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Constitution 2001-2002

Student Government Association BBC, Florida International University

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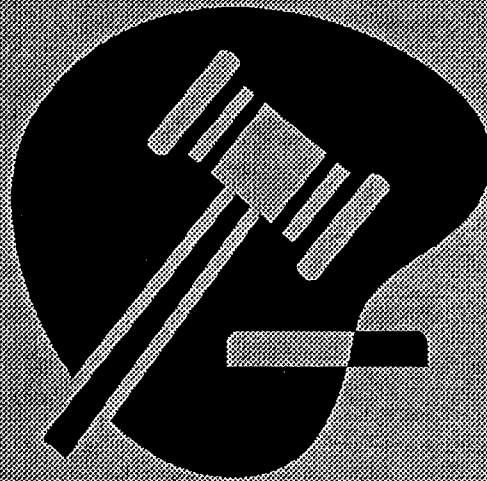
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SGA CONSTITUTION

Florida International University
Biscayne Bay Campus



Student Government Council
Biscayne Bay Campus
WUC 363
305)919-5680

Campus Life

(305)919-5804

**FLORIDA INTERNATIONAL UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
CONSTITUTION**

**ARTICLE I
Purpose**

- A. **Name.** The name of this organization shall be the Student Government Association, hereafter referred to as the SGA.
- B. The purpose of the Student Government Association is to serve as the governing body responsible for representing student interests and addressing student needs on matters of University, county, or state concern.
- C. The responsibilities of the SGA are to represent students' interests through:
 - 1. Serving on University and campus committees.
 - 2. Identifying and supporting student interests to the administration and faculty at each campus.
 - 3. Working in with the administration and faculty to address student issues at each campus.
 - 4. Allocating Activity and Service Fees.

**ARTICLE II
Composition**

The SGA is composed of two Student Government Councils, one to represent the interests of students at University Park (hereafter referred to as SGC, University Park) and one to represent the interests of students at the Biscayne Bay Campus and Broward Centers (hereafter referred to as SGC, Biscayne Bay Campus).

A. The **SGC, University Park** shall be composed of the following:

- 1. SGC President
- 2. SGC Vice President
- 3. Representatives from the following Colleges/Schools:
 - a. Architecture
 - b. Arts and Sciences
 - c. Business Administration
 - d. Education
 - e. Engineering
 - f. Health & Urban Affairs
 - g. Honors College
- 4. Two (2) graduate student representatives
- 5. Two (2) lower division representatives
- 6. One (1) housing representative
- 7. Three (3) at-large representatives
- 8. One (1) College of Law representative

B. The **SGC, Biscayne Bay Campus** shall be composed of the following:

- 1. SGC President
- 2. SGC Vice President
- 3. Representatives from the following Colleges/Schools:
 - a. Arts and Sciences
 - b. Business Administration
 - c. Health & Urban Affairs
 - d. Hospitality Management
 - e. Journalism and Mass Communication
 - f. Nursing
- 4. Two (2) graduate student representatives
- 5. Two (2) lower division representatives
- 6. One (1) housing representative
- 7. Three (3) at-large representatives
- 8. One (1) Broward representative, who must be a student taking a majority of credits at Broward

C. If a new college/school is created with its own dean, a new representative seat will be added to the SGC on the campus where the college/school is based.

- D. The SGA also will be comprised of a *University Council* to coordinate the activities of the SGC's and to represent the interests of all FIU students on matters of University-wide, county, or state concern.
- E. The University Council will be comprised of:
 1. Each SGC President.
 2. Each SGC Vice President.
 3. Each SGC Finance Committee Chairperson.
 4. One (1) representative appointed by the UP President and approved by the majority vote of the SGC, UP
 5. The Broward representative elected to the SGC, Biscayne Bay Campus.

**ARTICLE III
Authority**

- ✓ 100% HB353 compliance
- A. This SGA was established through the power of the President of the University by direction of the Board of Regents, which established the first Student Government Senate in June 1973.
 - B. The SGA is authorized to exist in accordance with the Florida Administrative Code, 1984, 6C-6.11 (1); 6C-6.12 (1) (a); 6C-6.12 (1) (b); and 6C-6.12 (1) (c).
 - C. Unless specifically addressed within the Constitution of the Student Government Association or the Bylaws of the Councils, issues of parliamentary procedure will defer to the current edition of Robert's Rules of Order as the parliamentary authority.

**ARTICLE IV
Officers of the SGC**

- A. The officers of each SGC will be the President and Vice President.
- B. Qualifications of the SGC President:
 1. Must be a student of Florida International University and attending at least 50 percent (50%) of classes at the campus he/she represents to run for and hold office.
 2. May not be under any academic or disciplinary sanction as detailed in the Student Rights and Responsibilities document to run for and hold office.
 3. Must maintain no less than a 2.50 cumulative undergraduate grade point average and 2.0 term grade point average or no less than a 3.00 cumulative graduate grade point average and 2.5 term grade point average to run for and hold office.
 4. Must have held at least one of the following positions with the SGA for at least two academic semesters, or 154 days prior to the first day of official campaigning: President, Vice President, Representative, Academic Services Chair, Student Services Chair, Student Union Chair, Elections Commissioner, and/or Finance Chair. An exception to this section is a Vice President succeeding to the office of President.
 5. Must be of at least sophomore standing to run for and hold office.
 6. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester.
 7. May run for or hold office on only one SGC at a time.
 8. May run for only one position on a Council during any general or special election.
 9. Must not exceed term limits as described in Article XIII (Term Limits).

SGC PROVER ↓

C. Duties of the SGC President shall be to:

1. Preside over the SGC meetings and make all necessary arrangements for those meetings, including setting the agenda and conducting the business of the meeting in accordance with the current edition of Robert's Rules of Order and all provisions of the SGA Constitution and Bylaws. He/she will vote only in case of a tie.
2. Represent the interests of the SGC to the administration and faculty of his/her campus.
3. Fulfill all duties and responsibilities of the SGC President in regard to the SGA University Council.
4. Serve on and/or nominate and/or appoint individual students to campus governing bodies and recommend names for appointment to University committees.
5. Have the power to convene special campus SGC meetings, provided there is at least 48 hours notice of such meetings.
6. Appoint assistants as needed, subject to majority approval of the SGC members in attendance at a regular meeting.
7. Authorize any disbursement of SGC funds in the absence of the Finance Committee Chairperson.
8. Set and maintain a minimum of twenty (20) weekly office hours, ten (10) of which must be in the office itself.
10. Fulfill all duties and responsibilities as detailed by the SGA Constitution and Bylaws or as delegated by the SGC.

D. Presidential Approval/Veto Power

VETO

1. SGC Presidents must act on legislation passed by the Representatives by either **signing to enact** or **signing to veto**. The President will have four (4) business days to sign passed legislation. Legislation not signed by the end of the fourth business day shall be approved by default.
2. **Signing to enact:** The President may ratify legislation passed by the Representatives by signing to enact within four (4) business days of the Representatives' action.
3. **Signing to veto:** The President may refuse legislation passed by the Representatives by signing to veto within four (4) business days of the Representatives' action.
4. Vetoed legislation must be returned to the Representatives that passed it.
5. The Representatives can override a Presidential veto by a 2/3 vote of its total membership.
6. The President's power to enact or veto legislation is limited to the Council he/she serves.
7. ? The President's power to enact or veto legislation is **not** extended to the University Council.
8. Business days are defined as Mondays through Fridays during each semester. Semester breaks, weekends, and holidays in which classes are not held are excluded.

E. Qualifications of the SGC Vice President:

2 Add VP candidate should have served 1 term in SGC

1. Must be a student of Florida International University and attending at least 50 percent (50 %) of classes at the campus he/she represents to run for and hold office.
2. May not be under any academic or disciplinary sanctions as detailed in the Student Rights and Responsibility document to run for and hold office.
3. Must maintain no less than a 2.50 cumulative undergraduate grade point average and 2.0 term grade point average or 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for and hold office.
4. Must be of at least sophomore standing to run for and hold office.
5. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester.
6. May run for or hold office on only one SGC at a time.
7. May run for only one position on a Council during any general or special election.

- F. Duties of the SGC Vice President shall be to:
1. Fulfill all SGC presidential responsibilities for that campus in the absence of the President as detailed in the SGA Constitution and Bylaws.
 2. Fulfill all duties and responsibilities of the SGC Vice President in regard to the SGA University Council.
 3. Set and maintain a minimum of fifteen (15) weekly office hours, ten (10) of which must be in the office itself.
 4. Fulfill all duties and responsibilities of the SGC Vice President as detailed by the SGA Constitution and Bylaws or as delegated by the SGC.

ARTICLE V
Committee Chairs & Appointees

- A. Qualifications for the SGC Finance Chair:
1. Must be a student of Florida International University and attending at least 50 percent (50%) of classes at the campus he/she represents to run for and hold office.
 2. May not be under any academic or disciplinary sanctions as detailed in the Students Rights and Responsibilities document to run for and hold office.
 3. Must maintain no less than a 2.5 cumulative undergraduate grade point average and 2.0 term grade point average and 3.00 cumulative graduate grade point average and 2.5 term grade point average to run for and hold office.
 4. Must be of at least sophomore standing to run for and hold office.
 5. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester.
 6. May run for or hold office on only one SGC at a time.
- B. Duties of the Finance Chair:
1. Shall assist the Vice President for Student Affairs or his/her designee(s) in the management and disbursement of SGC Funds.
 2. Shall perform other duties as outlined in the Student Government Finance Code
 3. The Finance Chair will set and maintain a minimum of fifteen (15) weekly office hours, ten (10) of which must be in the office itself.
- C. Standing Committee or Council chairs (excluding Finance) will set and maintain a minimum of ten (10) weekly office hours, five (5) of which must be in the office itself.
- D. Paid Appointees will set and maintain a minimum of five (5) weekly office hours, three (3) of which must be in the office itself.
- E. No officer, appointed or elected, shall have any authority not specified in this document, the Bylaws of the SGC, or as may be granted to him or her by majority vote of the SGC.
- F. Officers in their semester of graduation are exempt from the nine (9) credit hour requirement, but must maintain at least three (3) credit hours.

ARTICLE VI
Representatives

A. Qualifications of Representatives:

1. Must be a student of Florida International University and attending no less than 50 percent (50%) of his/her classes at the campus he/she represents to run for and hold office.
2. Representatives of specific schools, colleges, or class levels must be accepted students of that school, college, or class level as defined in the Bylaws. Graduate students shall be eligible to run only for President, Vice President, Finance Chair, Broward representative, graduate representative seats, or any chair position appointed by an SGC.
3. May not be under any academic or disciplinary sanctions as detailed in the Student Rights and Responsibilities document to run for or hold office.
4. Must maintain no less than a 2.5 cumulative undergraduate grade point average and 2.0 term grade point average and 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for and hold their position on SGC.
5. Must maintain a minimum of nine (9) undergraduate credit hours or three (3) graduate credit hours for each semester in office, excluding summer semester.
6. Representatives in their semester of graduation are exempt from the nine (9) undergraduate credit hour requirement, but must maintain at least three (3) credit hours.
7. The housing representatives must reside in University housing on the campus where they're running to be eligible to run for and hold office.
8. May run for or hold office on only one SGC at a time.
9. May run for only one position on a Council during any general or special election.

B. Duties of SGC Representatives shall be to:

1. Attend regularly scheduled and special meetings of the SGC.
2. Serve on one (1) SGC committee.
3. Serve on one (1) campus or University committee, community committee, or special project.
4. Faithfully represent the needs and interests of the students they represent to the SGC.
5. Fulfill all special assignments as delegated by the SGC.
6. Set and maintain a minimum of five (5) weekly office hours, three (3) of which must be in the office itself.

ARTICLE VII
Elections and Referenda

- A. SGA annual elections will be held for two (2) days of the second week following Spring Break (usually the third week of March).
- B. Campaigning for election to SGC will begin on each campus the week following Spring break (usually the second week of March).

- C. The annual elections will be held for the offices of SGC President, Vice President, and all SGC representatives on each campus. The President, Vice President, and all at-large positions will be elected campus-wide. Positions for specific schools, colleges, lower division and graduate seats, and the Broward campus will be elected by the student membership of that school, college, division or campus. The housing representative on the University Park campus shall be elected by those students currently living in the housing facilities at University Park. The housing representative on the Biscayne Bay Campus shall be elected by those students currently living in the housing facilities at Biscayne Bay Campus.
- D. Unless otherwise specified, all elections shall be decided by simple majority of those voting.
- E. All SGC positions are elected for one year, with the terms beginning the first day of Summer semester and ending the last day prior to the following summer semester.
- F. A vote on Constitutional amendments and referenda may also be conducted during the annual election. Campus-specific amendments and referenda on any issue may be called with approval by two-thirds vote of SGC representatives present at a meeting at which there is a quorum. Amendments and referenda pertaining to University-wide issues may be called by either SGC and require approval by two-thirds vote of the University Council at a meeting at which there is a quorum or may be called through petition of five (5) percent of the total student population of the University.
- G. All provisions of this article will commence with the 1993 general election.

ARTICLE VIII
Powers

Each SGC of the Student Government Association shall have the power to conduct the following business during official meetings at which there is a quorum:

- A. Determine positions and elect individuals as necessary to conduct the business of the SGC, and arrange its meetings provided there is a regular meeting with fixed time and place at least twice monthly.
- B. Call for a special election or referendum with two-thirds vote of the SGC representatives in attendance at the meeting.
- C. By two-thirds vote of those voting members present, the SGC may recommend the establishment or dissolution of Standing Committees be submitted to a vote of the student body at the next campus wide election.
- D. Establish ad hoc committees with a simple majority vote of the SGC representatives at the meeting.
- E. Allocate Activity and Service Fees that have been designated for the campus and monitor the use of those funds through the Finance Committee.
- F. Pass motions and resolutions to conduct the business of the SGC with the required vote of the SGC representatives.
- G. May remove any member of the SGC from office by a two-thirds vote of the entire SGC. In the event that the Chair of the meeting is the subject of the removal proceedings, the SGC will elect an acting chair that will preside over the meeting.

Removal of office
→

- H. Carry out other such responsibilities and duties as are consistent with the purposes of SGA and conform to state laws and University policies.

ARTICLE IX University Council

A. Purpose

It is the responsibility of the University Council to represent student interests and address student needs on matters of University-wide, county, or state concern. The University Council also serves to aid in the coordination and support of the activities of each SGC. Issues may be brought before the Council by recommendation of the SGC of either campus or the University Council itself.

B. Powers and Duties of the University Council

1. The University Council shall meet at least monthly, alternating between University Park and Biscayne Bay Campus. The SGC President hosting the meeting shall set the agenda and chair the meeting. The other SGC President shall be the Vice Chair of the meeting.
2. Quorum for the University Council shall be fifty percent (50%) plus one, provided that at least one member representing each SGC is present.
3. The University Council, through majority vote of the members in attendance at a meeting at which there is quorum, can conduct the business of the University Council. The University Council does not have the power to override any vote, recommendation, or decision made by either SGC on matters that pertain to that respective campus. The University Council may make recommendations to the administration and faculty on behalf of the entire student body, and when necessary, call for and conduct a University-wide referendum.
4. The University Council shall make necessary appointments or create ad hoc committees it deems necessary to carry out the business of the University Council.
5. The University Council shall not create any standing committees, but shall itself serve as a Finance Committee to determine fixed expenses of SGA and make initial allocations of Activity and Service Fee to each SGC based on current FTE percentages.
6. The University Council shall choose the official representatives involving both ^{SGC's} GCS to lobby on behalf of student needs and interests with state and local government organizations.
7. The University Council may propose Constitutional amendments by a 3/4 vote of the University Council to become ratified in a student body election.
8. University Council may propose legislation and University-wide statutes or Bylaws consistent with this Constitution, which are necessary and proper for the general welfare of the entire student body.

C. Vacancies in the University Council

- vacancies on the UC.*
1. In the event that a seat becomes vacant on the University Council, the seat shall be filled by an alternate selected by the SGC that produced the vacancy. All appointments require simple majority vote of the members at an SGC meeting. The selected alternate shall retain his/her position on the UC until the position that produced the vacancy is filled.

2. Vacant seats on the University Council may also be filled by an alternate selected by the University Council. All appointments require simple majority vote of the UC. The selected alternate shall retain his/her position on the University Council until the position that produced the vacancy is filled.

ARTICLE X

Standing Committees and Cabinets

A. Standing Committees

1. Each SGC shall have the following Standing Committees:
 - Academic Affairs
 - Student Services
 - Student Union Board
 - Campus Life/Activities Board
 - Finance Committee
 - International Students Committee
2. The Chairpersons of each of the above committees must meet the qualifications of Student Government Representatives
3. The Chairperson of the International Students Committee must be an international student.
4. Each SGC can establish additional standing committees it deems necessary to carry out the business of its campus. Structure and powers of standing committees shall be delineated in the Bylaws of each SGC.

B. Selection of Committee Chairpersons

1. Standing Committee Chairpersons will be chosen through an application process and appointed by a simple majority of the entire SGC. To be eligible, all candidates will submit proper applications and platforms for review by the Council. A chairperson may be removed from office by a majority vote of the entire SGC.
2. Standing Committee Chairpersons will be elected by a simple majority vote by the Council at a regular meeting of the new term prior to June 15th.
3. The vote will be secret ballot.
4. To be eligible, all candidates will submit proper applications and platform for review by the Council.

C. Selection of Executive Cabinet/Staff

1. The members of the executive cabinet will be selected by the President and Vice President and approved by the Council.
2. The makeup of the cabinet and exact positions are the regard of the President and Vice President, yet shall include but are not limited to: Chief of Staff, Director of Student Lobbying, Executive Assistant, Internship Coordinator, Special Events Chair, and Athletics Coordinator.
3. There will be a permanent Director of Student Lobbying included within the cabinet.
4. An executive cabinet member may be removed from his/her position with no less than two-thirds vote of the SGC representatives. An executive cabinet member may also be removed by the SGC President if deemed necessary.

**ARTICLE XI
Removal from the SGC**

- A. The basis for removal of a SGC member shall be malfeasance, misfeasance, and/or non-feasance.
- B. SGC members may also be removed based on the guidelines established in the Florida Statutes.

**ARTICLE XII
Vacancies and Succession**

- A. Should a candidate for President running on a ticket become ineligible to take office after an election and before the start of the term, the candidate shall be succeeded by the Vice President-elect on that ticket.
- B. Should a candidate for President running individually become ineligible to take office after an election and before the start of the term, the candidate shall be succeeded by the presidential candidate with the next highest number of votes. If a race is uncontested, then the winner of the Vice President's position shall succeed to President upon start of the term.
- C. If the office of the SGC President becomes vacant, the order of succession shall be as follows:
 - 1. The SGC Vice President.
 - 2. A person elected by a temporary election by a vote of two-thirds of the SGC members present at a meeting at which there is quorum, until a pre-scheduled mid-year special election or regular annual election, whichever comes first. Nominees must meet the qualifications of the office of President.
- D. When a vacancy occurs in the SGC Vice President position or SGC representative seat, the position shall be temporarily filled through a process of nominations and selection through a majority vote of the SGC representatives present and voting at a meeting at which there is a quorum, until a pre-scheduled mid-year special election or regular annual election, whichever comes first. Nominees must be qualified for the vacancy that they intend to fill.

**Article XIII
Term Limits**

No person shall hold the office of Student Government Council President for more than two (2) terms. Persons who are appointed or succeed to President who serve more than half (1/2) a term may only hold the office of the President for exactly one (1) additional term.

**ARTICLE XIV
Budget**

The Student Government Association budget will be completed by the SGA currently in office for the succeeding SGA. The budget is to be completed and submitted to the University President no later than the first Monday following Spring Break of each year.

**ARTICLE XV
Amendments**

No provision of the SGA Constitution may be waived. Such provisions may only be added, deleted or altered through the following amendment process:

- A. Amendments to this Constitution may be proposed by either a petition of five (5) percent of the total student population or by a two-thirds vote of the University Council members present at a meeting at which there is a quorum.
- B. A simple majority of the student body voting in a University-wide general or special election is sufficient for ratification of an amendment to the SGA Constitution.

ARTICLE XVI
Bylaws

- A. Each SGC shall maintain a set of campus-specific Bylaws that may be amended only by a majority vote of that entire SGC.
- B. No provision of the SGC Bylaws may be waived. Such provisions may only be added, deleted, or altered through the amendment process.

ARTICLE XVII
Employment and Remuneration

All members of each SGC shall be entitled to compensation as follows:

- A. SGC Presidents shall receive annually an amount up to \$10,000.00, distributed bi-weekly.
- B. SGC Vice Presidents and Finance Committee Chairpersons shall receive annually an amount up to 75 percent (75%) of the President's pay, distributed bi-weekly.
- C. Other SGC Standing Committee Chairpersons shall receive annually an amount up to 35 percent (35%) of the President's pay, distributed bi-weekly.
- D. Other SGC Representatives shall receive annually an amount up to 25 percent (25%) of the President's pay, distributed bi-weekly.
- E. Salaries for other appointed or elected positions of each SGC, including such positions as State Lobbyist, Elections Commissioner, Parliamentarian, and Secretary; shall be left to the discretion of the individual executive council of each campus, but cannot exceed the annual salary of a standing committee chairperson.
- F. Members or appointed individuals of each SGC holding more than one (1) position shall receive remuneration for only one (1) position, whichever is highest.
- G. Remuneration will be through a payroll method.
- H. Hours and wages for appointed elected positions will be distributed according to the allocation of funds to each SGC's emolument account.
- I. Each SGC shall assist in the selection, appointment, evaluation, and termination of personnel who perform professional and/or administrative functions in the SGC office. When appropriate, the SGC President and the SGC Advisor(s) will confer in the determination of job descriptions and compensation.

ARTICLE XVIII
Dissolution

This Constitution will be dissolved upon the full ratification of a new Student Government Constitution.

ARTICLE XIX
Ratification

Ratification of this Constitution or any other Constitution replacing this document shall be achieved through a two-thirds affirmative vote of the University Council members present and voting at a meeting at which there is a quorum, a simple majority vote of the student body voting in a University-wide election, and the approval of the President of Florida International University.

ARTICLE XX
Student Judicial Board

- A. The Student Judicial Board will serve as the internal standards board of the SGA. This board will be assigned responsibilities and duties as necessary to maintain proper division of powers, while being the chief agent of interpretation of the SGA Constitution.
- B. The Judicial Board shall be composed of five (5) members and one (1) chairman. The Judicial Chairperson will recommend nominees for these positions to the SGC for approval. The members' terms shall end on the last day of the Spring Semester. The Director of Judicial and Mediation Services or his/her designee will train the members of the student Judicial Board.
- C. Qualifications and Duties

Each Student Judicial Board Member:

1. Must be a currently enrolled student of Florida International University. Additionally, at least 50 percent of his/her current classes must be at the campus he/she represents
2. May not be under any academic or disciplinary sanctions as detailed in the Student Rights and Responsibilities document to run for or hold office.
3. Must maintain no less than a 2.5 cumulative undergraduate grade point average or 2.0 term grade point average and 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for or hold office.
4. A Member serving on the Judicial Board for a minimum of one full semester will become eligible to serve as the Chair.
5. The Student Judicial Board will meet at least monthly or when deemed necessary by the Chair.
6. No member of the Board may hold or be a candidate for any SGC office until after the passage of at least one full semester after he/she has ceased to serve on the board.
7. The Chair shall serve as chief administrator of the Judicial Board and will not have a vote on the board.

Note: The judicial board cannot change the constitution only interpret.

D. Powers and Limitations

1. The Judicial Board shall be empowered to determine if actions by the SGC are within their Constitutional bounds and whether suggested Bylaws conflict with that Constitution.
2. The Board cannot take action by itself. An outside party must file a complaint for a case to be heard. The outside party eligible to file a complaint can be any FIU student, including members of the SGC.
3. A member may recuse him/herself of taking part in hearing or deciding on a complaint if he/she is an active member of the club or organization in this complaint.

E. A member or Chair may be removed from the Student Judicial Board by a two-thirds vote of the SGC.

F. The Chair shall receive annually an amount up to thirty-five percent (35%) of the President's pay, distributed bi-weekly.

ARTICLE XXI
Eligibility

Seven (7) calendar days will be given following the posting of grades for each semester to correct any deficiencies in order to meet eligibility requirements.