President shall appoint a student to serve as Chief of Staff, who shall aid in executive affairs, organization, and provide a liaison of communication between the Student Body President and the Executive Officers as the Student Body President deems appropriate. The Chief of Staff shall be confirmed by a simple majority of the Senate.

**D. Other Executive Officers**

The Student Body President must appoint students to serve in the following administrative offices: the Office of Judicial Affairs, the Office of Election Commissions, the Office of Public Relations, the Office of Campus Activities, and the Office of Diversity, Equity, Inclusion, and Belonging (DEIB). The Student Body President may appoint students in other areas as needed, requiring only the approval of the Senate to do so. These areas may include student/resident/commuter life, constituent services/advocacy, food service, religious life, health/safety matters, academic affairs, etc. All Executive Officers shall be confirmed by a simple majority of the Senate.

**E. Advisors**

Each of the Executive Officers has the option to choose an Advisor if appropriate to their office. Officers and their Advisors should meet regularly so that they may keep each other well informed. Advisors will be selected by the applicable Officer and shall have the approval of the Student Body President.

**F. Executive Committees**

Each of the Executive Officers shall require periodic consultation and advice from a Special Executive Committee designed for that purpose. It is the responsibility of the Executive Committees to serve as a forum for policy-making and discussion in the respective area of their expertise. Executive Committees shall convene at the discretion of the Executive Officer in charge of that particular area. The President has the right to form a special committee for the length of one academic year. The Executive Committee has the potential to become a regular committee if affirmed by a simple majority of the Senate and with the approval of the President.

**G. The Executive Cabinet**

This body shall be composed of the Student Body President, Vice President, Chief of Staff, Dean of Students, and each of the Executive Officers. The Student Body President shall serve as chair of this group. The board

exists in order to advise the Student Body President and to help set executive policy and agenda. This body shall also have the full authority to act on behalf of the entire SGA during the summer session or during the academic term before the Senate is convened in situations where immediate action is crucial.

#### **H. Meetings**

The Executive Cabinet shall meet at least once a week, outside of the Senate and seminars, in order for reports of Officers to be given, discussion to be held, and cohesion to be maintained among the Executive about the direction of the Student Body President and Vice President's administration.

### **Article V. Elections**

#### **A. Student Senators**

1. By the end of the fourth academic week of the Fall term, elections shall be held for the positions of Student Senators from each of the classes composed of First-Year, Second-Year, Third-Year, and Fourth-Year students.
2. Student Senators may be re-elected.

#### **B. Electoral System**

1. The electoral system of the Emory & Henry University is Ranked Choice Voting (RCV). Two types of RCV shall be used.
  - a. The Student Senate shall be elected by Proportional Representation by Single Transferable Vote (PR STV).
  - b. The Student Body President and Vice President shall be elected by an Instant Runoff Election.

#### **C. Student Body President and Vice President**

The Student Body President and Vice President shall be elected during April of the Spring term, for the following year. Since it is critical that the Student Body President and Vice President be able to work together, they will be elected together. The Presidential Candidate must select a Vice Presidential Candidate with whom they will stand for election. When balloting is conducted, the Student Body will vote for the pair of candidates that they favor, rather than electing the posts separately. The new President and Vice President shall work in conjunction with the outgoing officers for the remainder of the term, and formally take office at convocation.

#### **D. General**

1. In order to be eligible for the office of an electable student position, any person wishing to run for and retain that office must at all times during their term be a full-time student of Emory & Henry University.
2. In order to be eligible for an SGA graduation stole, any person must be in good standing with the SGA and have served the SGA for two years.
3. Any person wishing to run for the office of Senator must have the credits of their respective academic year.
4. Any student-elected official who is placed on any type of probation during their term of office would become ineligible for their position.
5. In the event that a Senator should become ineligible, this fact should be reported to the Presiding Officer and the Elections Officer. The seat shall be declared vacant, and a special election shall occur as outlined in Article V, Section D, subsection 3.
6. The Senators within the class in which there is a vacancy may appoint an agreed-upon nominee respective to the vacant class seat to which they must be confirmed by the Senate in a majority vote.
  - a. If a nominee is not agreed upon within two academic weeks, the President and Presiding Officer may appoint a nominee.

- b. The nominee will be a student in good standing, and meet the academic requirements, as well as student conduct requirements.
  - c. The nominee must agree to the nomination through written consent before being confirmed by the Senate.
7. In the case of a vacancy in the office of President, the Vice President shall become President.
  8. In the case of vacancy in any other executive officers, the President shall appoint a new officer to fulfill the unexpired term with the consent of the Senate.
  9. Any elected official of the SGA may be subjected to recall by a petition of two-thirds of the constituency represented. After such a recall, a new election shall be held within fifteen academic days.
  10. All full-time students (12-18 credits) are eligible to vote.
  11. Any Senator who has had three proxies for the semester may be found negligent in performing duties of the office and may be removed from office by a two-thirds vote of the Senate, but not without being afforded the opportunity to present their case before the Senate assembled.
    - a. Excused versus unexcused proxies will be taken into account.
  12. Any Senator who is habitually absent (3 absences), or negligent in performing the duties of the office may be removed from office by a two-thirds vote of the Senate, but not without being afforded the opportunity to present their case before the Senate assembled.
    - a. Proxies and/or excuses will not count toward this total.
  13. Any appointed executive officer who is negligent in their duties or is otherwise unsuitable may be removed from office at the sole discretion of the Student Body President.
  14. The Vice-President may be removed from office only upon the concurrent decision of the President and the Senate.
  15. The President may be removed from office by a three-fourths majority of the Senate.
  16. No person may hold office in more than one branch of the SGA simultaneously with the exception of the Student Body Vice President and the Presiding Officer of the University Senate, and the Student Body President as an ex officio member of the Senate.

## **Article VI. Stipends**

Each SGA (The University Senate, The Executive, and the Judicial Board) position fulfilled by a student shall be a stipend. This is in accordance with the interest expressed by Bill #525: the Promoting Engagement Act, passed by the University Senate on February 10th, 2021.

### **A. Proportional Allocation based on Attendance**

Stipend amounts allocated to positions will be proportional based on the individual fulfilling that position's attendance at constitutionally authorized meetings. The monetary value of each position's stipend is set at the maximum amount the individual in that position can earn. For example, if a combined total of 28 SGA and Senate Meetings are authorized for an academic year, and a senator attends 75% of these meetings (i.e. 21 Meetings) then said senator shall receive 75% of the set stipend (i.e. \$225).

### **B. The University Senate**

1. The position of University Senator shall be stipend at \$220 for the academic year.
2. The position of SGA Corresponding Secretary shall be stipend at \$500.
3. The stipend for the Senators shall not exceed \$5,000 for the academic year.

**C. The Executive**

1. The Student Body President shall have a stipend of \$1,000.
2. The Student Body Vice President shall have a stipend of \$800.
3. The Student Body Treasurer shall have a stipend of \$500.
4. The Chief of Staff shall have a stipend of \$500.
5. The Office of Judicial Affairs shall be stipend at \$500.
6. The Office of the Elections Commissioner shall be stipend at \$400.
7. The Office of Public Relations shall be stipend at \$400.
8. The Office of Campus Activities shall be stipend at \$400.
9. The Office of Diversity, Equity, Inclusion, and Belonging (DEIB) shall be stipend at \$400.
10. The stipend for the Executive shall not exceed \$5,000 for the academic year

**D. The Judicial Board**

1. The position of the Judicial Board Justice shall be stipend at \$220 for the academic year.

**E. Stipulations**

1. Stipends will be allocated on a yearly basis, and are to be requested from the Spring semester SGA budget.
2. No more than \$12,500 shall be allocated for SGA stipends yearly.
3. Direct attendance of the individual fulfilling each position is required for the purposes of stipend allocation.
  - a. Attendance of a proxy will not suffice for the purposes of stipend allocation.
4. The members of the Executive Cabinet shall not be stipend while acting on behalf of the entire SGA during the summer session.

**Article VII. Amendments to this Constitution**

Proposed amendments to this Constitution must be presented to the Senate for discussion and deliberation. If passed, and not vetoed by the Student Body President, written notification will be sent to the President of the University and the Faculty Senate.

**Article VIII. Ratification Procedure**

This Constitution shall become operative after approval by a majority of the Senate with written notification being sent to the President of the University and the Faculty Senate.

**Article IX. The Judicial Structure**

**A. The Judicial Board**

**1. Structure**

- a. The Judicial Board shall be the final student authority in all campus judicial/honor matters, within the jurisdiction established by this SGA Code and applicable University Policy. It shall also be the final authority on the interpretation of the SGA Constitution.
- b. This body shall be composed of nine student Justices appointed by the Secretary of Judicial Affairs with the advice and consent of the Student Body President. It is optional for one Faculty Counselor chosen by the Secretary of Judicial Affairs. Terms for all Student Justices shall be for the academic year.
  1. In the case of an unfilled position, the Secretary of Judicial Affairs, with the consent of the Senate may appoint students to the position.
- c. No less than two Alternate Student Justices shall also be appointed by the Secretary of Judicial Affairs, with the consent of the Senate, to serve as substitutes any time a regular Counselor must be absent. When Justices must be excused from a hearing, the Secretary of Judicial Affairs shall determine which

alternative will serve as the replacement. No less than three Justices must be present at all Judicial hearings and conduct meetings.

- d. First-year students and first-term transfer students shall be ineligible for membership on the Council. No student who is currently under any form of probation or whose GPA falls below 2.5. The SGA shall make every effort to appoint Counselors who have a GPA of at least 3.00
- e. Members may be re-appointed.
- f. In case of a vacancy in a Student or Administrative Counselors position, the appointing body shall act within 10 working days to effect a replacement.
- g. The Secretary of Judicial Affairs shall be responsible for keeping records of all Council proceedings in collaboration with the Dean of Students Office.

## **2. Jurisdiction**

- a. The Judicial Board shall have the final jurisdiction within the SGA's Judicial System. The scope and practice of the original and/or appellate jurisdiction of the Council shall be determined from time to time by the University Senate. This authority shall extend to all matters of student discipline (excluding Title IX violations), including the Code of Conduct established by the University and any other systems of regulations created or implemented by the SGA as defined by the Senate.
- b. The Judicial Board shall have jurisdiction to rule on any question of interpretation of the SGA Constitution that may be presented to it by any elected official of the SGA. Such official rulings of the Council shall be binding upon any/all officials of the SGA. No other body within the SGA shall have this authority.

## **3. Meetings**

- a. The Judicial Board shall meet once a month to conduct mock trials and prepare for any cases brought before them. The Judicial Board shall also convene at the direction of the Secretary of Judicial Affairs to consider any cases brought before them. If no such direction is received any case brought before the Judicial Board shall be heard at the next monthly meeting.

\*Updated by President Carlee Sullins and Secretary of Judicial Affairs Tristin Dollmont in Summer 2023.

\*Passed by the Summer Senate in June of 2023.