

2007

## Constitution 2007

Student Government Association BBC, Florida International University

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**FLORIDA INTERNATIONAL UNIVERSITY  
STUDENT GOVERNMENT ASSOCIATION  
CONSTITUTION**

**ARTICLE I  
Purpose**

- A. The name of this organization shall be the Student Government Association, hereafter referred to as the SGA.
- B. The purpose of the SGA is to serve as the governing body responsible for representing the student interests and addressing student needs on matters of university, community, state, federal or international concerns.
- 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 with the administration, faculty and students to address issues at each campus;
  - 4. Allocating Activity and Service Fees.

**ARTICLE II  
Authority**

- A. This SGA was established through the power of the President of the University under the 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 Statutes, Title XVI, chapter 229 (0229.003 and 0229.008) and chapter 240 (0240.136, 0240.236 and 0240.5277); and under the provisions of 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. Unless specifically addressed within the Constitution of the SGA or the SGC Bylaws, issues of parliamentary procedure will defer to the current edition of Robert's Rules of Order as the parliamentary authority.

**ARTICLE III  
Composition**

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

- A. The SGC-UP shall be comprised of the following:
  - 1. The Executive Branch:
    - a. SGC President,
    - b. SGC Vice President,
    - c. SGC Comptroller,
    - d. Executive Cabinet,
    - e. Committee Chairs (as listed in the SGC-UP Bylaws).

2. The Legislative Branch:
    - a. Representatives from the following Colleges/Schools:
      - i) Architecture and the Arts,
      - ii) Arts and Sciences,
      - iii) Business Administration,
      - iv) Education,
      - v) Engineering and Computing,
      - vi) Social Work, Justice & Public Affairs,
      - vii) Nursing & Health Services
      - viii) Public Health
      - ix) Honors College,
      - x) Law;
    - b. Two (2) Graduate Student representatives;
    - c. Two (2) Lower Divisions representatives;
    - d. One (1) Housing representative;
    - e. Three (3) Undergraduate At-Large representatives.
  3. The Judicial Branch:
    - a. Chief Justice;
    - b. Four (4) Justices.
- B. The SGC-BBC shall be comprised of the following:**
1. The Executive Branch:
    - a. SGC President;
    - b. SGC Vice President;
    - c. SGC Comptroller
    - d. Executive Cabinet;
    - e. Committee Chairs (as listed in the SGC-BBC Bylaws).
  2. The Legislative Branch:
    - a. Representatives from the following Colleges/Schools:
      - i) Arts and Sciences,
      - ii) Business Administration,
      - iii) Education,
      - iv) Honors College,
      - v) Hospitality and Tourism Management,
      - vi) Journalism and Mass Communication,
      - vii) Nursing & Health Services;
    - b. Two (2) Graduate Student representatives;
    - c. Two (2) Lower Divisions representatives;
    - d. One (1) Housing representative;
    - e. One (1) Broward Pines Center representative;
    - f. Three (3) Undergraduate At-Large representatives.
  3. The Judicial Branch:
    - a. Chief Justice,
    - b. Four (4) Justices.
- C. If a new college/schools is created with its own dean or associate dean, a new representative seat will be added to the SGC on the campus where the college/schools is based at the next election period.**
- D. The SGA also will be comprised of a University-Wide Council (hereafter referred to as UWC) and a University-Wide Budget Committee that is further discussed in Article X.**

**ARTICLE IV**  
**Executive Branch**

The executive branch of each SGC will be composed of the following: President, Vice President, Comptroller, Executive Cabinet, and Committee Chairpersons.

**A. President**

**1. Qualifications of the SGC President:**

- a. Must be a student of Florida International University and attending at least fifty percent (50%) of classes at the campus he/she represents to run for and hold office;
- b. May not be under any academic or disciplinary sanction as detailed in the Student Code of Conduct to run for and hold office;
- c. Must maintain no less than a 2.5 cumulative undergraduate grade point average and 2.0 term grade point average or no less than a 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for and hold office;
- d. Must have held at least one of the following positions with the SGA for at least two academic semesters, or 154 consecutive days, prior to the first day of official campaigning: President, Vice President, Representative, Committee Chairs, Comptroller and/or Cabinet Member. An exception to this section is a member succeeding to the office of President;
- e. Must be of at least sophomore standing, and having attended FIU for at least one year;
- f. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
- g. May run for or hold office on only one SGC at a time;
- h. May run for only one position on a Council during any general or special election;
- i. Must not exceed term limits as described in Article XII.

**2. Duties of the SGC President shall be to:**

- a. 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 SGC Bylaws;
- b. Represent the interests of the SGC to the administration and faculty of his/her campus;
- c. He/She shall only vote to break a tie;
- d. Serve on and/or nominate and/or appoint individual students to campus governing bodies and to University committees;
- e. Have the power to convene special SGC meetings, provided there is at least forty-eight (48) hours notice of such meetings;
- f. Appoint assistants, as needed, subject to majority approval of the SGC members in attendance at a regular meeting;
- g. Authorize any disbursement of SGC funds in the absence of the Comptroller;
- h. Set and maintain a minimum of twenty (20) weekly office hours, ten (10) of which must be in the office itself;
- i. Fulfill all duties and responsibilities as detailed by the SGA Constitution and SGC Bylaws.

**3. Presidential Veto Power**

- a. SGC Presidents must act on legislation passed by the House 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.

- b. Signing to enact: The President may ratify legislation passed by the House by signing to enact within four (4) business days of the House's action.
- c. Signing to veto: The President may refuse legislation passed by the House by signing to veto within four (4) business days of the House's action.
- d. Vetoed legislation must be returned to the House that passed it.
- e. The House can override a Presidential veto by a two-thirds (2/3) vote of its total membership if it does so within ten (10) business days of the President's action.
- f. The President's power to enact or veto legislation is limited to the Council he/she serves.
- g. The President's power to enact or veto legislation is not extended to the UWC.
- h. Business days are defined as Mondays through Fridays during each semester. Semester breaks, weekends, and holidays in which classes are not held are excluded.

## B. Vice-President

### 1. Qualifications of the SGC Vice President:

- a. Must be a student of Florida International University and attending at least fifty percent (50%) of classes at the campus he/she represents to run for and hold office;
- b. May not be under any academic or disciplinary sanctions as detailed in Student Code of Conduct to run for and hold office;
- c. Must maintain no less than a 2.5 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;
- d. Must be of at least sophomore standing to run for and hold office;
- e. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
- f. May run for or hold office on only one SGC at a time;
- g. May run for only one position on a Council during any general or special election.

### 2. Duties of the SGC Vice President shall be to:

- a. Fulfill all SGC presidential responsibilities for that campus in the absence of the President as detailed in the SGA Constitution and SGC Bylaws;
- b. Fulfill all duties and responsibilities of the SGC Vice President in regard to the UWC;
- c. Oversee all SGC committee chairs;
- d. Set and maintain a minimum of fifteen (15) weekly office hours, ten (10) of which must be in the office itself;
- e. Fulfill all duties and responsibilities of the SGC Vice President as detailed by the SGA Constitution and SGC Bylaws.

## C. SGC Comptroller

### 1. Qualifications for the SGC Comptroller:

- a. 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;
- b. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for and hold office;
- c. 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 office;

- d. Must be of at least sophomore standing to run for and hold office;
  - e. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
  - f. May run for or hold office on only one SGC at a time.
2. Duties of the Comptroller:
- a. Shall assist the Vice President for Student Affairs or his/her designee(s) in the management and disbursement of SGC Funds;
  - b. Shall perform other duties as outlined in the Student Government Finance Code;
  - c. The Comptroller will set and maintain a minimum of fifteen (15) weekly office hours, ten (10) of which must be in the office itself.
- D. Executive Cabinet Members
- 1. Selection of Executive Cabinet/Staff
    - a. The members of the executive cabinet will be selected by the President and Vice President and approved by the SGC.
    - b. The Makeup of the cabinet and exact positions are at the discretion of the President and Vice President, yet shall include but are not limited to: Chief of Staff, Clerk of Council, Director of Legislative Affairs, Intern Coordinator, and Special Events Coordinator.
  - 2. An Executive cabinet member may be removed from his/her position with no less than a two-thirds vote of the SGC representatives. The SGC President, if deemed necessary after consultation with the Executive Board and Chief of Staff, may also remove an executive cabinet member.
  - 3. Executive Cabinet members will set and maintain a minimum of five (5) weekly office hours, three (3) of which must be in the office itself.
- E. Standing Committee Chairpersons
- 1. Each SGC shall have the following Standing Committees:
    - a. Academic Affairs
    - b. Elections
    - c. Finance
    - d. International Students
    - e. Student Services
    - f. Student Union
  - 2. The Chairpersons of each of the above committees must meet the qualifications of Student Government Representatives outlined in ARTICLE V excluding Finance Committee Chairperson.
  - 3. The Chairperson of the International Student 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 SGC Bylaws of each SGC.
  - 5. Selection of Committee Chairpersons
    - a. Standing Committee Chairpersons will be chosen through an application process and elected by a simple majority vote by the SGC at a regular meeting of the new term prior to June 15<sup>th</sup>, any vacancies can be filled at any subsequent general meetings.
    - b. To be eligible, all candidates will submit proper applications and platforms for review by the Council.
    - c. A chairperson may be removed from office by a two-thirds, vote of the SGC.
  - 6. Each Standing Committee Chair will set and maintain a minimum of ten (10) weekly office hours, five (5) of which must be in the office itself;

- F. No SGC member, appointed or elected, shall have any authority not specified in this document, the SGC Bylaws, or as may be granted to him/her by majority vote of the SGC;
- G. SGC members in their semester of graduation are exempt from the nine (9) credit hour requirement, but must maintain at least three (3) credit hours.

## ARTICLE V Legislative Branch

### A. Qualifications for Representative:

- 1. Must be a student of Florida International University and attending no less than fifty 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 SGC Bylaws;
- 3. May run for or hold office on only one SGC at a time;
- 4. May run for only one position on a SGC during any general or special election;
- 5. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for or hold office;
- 6. Must maintain no less than a 2.5 cumulative undergraduate grade point average and a 2.0 term grade point average to run for and hold their position on SGC;
- 7. Must maintain a minimum of nine (9) undergraduate credit hours;
- 8. Representatives in their semester of graduation are exempt from the nine (9) undergraduate credit hour requirements, but must maintain a minimum of three (3) credit hours;
- 9. The Housing representatives must reside in University housing on the campus where they are running, in order to be eligible to run for and hold office;
- 10. Graduate students shall be eligible to run for Housing representative, Broward representative and Graduate representative seats. Graduate students:
  - a. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for and hold office;
  - b. Must maintain a 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for and hold their position on SGC;
  - c. Must maintain a minimum of six (6) graduate credit hours;
  - d. In their semester of graduation, are exempt from the six (6) graduate credit hour requirement, but must maintain at least three (3) credit hours.
- 11. Law students are only eligible to run for and hold Housing representative and Law representative seats. Law students:
  - a. May not be under any academic or disciplinary sanctions as detailed in the College of Law Student Handbook;
  - b. Must maintain a 2.5 cumulative law school grade point average and a 2.0 term grade point average to run for and hold their position on SGC;
  - c. Must maintain seven (7) law school credit hours;
  - d. In their semester of graduation, are exempt from the seven (7) law school credit hour requirement, but must maintain at least three (3) credit hours.

### B. Duties of the SGC Representatives shall be to:

- 1. Attend regularly scheduled and special meetings of the SGC;
- 2. Serve on two (2) committees, be they SGC committees, campus or University committees, community committees, ad-hoc committees or special projects;
- 3. Faithfully and diligently represent the needs and interests of the students they represent to the SGC;
- 4. Fulfill all special assignments as delegated by the SGC and its Bylaws;

5. Set and maintain a minimum of five (5) weekly office hours, three (3) of which must be in the office itself;
6. Elect the Speaker of the House one month from the time that the majority of the representative positions are filled;
7. The Speaker of the House shall set and maintain a minimum of ten (10) weekly office hours, five (5) of which must be in the office itself.

## ARTICLE VI Judicial Branch

- A. The Student Judiciary shall be composed of four (4) Justices and one (1) Chief Justice. The Chief Justice will recommend nominees for these positions to the SGC for approval. The members' terms shall end on the last day of the Spring Semester.
- B. The Judicial Branch will attend and successfully complete training through the department of Student Conduct and Conflict Resolution.
- C. The Student Judiciary will serve as the internal standards board for the SGC. This board will be assigned responsibilities and duties as necessary to maintain proper division of powers, while being the chief agent for interpretation of the SGA Constitution.
- D. **Qualifications and Duties for Chief Justice:**

1. Justices who have served on the Student Judiciary for a minimum of one (1) full semester, elected representatives and officers, or standing committee chairpersons are eligible to serve as Chief Justice. Elected officials and committee chairpersons must have served a minimum of 154 consecutive days in office to become eligible;
2. Shall serve as chief administrator of the Student Judicial Branch and will not have a vote on the Student Judiciary except to break a tie.

### Qualifications and Duties for the Student Judiciary:

1. Must be a currently enrolled student of Florida International University. Additionally, at least fifty percent (50%) 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 Code of Conduct 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 or 3.0 cumulative graduate grade point average and 2.5 term graduate grade point average to run for or hold office;
4. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
5. The Student Judiciary will meet at least monthly or when deemed necessary by the Chief Justice;
6. No Justice 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 Student Judiciary;
7. Each year, during the week of September 17<sup>th</sup> the Student Judiciary shall review the SGA Constitution and make recommendations to the UWC for its update; this day will be called "FIU Constitution Day."

### F. Powers and Limitations

1. The Student Judiciary shall be empowered to determine if actions by the SGC are within their Constitutional bounds and whether suggested SGC Bylaws conflict with the Constitution;
2. The Student Judiciary 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 from taking part in hearing or deciding on a complaint if he/she is an active member of the club or organization in this complaint;



4. The Judicial Board shall serve as the legal aide to SGC in regards to interpretation of the SGA Constitution.
- G. A justice may be removed from the Student Judiciary by a two-thirds (2/3) vote of the SGC.
- H. The Chief Justice shall receive annually an amount up to thirty-five percent (35%) of the President's pay, distributed bi-weekly.
- I. The Chief Justice shall set and maintain a minimum of ten (10) weekly office hours, seven (7) of which must be in the office itself;

## ARTICLE VII Censure and Removal

- A. The basis for removal of a SGC member shall be malfeasance, misfeasance, nonfeasance, incompetence, permanent inability to perform official duties, conviction of a felony, and/or any violations of the SGA Constitution and Bylaws.
- B. SGC members may also be removed based on the guidelines established in the Florida Statues.
- C. The SGA recognizes the need for due process in the censure of or removal from office, by the SGC, of any SGC Member.
- D. Violations of the Student Code of Conduct, including violations of the law, will be referred to Student Conduct and Conflict Resolution for review, which include being intoxicated and exhibiting disruptive behavior at any university event, on or off campus.
- E. For the censure or removal of any SGC member, to take place, the member must first be accused in the form of a written complaint submitted to the Student Judiciary. The Student Judiciary must then evaluate the validity of the complaint. If validity is confirmed, the Student Judiciary moves to immediate trial and the member's pay is - suspended until the outcome of the trial. Any discussion resulting from a recommendation for removal or censure of the accused from office, by the Student Judiciary, will be open solely to the voting members of the SGC and the Student Judiciary.
- F. If a trial is deemed necessary, the Chief Justice, in consultation with the SGC Advisor will schedule an information session with the charged student to inform him/her of the allegations, charges, student rights, and explain the judicial process.
- G. The charged student has the right to challenge the inclusion of any Justice prior to the scheduled hearing. The challenge must be in writing, and be based on cause, which clearly provides evidence of a conflict of interest, bias, pressure, or influence that could preclude a fair and impartial hearing.
- H. The Process for Appeal is outlined in the SGC Bylaws.

## ARTICLE VIII Elections and Referenda

- A. SGA annual elections will be held for two (2) days of the second week following Spring Break, this date may be changed with the two-thirds majority approval of the UWC and the consent of the Vice President of Student Affairs.
- B. Campaigning for election to SGC will begin on each campus the week prior to elections.
- C. The annual elections will be held for the offices of SGC President, Vice President, and all SGC representatives on each campus. The President and Vice President will be elected campus-wide. Positions for specific schools, colleges, divisions, and graduate seats, and the Broward Campus will be elected by the student membership of that school, college, division or campus. The Housing Representatives shall be elected by the students living in the Housing facilities of their respective campuses.
- D. Unless otherwise specified, all elections shall be decided by plurality 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 or any special elections. Campus-specific amendments and referenda on any issue may be called with approval by two-thirds (2/3) 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 (2/3) vote of the UWC 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.

## **ARTICLE IX**

### **Powers**

Each SGC 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;
- B. Arrange its meetings provided there are regular meetings with fixed time and place at least twice monthly;
- C. Call for a special election or referendum with two-thirds (2/3) vote of the House in attendance at the meeting;
- D. By two-thirds (2/3) vote of those voting members present, the SGC may recommend that the establishment or dissolution of Standing Committees be submitted to a vote of the student body at the next campus wide election;
- E. Establish ad hoc committees with a simple majority vote of the House at the meeting;
- F. Allocate Activity and Service Fees that have been designated for the campus and monitor the use of those funds through the campus specific budget committee;
- G. Pass motions and resolutions to conduct the business of the SGC with the required vote of the House;
- H. 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;
- I. Carry out other such responsibilities and duties as are consistent with the purposes of SGA and conform to state laws and University policies.

## **ARTICLE X**

### **University-Wide Council**

- A. The University Wide Council
  - 1. It is the responsibility of the UWC to represent student interests and address student needs on matters of university-wide, local, state, federal and international concerns. The UWC 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 UWC itself.
  - 2. The function of the UWC shall be to coordinate the activities of the SGCs and to represent the interests of all Florida International University (FIU) students on matters of University-Wide, local, state, federal, and international concerns.
  - 3. The UWC will be comprised of:
    - a. Each SGC President,
    - b. Each SGC Vice President,
    - c. Each SGC Comptroller,
    - d. Each SGC Speaker of the House.
  - 4. Powers and Duties of the University-Wide Council:

- a. The UWC 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;
- b. Quorum for the UWC shall be fifty percent (50%) plus one, provided that at least two members representing each SGC is present;
- c. The UWC, through majority vote of the members in attendance at a meeting at which there is quorum, can conduct the business of the UWC. The UWC 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 UWC 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;
- d. The UWC shall make necessary appointments or create ad hoc committees it deems necessary to carry out the business of the UWC;
- e. The UWC shall not create any standing committees;
- f. The UWC shall choose the official representatives involving both SGC to lobby on behalf of student needs and interests with local, state, federal and international government organizations;
- g. The UWC may propose Constitutional amendments by a three-fourths (3/4) vote of the Council to become ratified in a student body election;
- h. UWC may propose legislation and university-wide statutes or SGC Bylaws consistent with this Constitution, which are necessary and proper for the general welfare of the entire student body.

5. Vacancies in the UWC

- a. In the event that a seat becomes vacant on the UWC, 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 UWC until the position that produced the vacancy is filled.
- b. Vacant seats on the UWC may also be filled by an alternate selected by the UWC. All appointments require simple majority vote of the UWC. The selected alternate shall retain his/her position on the UWC until the position that produced the vacancy is filled.

- B. The function of the University-Wide Budget Committee shall be to draft the annual budget of the SGA;
1. All votes of the University-Wide Budget Committee will require a two-thirds (2/3) vote of the committee;
  2. The BBC and Pines Center shall be allocated annually a percentage not greater than 2.25 times of the percentage of revenue collected by the combination of the BBC and Pines Center remaining after the allocation of:
    - a. fixed expenses;
    - b. the SGA university-wide accounts.
  3. The Pines Center shall be funded from the total amount allocated to the BBC and Pines Center and shall be at the sole discretion of the SGC-BBC;
  4. The University-Wide Budget Committee will be comprised of:
    - a. Each SGC President,
    - b. Each SGC Vice President,
    - c. Each SGC Comptroller,
    - d. Each SGC Speaker of the House,
    - e. The Speaker Pro-Tempore of the SGC-UP.

**ARTICLE XI**  
**Vacancies and Succession**

- A. Should the President-Elect become ineligible to take office after an election and before the start of the term, the Vice President-elect shall succeed the candidate.

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 (2/3) of the SGC members present at a meeting at which there is quorum, until a pre-scheduled midyear special election or regular annual election, whichever comes first. Nominees must meet the qualifications of the office of the President;
    - a. The Speaker of the House, or his/her designee shall serve as the chair for this meeting.
- C. 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 XII**

### **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 the Presidency who serve more than half (1/2) a term may only hold the office of the President for exactly one (1) additional term.

## **ARTICLE XIII**

### **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 XIV**

### **Amendments**

Unforeseen circumstances allow for the two-thirds (2/3) approval by the UWC and the consent of the Vice President of Student Affairs to grant a waiver, lasting no more than a semester, of any provision of the SGA Constitution. Such provisions may 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 (2/3) vote of the UWC 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.
- C. For final ratification the Vice President of Student Affairs must give his/her consent.

## **ARTICLE XV**

### **SGC Bylaws**

- A. Each SGC shall maintain a set of campus-specific SGC Bylaws that may be amended only by a majority vote of that 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 XVI**  
**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 Comptrollers shall receive annually an amount up to seventy-five percent (75%) of the President's pay, distributed bi-weekly;
- C. Other SGC Standing Committee Chairpersons shall receive annually an amount up to thirty-five percent (35%) of the President's pay, distributed bi-weekly.
- D. SGC Speakers of the House and Chiefs of Staffs shall receive annually an amount up to thirty-two percent (32%) of the President's pay, distributed bi-weekly.
- E. SGC Representatives, excluding the Speaker, shall receive annually an amount up to twenty-five percent (25%) of the President's pay, distributed bi-weekly;
- F. Salaries for other appointed or elected positions of each SGC, including such positions as Director of Student Legislative Affairs, Chief Justice, Elections Chairperson, and Clerk of Council, 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.
- G. Members or appointed individuals of each SGC holding more than one (1) position shall receive remuneration for only one (1) position, whichever is highest.
- H. Remuneration will be through a payroll method;
- I. Hours and wages for appointed elected positions will be distributed according to the allocation of funds to each SGC's emolument account;
- J. 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 XVII**  
**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.

**ARTICLE XVIII**  
**Ratification**

Ratification of this Constitution or any other Constitution replacing this document shall be achieved through a two-thirds (2/3) affirmative vote of the UWC 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 Florida International University Board of Trustees or their designee.

**ARTICLE XIX**

**Dissolution**

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

**FLORIDA INTERNATIONAL UNIVERSITY  
STUDENT GOVERNMENT ASSOCIATION  
CONSTITUTION**

**ARTICLE I  
Purpose**

- A. The name of this organization shall be the Student Government Association, hereafter referred to as the SGA.
- B. The purpose of the SGA is to serve as the governing body responsible for representing the student interests and addressing student needs on matters of university, community, state, federal or international concerns.
- 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 with the administration, faculty and students to address issues at each campus;
  - 4. Allocating Activity and Service Fees.

**ARTICLE II  
Authority**

- A. This SGA was established through the power of the President of the University under the 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 Statutes, Title XVI, chapter 229 (0229.001 and 0229.008) and chapter 240 (0240.136, 0240.236 and 0240.5277); and under the provisions of 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. Unless specifically addressed within the Constitution of the SGA or the SGC Bylaws, issues of parliamentary procedure will defer to the current edition of Robert's Rules of Order as the parliamentary authority.

**ARTICLE III  
Composition**

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

- A. The SGC-UP shall be comprised of the following:

- 1. The Executive Branch:

- a. SGC President,
- b. SGC Vice President,
- c. SGC Comptroller,
- d. Executive Cabinet,
- e. Committee Chairs (as listed in the SGC-UP Bylaws).

**2. The Legislative Branch:**

**a. Representatives from the following Colleges/Schools:**

- i) Architecture and the Arts,
- ii) Arts and Sciences,
- iii) Business Administration,
- iv) Education,
- v) Engineering and Computing,
- vi) Social Work, Justice & Public Affairs,
- vii) Nursing & Health Services
- viii) Public Health
- ix) Honors College,
- x) Law;

**b. Two (2) Graduate Student representatives;**

**c. Two (2) Lower Divisions representatives;**

**d. One (1) Housing representative;**

**e. Three (3) Undergraduate At-Large representatives.**

**3. The Judicial Branch:**

**a. Chief Justice;**

**b. Four (4) Justices.**

**B. The SGC-BBC shall be comprised of the following:**

**1. The Executive Branch:**

**a. SGC President;**

**b. SGC Vice President;**

**c. SGC Comptroller**

**d. Executive Cabinet;**

**e. Committee Chairs (as listed in the SGC-BBC Bylaws).**

**2. The Legislative Branch:**

**a. Representatives from the following Colleges/Schools:**

**i) Arts and Sciences,**

**ii) Business Administration,**

**iii) Education,**

**iv) Honors College,**

**v) Hospitality and Tourism Management,**

**vi) Journalism and Mass Communication,**

**vii) Nursing & Health Services;**

**b. Two (2) Graduate Student representatives;**

**c. Two (2) Lower Divisions representatives;**

**d. One (1) Housing representative;**

**e. One (1) Broward Pines Center representative;**

**f. Three (3) Undergraduate At-Large representatives.**

**3. The Judicial Branch:**

**a. Chief Justice,**

**b. Four (4) Justices.**

**C. If a new college/schools is created with its own dean or associate dean, a new representative seat will be added to the SGC on the campus where the college/schools is based at the next election period.**

**D. The SGA also will be comprised of a University-Wide Council (hereafter referred to as UWC) and University-Wide Budget Committee that is further discussed in Article X.**



**ARTICLE IV**  
**Executive Branch**

The executive branch of each SGC will be composed of the following: President, Vice President, Comptroller, Executive Cabinet, and Committee Chairpersons.

**A. President**

**1. Qualifications of the SGC President:**

- a. Must be a student of Florida International University and attending at least fifty percent (50%) of classes at the campus he/she represents to run for and hold office;
- b. May not be under any academic or disciplinary sanction as detailed in the Student Code of Conduct to run for and hold office;
- c. Must maintain no less than a 2.5 cumulative undergraduate grade point average and 2.0 term grade point average or no less than a 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for and hold office;
- d. Must have held at least one of the following positions with the SGA for at least two academic semesters, or 154 consecutive days, prior to the first day of official campaigning: President, Vice President, Representative, Committee Chair, Comptroller and/or Cabinet Member. An exception to this section is a member succeeding to the office of President;
- e. Must be of at least sophomore standing, and having attended FIU for at least one year;
- f. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
- g. May run for or hold office on only one SGC at a time;
- h. May run for only one position on a Council during any general or special election;
- i. Must not exceed term limits as described in Article XII.

**2. Duties of the SGC President shall be to:**

- a. 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 SGC Bylaws;
- b. Represent the interests of the SGC to the administration and faculty of his/her campus;
- c. He/She shall only vote to break a tie;
- d. Serve on and/or nominate and/or appoint individual students to campus governing bodies and to University committees;
- e. Have the power to convene special SGC meetings, provided there is at least forty-eight (48) hours notice of such meetings;
- f. Appoint assistants, as needed, subject to majority approval of the SGC members in attendance at a regular meeting;
- g. Authorize any disbursement of SGC funds in the absence of the Comptroller;
- h. Set and maintain a minimum of twenty (20) weekly office hours, ten (10) of which must be in the office itself;
- i. Fulfill all duties and responsibilities as detailed by the SGA Constitution and SGC Bylaws.

**3. Presidential Veto Power**

- a. SGC Presidents must act on legislation passed by the House 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.

- b. Signing to enact: The President may ratify legislation passed by the House by signing to enact within four (4) business days of the House's action.
- c. Signing to veto: The President may refuse legislation passed by the House by signing to veto within four (4) business days of the House's action.
- d. Vetoed legislation must be returned to the House that passed it.
- e. The House can override a Presidential veto by a two-thirds (2/3) vote of its total membership if it does so within ten (10) business days of the President's action.
- f. The President's power to enact or veto legislation is limited to the Council he/she serves.
- g. The President's power to enact or veto legislation is not extended to the UWC.
- h. Business days are defined as Mondays through Fridays during each semester. Semester breaks, weekends, and holidays in which classes are not held are excluded.

## B. Vice-President

### I. Qualifications of the SGC Vice President:

- a. Must be a student of Florida International University and attending at least fifty percent (50%) of classes at the campus he/she represents to run for and hold office;
- b. May not be under any academic or disciplinary sanctions as detailed in Student Code of Conduct to run for and hold office;
- c. Must maintain no less than a 2.5 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;
- d. Must be of at least sophomore standing to run for and hold office;
- e. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
- f. May run for or hold office on only one SGC at a time;
- g. May run for only one position on a Council during any general or special election.

### 2. Duties of the SGC Vice President shall be to:

- a. Fulfill all SGC presidential responsibilities for that campus in the absence of the President as detailed in the SGA Constitution and SGC Bylaws;
- b. Fulfill all duties and responsibilities of the SGC Vice President in regard to the UWC;
- c. Oversee all SGC committee chairs;
- d. Set and maintain a minimum of fifteen (15) weekly office hours, ten (10) of which must be in the office itself;
- e. Fulfill all duties and responsibilities of the SGC Vice President as detailed by the SGA Constitution and SGC Bylaws.

## C. SGC Comptroller

### I. Qualifications for the SGC Comptroller:

- a. Must be a student of Florida International University and attending at least fifty percent (50%) of classes at the campus he/she represents to run for and hold office;
- b. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for and hold office;
- c. 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 office;

- d. Must be of at least sophomore standing to run for and hold office;
  - e. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
  - f. May run for or hold office on only one SGC at a time.
2. Duties of the Comptroller:
- a. Shall assist the Vice President for Student Affairs or his/her designee(s) in the management and disbursement of SGC Funds;
  - b. Shall perform other duties as outlined in the Student Government Finance Code;
  - c. The Comptroller will set and maintain a minimum of fifteen (15) weekly office hours, ten (10) of which must be in the office itself.

**D. Executive Cabinet Members**

1. Selection of Executive Cabinet/Staff
- a. The members of the executive cabinet will be selected by the President and Vice President and approved by the SGC.
  - b. The Makeup of the cabinet and exact positions are at the discretion of the President and Vice President, yet shall include but are not limited to: Chief of Staff, Clerk of Council, Director of Legislative Affairs, Intern Coordinator, and Special Events Coordinator.
2. An Executive cabinet member may be removed from his/her position with no less than a two-thirds vote of the SGC representatives. The SGC President, if deemed necessary after consultation with the Executive Board and Chief of Staff, may also remove an executive cabinet member.
3. Executive Cabinet members will set and maintain a minimum of five (5) weekly office hours, three (3) of which must be in the office itself.

**E. Standing Committee Chairpersons**

1. Each SGC shall have the following Standing Committees:
- a. Academic Affairs
  - b. Elections
  - c. Finance
  - d. International Students
  - e. Student Services
  - f. Student Union
2. The Chairpersons of each of the above committees must meet the qualifications of Student Government Representatives outlined in ARTICLE V excluding Finance Committee Chairperson.
3. The Chairperson of the International Student 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 SGC Bylaws of each SGC.
5. Selection of Committee Chairpersons
- a. Standing Committee Chairpersons will be chosen through an application process and elected by a simple majority vote by the SGC at a regular meeting of the new term prior to June 15<sup>th</sup>, any vacancies can be filled at any subsequent general meetings.
  - b. To be eligible, all candidates will submit proper applications and platforms for review by the Council.
  - c. A chairperson may be removed from office by a two-thirds vote of the SGC.
6. Each Standing Committee Chair will set and maintain a minimum of ten (10) weekly office hours, five (5) of which must be in the office itself;

- F. No SGC member, appointed or elected, shall have any authority not specified in this document, the SGC Bylaws, or as may be granted to him/her by majority vote of the SGC;
- G. SGC members in their semester of graduation are exempt from the nine (9) credit hour requirement, but must maintain at least three (3) credit hours.

## ARTICLE V Legislative Branch

### A. Qualifications for Representative:

1. Must be a student of Florida International University and attending no less than fifty 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 the school, college, or class level as defined in the SGC Bylaws;
3. May run for or hold office on only one SGC at a time;
4. May run for only one position on a SGC during any general or special election;
5. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for or hold office;
6. Must maintain no less than a 2.5 cumulative undergraduate grade point average and a 2.0 term grade point average to run for and hold their position on SGC;
7. Must maintain a minimum of nine (9) undergraduate credit hours;
8. Representatives in their semester of graduation are exempt from the nine (9) undergraduate credit hour requirements, but must maintain a minimum of three (3) credit hours;
9. The Housing representatives must reside in University housing on the campus where they are running, in order to be eligible to run for and hold office;
10. Graduate students shall be eligible to run for Housing representative, Broward representative and Graduate representative seats. Graduate students:
  - a. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for and hold office;
  - b. Must maintain a 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for and hold their position on SGC;
  - c. Must maintain a minimum of six (6) graduate credit hours;
  - d. In their semester of graduation, are exempt from the six (6) graduate credit hour requirement, but must maintain at least three (3) credit hours.
11. Law students are only eligible to run for and hold Housing representative and Law representative seats. Law students:
  - a. May not be under any academic or disciplinary sanctions as detailed in the College Law Student Handbook;
  - b. Must maintain a 2.5 cumulative law school grade point average and a 2.0 term grade point average to run for and hold their position on SGC;
  - c. Must maintain seven (7) law school credit hours;
  - d. In their semester of graduation, are exempt from the seven (7) law school credit hour requirement, but must maintain at least three (3) credit hours.

### B. Duties of the SGC Representatives shall be to:

1. Attend regularly scheduled and special meetings of the SGC;
2. Serve on two (2) committees, be they SGC committees, campus or University committees, community committees, ad-hoc committees or special projects;
3. Faithfully and diligently represent the needs and interests of the students they represent to the SGC;
4. Fulfill all special assignments as delegated by the SGC and its Bylaws;

5. Set and maintain a minimum of five (5) weekly office hours, three (3) of which must be in the office itself;
6. Elect the Speaker of the House one month from the time that the majority of the representative positions are filled;
7. The Speaker of the House shall set and maintain a minimum of ten (10) weekly office hours, five (5) of which must be in the office itself.

## ARTICLE VI Judicial Branch

- A. The Student Judiciary shall be composed of four (4) Justices and one (1) Chief Justice. The Chief Justice will recommend nominees for these positions to the SGC for approval. The members' term shall end on the last day of the Spring Semester.
- B. The Judicial Branch will attend and successfully complete training through the department of Student Conduct and Conflict Resolution.
- C. The Student Judiciary will serve as the internal standards board for the SGC. This board will be assigned responsibilities and duties as necessary to maintain proper division of powers, while being the chief agent for interpretation of the SGA Constitution.
- D. **Qualifications and Duties for Chief Justice:**

1. Justices who have served on the Student Judiciary for a minimum of one (1) full semester, elected representatives and officers, or standing committee chairpersons are eligible to serve as Chief Justice. Elected officials and committee chairpersons must have served a minimum of 15 consecutive days in office to become eligible;
2. Shall serve as chief administrator of the Student Judicial Branch and will not have a vote on the Student Judiciary except to break a tie.

### Qualifications and Duties for the Student Judiciary:

1. Must be a currently enrolled student of Florida International University. Additionally, at least fifty percent (50%) 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 Code of Conduct 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 or 3.0 cumulative graduate grade point average and 2.5 term graduate grade point average to run for or hold office;
4. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
5. The Student Judiciary will meet at least monthly or when deemed necessary by the Chief Justice;
6. No Justice 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 Student Judiciary;
7. Each year, during the week of September 17<sup>th</sup> the Student Judiciary shall review the SGA Constitution and make recommendations to the UWC for its update; this day will be called "FIU Constitution Day."

### F. Powers and Limitations

1. The Student Judiciary shall be empowered to determine if actions by the SGC are within their Constitutional bounds and whether suggested SGC Bylaws conflict with the Constitution;
2. The Student Judiciary 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 from taking part in hearing or deciding on a complaint if he/she is an active member of the club or organization in this complaint;

4. The Judicial Board shall serve as the legal aide to SGC in regards to interpretation of the SG Constitution.
- G. A justice may be removed from the Student Judiciary by a two-thirds (2/3) vote of the SGC.
- H. The Chief Justice shall receive annually an amount up to thirty-five percent (35%) of the President's pay, distributed bi-weekly.
- I. The Chief Justice shall set and maintain a minimum of ten (10) weekly office hours, seven (7) of which must be in the office itself;

## ARTICLE VII Censure and Removal

- A. The basis for removal of a SGC member shall be malfeasance, misfeasance, nonfeasance, incompetency, permanent inability to perform official duties, conviction of a felony, and/or any violations of the SG Constitution and Bylaws.
- B. SGC members may also be removed based on the guidelines established in the Florida Statutes.
- C. The SGA recognizes the need for due process in the censure of or removal from office, by the SGC, of any SGC Member.
- D. Violations of the Student Code of Conduct, including violations of the law, will be referred to Student Conduct and Conflict Resolution for review, which include being intoxicated and exhibiting disruptive behavior at any university event, on or off campus.
- E. For the censure or removal of any SGC member, to take place, the member must first be accused in the form of a written complaint submitted to the Student Judiciary. The Student Judiciary must then evaluate the validity of the complaint. If validity is confirmed, the Student Judiciary moves to an immediate trial and the member's pay is - suspended until the outcome of the trial. Any discussion resulting from a recommendation for removal or censure of the accused from office, by the Student Judiciary, will be open solely to the voting members of the SGC and the Student Judiciary.
- F. If a trial is deemed necessary, the Chief Justice, in consultation with the SGC Advisor will schedule an information session with the charged student to inform him/her of the allegations, charges, student rights, and explain the judicial process.
- G. The charged student has the right to challenge the inclusion of any Justice prior to the scheduled hearing. The challenge must be in writing, and be based on cause, which clearly provides evidence of conflict of interest, bias, pressure, or influence that could preclude a fair and impartial hearing.
- H. The Process for Appeal is outlined in the SGC Bylaws.

## ARTICLE VIII Elections and Referenda

- A. SGA annual elections will be held for two (2) days of the second week following Spring Break, this date may be changed with the two-thirds majority approval of the UWC and the consent of the Vice President of Student Affairs.
- B. Campaigning for election to SGC will begin on each campus the week prior to elections.
- C. The annual elections will be held for the offices of SGC President, Vice President, and all SGC representatives on each campus. The President and Vice President will be elected campus-wide. Positions for specific schools, colleges, divisions, and graduate seats, and the Broward Campus will be elected by the student membership of that school, college, division or campus. The Housing Representatives shall be elected by the students living in the Housing facilities of their respective campuses.
- D. Unless otherwise specified, all elections shall be decided by plurality 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 or any special elections. Campus-specific amendments and referenda on any issue may be called with approval by two-thirds (2/3) 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 (2/3) vote of the UWC at a meeting at which there is a quorum. A referendum may be called through petition of five (5) percent of the total student population of the University.

**ARTICLE IX  
Powers**

Each SGC 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;
- B. Arrange its meetings provided there are regular meetings with fixed time and place at least twice monthly;
- C. Call for a special election or referendum with two-thirds (2/3) vote of the House in attendance at the meeting;
- D. By two-thirds (2/3) vote of those voting members present, the SGC may recommend that the establishment or dissolution of Standing Committees be submitted to a vote of the student body at the next campus wide election;
- E. Establish ad hoc committees with a simple majority vote of the House at the meeting;
- F. Allocate Activity and Service Fees that have been designated for the campus and monitor the use of those funds through the campus specific budget committee;
- G. Pass motions and resolutions to conduct the business of the SGC with the required vote of the House;
- H. 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;
- I. Carry out other such responsibilities and duties as are consistent with the purposes of SGA and conform to state laws and University policies.

**ARTICLE X  
University-Wide Council**

- A. The University Wide Council
  - 1. It is the responsibility of the UWC to represent student interests and address student needs on matters of university-wide, local, state, federal and international concerns. The UWC 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 UWC itself.
  - 2. The function of the UWC shall be to coordinate the activities of the SGCs and to represent the interests of all Florida International University (FIU) students on matters of University-Wide local, state, federal, and international concerns.
  - 3. The UWC will be comprised of:
    - a. Each SGC President,
    - b. Each SGC Vice President,
    - c. Each SGC Comptroller,
    - d. Each SGC Speaker of the House.
  - 4. Powers and Duties of the University-Wide Council:

- a. The UWC 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;
- b. Quorum for the UWC shall be fifty percent (50%) plus one, provided that at least two members representing each SGC is present;
- c. The UWC, through majority vote of the members in attendance at a meeting at which there is quorum, can conduct the business of the UWC. The UWC 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 UWC 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;
- d. The UWC shall make necessary appointments or create ad hoc committees it deems necessary to carry out the business of the UWC;
- e. The UWC shall not create any standing committees;
- f. The UWC shall choose the official representatives involving both SGC to lobby on behalf of student needs and interests with local, state, federal and international government organizations;
- g. The UWC may propose Constitutional amendments by a three-fourths (3/4) vote of the Council to become ratified in a student body election;
- h. UWC may propose legislation and university-wide statutes or SGC Bylaws consistent with this Constitution, which are necessary and proper for the general welfare of the entire student body.

5. **Vacancies in the UWC**

- a. In the event that a seat becomes vacant on the UWC, 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 UWC until the position that produced the vacancy is filled.
- b. Vacant seats on the UWC may also be filled by an alternate selected by the UWC. All appointments require simple majority vote of the UWC. The selected alternate shall retain his/her position on the UWC until the position that produced the vacancy is filled.

B. **The function of the University-Wide Budget Committee shall be to draft the annual budget of the SGA;**

1. All votes of the University-Wide Budget Committee will require a two-thirds (2/3) vote of the committee;
2. The BBC and Pines Center shall be allocated annually a percentage not greater than 2.25 times of the percentage of revenue collected by the combination of the BBC and Pines Center remaining after the allocation of:
  - a. fixed expenses;
  - b. the SGA university-wide accounts.
3. The Pines Center shall be funded from the total amount allocated to the BBC and Pines Center and shall be at the sole discretion of the SGC-BBC;
4. The University-Wide Budget Committee will be comprised of:
  - a. Each SGC President,
  - b. Each SGC Vice-President,
  - c. Each SGC Comptroller,
  - d. Each SGC Speaker of the House,
  - e. The Speaker Pro-Tempore of the SGC-UP.

**ARTICLE XI  
Vacancies and Succession**



- A. Should the President-Elect become ineligible to take office after an election and before the start of the term, the Vice President-elect shall succeed the candidate.

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 (2/3) of the SGC members present at a meeting at which there is quorum, until a pre-scheduled midyear special election or regular annual election, whichever comes first. Nominees must meet the qualifications of the office of the President;
  - a. The Speaker of the House, or his/her designee shall serve as the chair for this meeting.

- C. 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 XII**

### **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 the Presidency who serve more than half (1/2) a term may only hold the office of the President for exactly one (1) additional term.

## **ARTICLE XIII**

### **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 XIV**

### **Amendments**

Unforeseen circumstances allow for the two-thirds (2/3) approval by the UWC and the consent of the Vice President of Student Affairs to grant a waiver, lasting no more than a semester, of any provision of the SGA Constitution. Such provisions may 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 (2/3) vote of the UWC 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.
- C. For final ratification the Vice President of Student Affairs must give his/her consent.

## **ARTICLE XV**

### **SGC Bylaws**

- A. Each SGC shall maintain a set of campus-specific SGC Bylaws that may be amended only by a majority vote of that 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 XVI**  
**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 Comptrollers shall receive annually an amount up to seventy-five percent (75%) of the President's pay, distributed bi-weekly;
- C. Other SGC Standing Committee Chairpersons shall receive annually an amount up to thirty-five percent (35%) of the President's pay, distributed bi-weekly.
- D. SGC Speakers of the House and Chiefs of Staffs shall receive annually an amount up to thirty-two percent (32%) of the President's pay, distributed bi-weekly.
- E. SGC Representatives, excluding the Speaker, shall receive annually an amount up to twenty-five percent (25%) of the President's pay, distributed bi-weekly;
- F. Salaries for other appointed or elected positions of each SGC, including such positions as Director of Student Legislative Affairs, Chief Justice, Elections Chairperson, and Clerk of Council; 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.
- G. Members or appointed individuals of each SGC holding more than one (1) position shall receive remuneration for only one (1) position, whichever is highest.
- H. Remuneration will be through a payroll method;
- I. Hours and wages for appointed or elected positions will be distributed according to the allocation of funds to each SGC's emolument account;
- J. 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 XVII**  
**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.

**ARTICLE XVIII**  
**Ratification**

Ratification of this Constitution or any other Constitution replacing this document shall be achieved through two-thirds (2/3) affirmative vote of the UWC members present and voting at a meeting at which there is quorum, a simple majority vote of the student body voting in a University-wide election, and the approval of the Florida International University Board of Trustees or their designee.

**ARTICLE XIX**

**Dissolution**

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

**FLORIDA INTERNATIONAL UNIVERSITY  
STUDENT GOVERNMENT ASSOCIATION  
CONSTITUTION**

**ARTICLE I  
Purpose**

- A. The name of this organization shall be the Student Government Association, hereafter referred to as the SGA.
- B. The purpose of the SGA is to serve as the governing body responsible for representing the student interests and addressing student needs on matters of university, community, state, federal or international concerns.
- 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 with the administration, faculty and students to address issues at each campus;
  - 4. Allocating Activity and Service Fees.

**ARTICLE II  
Authority**

- A. This SGA was established through the power of the President of the University under the 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 Statutes, Title XVI, chapter 229 (0229.003 and 0229.008) and chapter 240 (0240.136, 0240.236 and 0240.5277); and under the provisions of 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. Unless specifically addressed within the Constitution of the SGA or the SGC Bylaws, issues of parliamentary procedure will defer to the current edition of Robert's Rules of Order as the parliamentary authority.

**ARTICLE III  
Composition**

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

- A. The SGC-UP shall be comprised of the following:
  - 1. The Executive Branch:
    - a. SGC President,
    - b. SGC Vice President,
    - c. SGC Comptroller,
    - d. Executive Cabinet,
    - e. Committee Chairs (as listed in the SGC-UP Bylaws).

2. The Legislative Branch:
    - a. Representatives from the following Colleges/Schools:
      - i) Architecture and the Arts,
      - ii) Arts and Sciences,
      - iii) Business Administration,
      - iv) Education,
      - v) Engineering and Computing,
      - vi) Social Work, Justice & Public Affairs,
      - vii) Nursing & Health Services
      - viii) Public Health
      - ix) Honors College,
      - x) Law;
    - b. Two (2) Graduate Student representatives;
    - c. Two (2) Lower Divisions representatives;
    - d. One (1) Housing representative;
    - e. Three (3) Undergraduate At-Large representatives.
  3. The Judicial Branch:
    - a. Chief Justice;
    - b. Four (4) Justices.
- B. The SGC-BBC shall be comprised of the following:
1. The Executive Branch:
    - a. SGC President;
    - b. SGC Vice President;
    - c. SGC Comptroller
    - d. Executive Cabinet;
    - e. Committee Chairs (as listed in the SGC-BBC Bylaws).
  2. The Legislative Branch:
    - a. Representatives from the following Colleges/Schools:
      - i) Arts and Sciences,
      - ii) Business Administration,
      - iii) Education,
      - iv) Honors College,
      - v) Hospitality and Tourism Management,
      - vi) Journalism and Mass Communication,
      - vii) Nursing & Health Services;
    - b. Two (2) Graduate Student representatives;
    - c. Two (2) Lower Divisions representatives;
    - d. One (1) Housing representative;
    - e. One (1) Broward Pines Center representative;
    - f. Three (3) Undergraduate At-Large representatives.
  3. The Judicial Branch:
    - a. Chief Justice,
    - b. Four (4) Justices.
- C. If a new college/schools is created with its own dean or associate dean, a new representative seat will be added to the SGC on the campus where the college/schools is based at the next election period.
- D. The SGA also will be comprised of a University-Wide Council (hereafter referred to as UWC) and a University-Wide Budget Committee that is further discussed in Article X.

**ARTICLE IV**  
**Executive Branch**

The executive branch of each SGC will be composed of the following: President, Vice President, Comptroller, Executive Cabinet, and Committee Chairpersons.

**A. President**

**1. Qualifications of the SGC President:**

- a. Must be a student of Florida International University and attending at least fifty percent (50%) of classes at the campus he/she represents to run for and hold office;
- b. May not be under any academic or disciplinary sanction as detailed in the Student Code of Conduct to run for and hold office;
- c. Must maintain no less than a 2.5 cumulative undergraduate grade point average and 2.0 term grade point average or no less than a 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for and hold office;
- d. Must have held at least one of the following positions with the SGA for at least two academic semesters, or 154 consecutive days, prior to the first day of official campaigning: President, Vice President, Representative, Committee Chairs, Comptroller and/or Cabinet Member. An exception to this section is a member succeeding to the office of President;
- e. Must be of at least sophomore standing, and having attended FIU for at least one year;
- f. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
- g. May run for or hold office on only one SGC at a time;
- h. May run for only one position on a Council during any general or special election;
- i. Must not exceed term limits as described in Article XII.

**2. Duties of the SGC President shall be to:**

- a. 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 SGC Bylaws;
- b. Represent the interests of the SGC to the administration and faculty of his/her campus;
- c. He/She shall only vote to break a tie;
- d. Serve on and/or nominate and/or appoint individual students to campus governing bodies and to University committees;
- e. Have the power to convene special SGC meetings, provided there is at least forty-eight (48) hours notice of such meetings;
- f. Appoint assistants, as needed, subject to majority approval of the SGC members in attendance at a regular meeting;
- g. Authorize any disbursement of SGC funds in the absence of the Comptroller;
- h. Set and maintain a minimum of twenty (20) weekly office hours, ten (10) of which must be in the office itself;
- i. Fulfill all duties and responsibilities as detailed by the SGA Constitution and SGC Bylaws.

**3. Presidential Veto Power**

- a. SGC Presidents must act on legislation passed by the House 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.

- b. Signing to enact: The President may ratify legislation passed by the House by signing to enact within four (4) business days of the House's action.
- c. Signing to veto: The President may refuse legislation passed by the House by signing to veto within four (4) business days of the House's action.
- d. Vetoed legislation must be returned to the House that passed it.
- e. The House can override a Presidential veto by a two-thirds (2/3) vote of its total membership if it does so within ten (10) business days of the President's action.
- f. The President's power to enact or veto legislation is limited to the Council he/she serves.
- g. The President's power to enact or veto legislation is not extended to the UWC.
- h. Business days are defined as Mondays through Fridays during each semester. Semester breaks, weekends, and holidays in which classes are not held are excluded.

**B. Vice-President**

**1. Qualifications of the SGC Vice President:**

- a. Must be a student of Florida International University and attending at least fifty percent (50%) of classes at the campus he/she represents to run for and hold office;
- b. May not be under any academic or disciplinary sanctions as detailed in Student Code of Conduct to run for and hold office;
- c. Must maintain no less than a 2.5 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;
- d. Must be of at least sophomore standing to run for and hold office;
- e. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
- f. May run for or hold office on only one SGC at a time;
- g. May run for only one position on a Council during any general or special election.

**2. Duties of the SGC Vice President shall be to:**

- a. Fulfill all SGC presidential responsibilities for that campus in the absence of the President as detailed in the SGA Constitution and SGC Bylaws;
- b. Fulfill all duties and responsibilities of the SGC Vice President in regard to the UWC;
- c. Oversee all SGC committee chairs;
- d. Set and maintain a minimum of fifteen (15) weekly office hours, ten (10) of which must be in the office itself;
- e. Fulfill all duties and responsibilities of the SGC Vice President as detailed by the SGA Constitution and SGC Bylaws.

**C. SGC Comptroller**

**1. Qualifications for the SGC Comptroller:**

- a. 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;
- b. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for and hold office;
- c. 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 office;

- d. Must be of at least sophomore standing to run for and hold office;
  - e. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
  - f. May run for or hold office on only one SGC at a time.
2. Duties of the Comptroller:
- a. Shall assist the Vice President for Student Affairs or his/her designee(s) in the management and disbursement of SGC Funds;
  - b. Shall perform other duties as outlined in the Student Government Finance Code;
  - c. The Comptroller will set and maintain a minimum of fifteen (15) weekly office hours, ten (10) of which must be in the office itself.
- D. Executive Cabinet Members
- 1. Selection of Executive Cabinet/Staff
    - a. The members of the executive cabinet will be selected by the President and Vice President and approved by the SGC.
    - b. The Makeup of the cabinet and exact positions are at the discretion of the President and Vice President, yet shall include but are not limited to: Chief of Staff, Clerk of Council, Director of Legislative Affairs, Intern Coordinator, and Special Events Coordinator.
  - 2. An Executive cabinet member may be removed from his/her position with no less than a two-thirds vote of the SGC representatives. The SGC President, if deemed necessary after consultation with the Executive Board and Chief of Staff, may also remove an executive cabinet member.
  - 3. Executive Cabinet members will set and maintain a minimum of five (5) weekly office hours, three (3) of which must be in the office itself.
- E. Standing Committee Chairpersons
- 1. Each SGC shall have the following Standing Committees:
    - a. Academic Affairs
    - b. Elections
    - c. Finance
    - d. International Students
    - e. Student Services
    - f. Student Union
  - 2. The Chairpersons of each of the above committees must meet the qualifications of Student Government Representatives outlined in ARTICLE V excluding Finance Committee Chairperson.
  - 3. The Chairperson of the International Student 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 SGC Bylaws of each SGC.
  - 5. Selection of Committee Chairpersons
    - a. Standing Committee Chairpersons will be chosen through an application process and elected by a simple majority vote by the SGC at a regular meeting of the new term prior to June 15<sup>th</sup>, any vacancies can be filled at any subsequent general meetings.
    - b. To be eligible, all candidates will submit proper applications and platforms for review by the Council.
    - c. A chairperson may be removed from office by a two-thirds, vote of the SGC.
  - 6. Each Standing Committee Chair will set and maintain a minimum of ten (10) weekly office hours, five (5) of which must be in the office itself;



- F. No SGC member, appointed or elected, shall have any authority not specified in this document, the SGC Bylaws, or as may be granted to him/her by majority vote of the SGC;
- G. SGC members in their semester of graduation are exempt from the nine (9) credit hour requirement, but must maintain at least three (3) credit hours.

**ARTICLE V**  
**Legislative Branch**

- A. **Qualifications for Representative:**
  - 1. Must be a student of Florida International University and attending no less than fifty 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 SGC Bylaws;
  - 3. May run for or hold office on only one SGC at a time;
  - 4. May run for only one position on a SGC during any general or special election;
  - 5. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for or hold office;
  - 6. Must maintain no less than a 2.5 cumulative undergraduate grade point average and a 2.0 term grade point average to run for and hold their position on SGC;
  - 7. Must maintain a minimum of nine (9) undergraduate credit hours;
  - 8. Representatives in their semester of graduation are exempt from the nine (9) undergraduate credit hour requirements, but must maintain a minimum of three (3) credit hours;
  - 9. The Housing representatives must reside in University housing on the campus where they are running, in order to be eligible to run for and hold office;
  - 10. Graduate students shall be eligible to run for Housing representative, Broward representative and Graduate representative seats. Graduate students:
    - a. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for and hold office;
    - b. Must maintain a 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for and hold their position on SGC;
    - c. Must maintain a minimum of six (6) graduate credit hours;
    - d. In their semester of graduation, are exempt from the six (6) graduate credit hour requirement, but must maintain at least three (3) credit hours.
  - 11. Law students are only eligible to run for and hold Housing representative and Law representative seats. Law students:
    - a. May not be under any academic or disciplinary sanctions as detailed in the College of Law Student Handbook;
    - b. Must maintain a 2.5 cumulative law school grade point average and a 2.0 term grade point average to run for and hold their position on SGC;
    - c. Must maintain seven (7) law school credit hours;
    - d. In their semester of graduation, are exempt from the seven (7) law school credit hour requirement, but must maintain at least three (3) credit hours.
- B. **Duties of the SGC Representatives shall be to:**
  - 1. Attend regularly scheduled and special meetings of the SGC;
  - 2. Serve on two (2) committees, be they SGC committees, campus or University committees, community committees, ad-hoc committees or special projects;
  - 3. Faithfully and diligently represent the needs and interests of the students they represent to the SGC;
  - 4. Fulfill all special assignments as delegated by the SGC and its Bylaws;

5. Set and maintain a minimum of five (5) weekly office hours, three (3) of which must be in the office itself;
6. Elect the Speaker of the House one month from the time that the majority of the representative positions are filled;
7. The Speaker of the House shall set and maintain a minimum of ten (10) weekly office hours, five (5) of which must be in the office itself.

## **ARTICLE VI**

### **Judicial Branch**

- A. The Student Judiciary shall be composed of four (4) Justices and one (1) Chief Justice. The Chief Justice will recommend nominees for these positions to the SGC for approval. The members' terms shall end on the last day of the Spring Semester.
  - B. The Judicial Branch will attend and successfully complete training through the department of Student Conduct and Conflict Resolution.
  - C. The Student Judiciary will serve as the internal standards board for the SGC. This board will be assigned responsibilities and duties as necessary to maintain proper division of powers, while being the chief agent for interpretation of the SGA Constitution.
  - D. Qualifications and Duties for Chief Justice:
    1. Justices who have served on the Student Judiciary for a minimum of one (1) full semester, elected representatives and officers, or standing committee chairpersons are eligible to serve as Chief Justice. Elected officials and committee chairpersons must have served a minimum of 154 consecutive days in office to become eligible;
    2. Shall serve as chief administrator of the Student Judicial Branch and will not have a vote on the Student Judiciary except to break a tie.
- Qualifications and Duties for the Student Judiciary:
1. Must be a currently enrolled student of Florida International University. Additionally, at least fifty percent (50%) 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 Code of Conduct 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 or 3.0 cumulative graduate grade point average and 2.5 term graduate grade point average to run for or hold office;
  4. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
  5. The Student Judiciary will meet at least monthly or when deemed necessary by the Chief Justice;
  6. No Justice 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 Student Judiciary;
  7. Each year, during the week of September 17<sup>th</sup> the Student Judiciary shall review the SGA Constitution and make recommendations to the UWC for its update; this day will be called "FIU Constitution Day."
- F. Powers and Limitations
    1. The Student Judiciary shall be empowered to determine if actions by the SGC are within their Constitutional bounds and whether suggested SGC Bylaws conflict with the Constitution;
    2. The Student Judiciary 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 from taking part in hearing or deciding on a complaint if he/she is an active member of the club or organization in this complaint;

4. The Judicial Board shall serve as the legal aide to SGC in regards to interpretation of the SGA Constitution.
- G. A justice may be removed from the Student Judiciary by a two-thirds (2/3) vote of the SGC.
- H. The Chief Justice shall receive annually an amount up to thirty-five percent (35%) of the President's pay, distributed bi-weekly.
- I. The Chief Justice shall set and maintain a minimum of ten (10) weekly office hours, seven (7) of which must be in the office itself;

## **ARTICLE VII**

### **Censure and Removal**

- A. The basis for removal of a SGC member shall be malfeasance, misfeasance, nonfeasance, incompetence, permanent inability to perform official duties, conviction of a felony, and/or any violations of the SGA Constitution and Bylaws.
- B. SGC members may also be removed based on the guidelines established in the Florida Statutes.
- C. The SGA recognizes the need for due process in the censure of or removal from office, by the SGC, of any SGC Member.
- D. Violations of the Student Code of Conduct, including violations of the law, will be referred to Student Conduct and Conflict Resolution for review, which include being intoxicated and exhibiting disruptive behavior at any university event, on or off campus.
- E. For the censure or removal of any SGC member, to take place, the member must first be accused in the form of a written complaint submitted to the Student Judiciary. The Student Judiciary must then evaluate the validity of the complaint. If validity is confirmed, the Student Judiciary moves to immediate trial and the member's pay is - suspended until the outcome of the trial. Any discussion resulting from a recommendation for removal or censure of the accused from office, by the Student Judiciary, will be open solely to the voting members of the SGC and the Student Judiciary.
- F. If a trial is deemed necessary, the Chief Justice, in consultation with the SGC Advisor will schedule an information session with the charged student to inform him/her of the allegations, charges, student rights, and explain the judicial process.
- G. The charged student has the right to challenge the inclusion of any Justice prior to the scheduled hearing. The challenge must be in writing, and be based on cause, which clearly provides evidence of a conflict of interest, bias, pressure, or influence that could preclude a fair and impartial hearing.
- H. The Process for Appeal is outlined in the SGC Bylaws.

## **ARTICLE VIII**

### **Elections and Referenda**

- A. SGA annual elections will be held for two (2) days of the second week following Spring Break, this date may be changed with the two-thirds majority approval of the UWC and the consent of the Vice President of Student Affairs.
- B. Campaigning for election to SGC will begin on each campus the week prior to elections.
- C. The annual elections will be held for the offices of SGC President, Vice President, and all SGC representatives on each campus. The President and Vice President will be elected campus-wide. Positions for specific schools, colleges, divisions, and graduate seats, and the Broward Campus will be elected by the student membership of that school, college, division or campus. The Housing Representatives shall be elected by the students living in the Housing facilities of their respective campuses.
- D. Unless otherwise specified, all elections shall be decided by plurality 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 or any special elections. Campus-specific amendments and referenda on any issue may be called with approval by two-thirds (2/3) 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 (2/3) vote of the UWC 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.

## **ARTICLE IX**

### **Powers**

Each SGC 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;
- B. Arrange its meetings provided there are regular meetings with fixed time and place at least twice monthly;
- C. Call for a special election or referendum with two-thirds (2/3) vote of the House in attendance at the meeting;
- D. By two-thirds (2/3) vote of those voting members present, the SGC may recommend that the establishment or dissolution of Standing Committees be submitted to a vote of the student body at the next campus wide election;
- E. Establish ad hoc committees with a simple majority vote of the House at the meeting;
- F. Allocate Activity and Service Fees that have been designated for the campus and monitor the use of those funds through the campus specific budget committee;
- G. Pass motions and resolutions to conduct the business of the SGC with the required vote of the House;
- H. 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;
- I. Carry out other such responsibilities and duties as are consistent with the purposes of SGA and conform to state laws and University policies.

## **ARTICLE X**

### **University-Wide Council**

- A. **The University Wide Council**
  - 1. It is the responsibility of the UWC to represent student interests and address student needs on matters of university-wide, local, state, federal and international concerns. The UWC 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 UWC itself.
  - 2. The function of the UWC shall be to coordinate the activities of the SGCs and to represent the interests of all Florida International University (FIU) students on matters of University-Wide, local, state, federal, and international concerns.
  - 3. The UWC will be comprised of:
    - a. Each SGC President,
    - b. Each SGC Vice President,
    - c. Each SGC Comptroller,
    - d. Each SGC Speaker of the House.
  - 4. Powers and Duties of the University-Wide Council:

- a. The UWC 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;
- b. Quorum for the UWC shall be fifty percent (50%) plus one, provided that at least two members representing each SGC is present;
- c. The UWC, through majority vote of the members in attendance at a meeting at which there is quorum, can conduct the business of the UWC. The UWC 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 UWC 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;
- d. The UWC shall make necessary appointments or create ad hoc committees it deems necessary to carry out the business of the UWC;
- e. The UWC shall not create any standing committees;
- f. The UWC shall choose the official representatives involving both SGC to lobby on behalf of student needs and interests with local, state, federal and international government organizations;
- g. The UWC may propose Constitutional amendments by a three-fourths (3/4) vote of the Council to become ratified in a student body election;
- h. UWC may propose legislation and university-wide statutes or SGC Bylaws consistent with this Constitution, which are necessary and proper for the general welfare of the entire student body.

5. Vacancies in the UWC

- a. In the event that a seat becomes vacant on the UWC, 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 UWC until the position that produced the vacancy is filled;
- b. Vacant seats on the UWC may also be filled by an alternate selected by the UWC. All appointments require simple majority vote of the UWC. The selected alternate shall retain his/her position on the UWC until the position that produced the vacancy is filled.

- B. The function of the University-Wide Budget Committee shall be to draft the annual budget of the SGA;
- 1. All votes of the University-Wide Budget Committee will require a two-thirds (2/3) vote of the committee;
  - 2. The BBC and Pines Center shall be allocated annually a percentage not greater than 2.25 times of the percentage of revenue collected by the combination of the BBC and Pines Center remaining after the allocation of:
    - a. fixed expenses;
    - b. the SGA university-wide accounts.
  - 3. The Pines Center shall be funded from the total amount allocated to the BBC and Pines Center and shall be at the sole discretion of the SGC-BBC;
  - 4. The University-Wide Budget Committee will be comprised of:
    - a. Each SGC President,
    - b. Each SGC Vice President,
    - c. Each SGC Comptroller,
    - d. Each SGC Speaker of the House,
    - e. The Speaker Pro-Tempore of the SGC-UP.

**ARTICLE XI  
Vacancies and Succession**

- A. Should the President-Elect become ineligible to take office after an election and before the start of the term, the Vice President-elect shall succeed the candidate.  
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 (2/3) of the SGC members present at a meeting at which there is quorum, until a pre-scheduled midyear special election or regular annual election, whichever comes first. Nominees must meet the qualifications of the office of the President;
    - a. The Speaker of the House, or his/her designee shall serve as the chair for this meeting.
- C. 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 XII**

### **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 the Presidency who serve more than half (1/2) a term may only hold the office of the President for exactly one (1) additional term.

## **ARTICLE XIII**

### **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 XIV**

### **Amendments**

Unforeseen circumstances allow for the two-thirds (2/3) approval by the UWC and the consent of the Vice President of Student Affairs to grant a waiver, lasting no more than a semester, of any provision of the SGA Constitution. Such provisions may 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 (2/3) vote of the UWC 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.
- C. For final ratification the Vice President of Student Affairs must give his/her consent.

## **ARTICLE XV**

### **SGC Bylaws**

- A. Each SGC shall maintain a set of campus-specific SGC Bylaws that may be amended only by a majority vote of that 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 XVI**  
**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 Comptrollers shall receive annually an amount up to seventy-five percent (75%) of the President's pay, distributed bi-weekly;
- C. Other SGC Standing Committee Chairpersons shall receive annually an amount up to thirty-five percent (35%) of the President's pay, distributed bi-weekly.
- D. SGC Speakers of the House and Chiefs of Staffs shall receive annually an amount up to thirty-two percent (32%) of the President's pay, distributed bi-weekly.
- E. SGC Representatives, excluding the Speaker, shall receive annually an amount up to twenty-five percent (25%) of the President's pay, distributed bi-weekly;
- F. Salaries for other appointed or elected positions of each SGC, including such positions as Director of Student Legislative Affairs, Chief Justice, Elections Chairperson, and Clerk of Council; 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.
- G. Members or appointed individuals of each SGC holding more than one (1) position shall receive remuneration for only one (1) position, whichever is highest.
- H. Remuneration will be through a payroll method;
- I. Hours and wages for appointed elected positions will be distributed according to the allocation of funds to each SGC's emolument account;
- J. 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 XVII**  
**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.

**ARTICLE XVIII**  
**Ratification**

Ratification of this Constitution or any other Constitution replacing this document shall be achieved through a two-thirds (2/3) affirmative vote of the UWC 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 Florida International University Board of Trustees or their designee.

**ARTICLE XIX**

**Dissolution**

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



**FLORIDA INTERNATIONAL UNIVERSITY  
STUDENT GOVERNMENT ASSOCIATION  
CONSTITUTION**

**ARTICLE I  
Purpose**

- A. The name of this organization shall be the Student Government Association, hereafter referred to as the SGA.
- B. The purpose of the SGA is to serve as the governing body responsible for representing the student interests and addressing student needs on matters of university, community, state, federal or international concerns.
- 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 with the administration, faculty and students to address issues at each campus;
  - 4. Allocating Activity and Service Fees.

**ARTICLE II  
Authority**

- A. This SGA was established through the power of the President of the University under the 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 Statutes, Title XVI, chapter 229 (0229.003 and 0229.008) and chapter 240 (0240.136, 0240.236 and 0240.5277); and under the provisions of 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. Unless specifically addressed within the Constitution of the SGA or the SGC Bylaws, issues of parliamentary procedure will defer to the current edition of Robert's Rules of Order as the parliamentary authority.

**ARTICLE III  
Composition**

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

- A. The SGC-UP shall be comprised of the following:
  - 1. The Executive Branch:
    - a. SGC President,
    - b. SGC Vice President,
    - c. SGC Comptroller,
    - d. Executive Cabinet,
    - e. Committee Chairs (as listed in the SGC-UP Bylaws).

2. The Legislative Branch:
  - a. Representatives from the following Colleges/Schools:
    - i) Architecture and the Arts,
    - ii) Arts and Sciences,
    - iii) Business Administration,
    - iv) Education,
    - v) Engineering and Computing,
    - vi) Social Work, Justice & Public Affairs,
    - vii) Nursing & Health Services
    - viii) Public Health
    - ix) Honors College,
    - x) Law;
  - b. Two (2) Graduate Student representatives;
  - c. Two (2) Lower Divisions representatives;
  - d. One (1) Housing representative;
  - e. Three (3) Undergraduate At-Large representatives.

3. The Judicial Branch:

- a. Chief Justice;
- b. Four (4) Justices.

**B. The SGC-BBC shall be comprised of the following:**

1. The Executive Branch:

- a. SGC President;
- b. SGC Vice President;
- c. SGC Comptroller
- d. Executive Cabinet;
- e. Committee Chairs (as listed in the SGC-BBC Bylaws).

2. The Legislative Branch:

- a. Representatives from the following Colleges/Schools:
  - i) Arts and Sciences,
  - ii) Business Administration,
  - iii) Education,
  - iv) Honors College,
  - v) Hospitality and Tourism Management,
  - vi) Journalism and Mass Communication,
  - vii) Nursing & Health Services;
- b. Two (2) Graduate Student representatives;
- c. Two (2) Lower Divisions representatives;
- d. One (1) Housing representative;
- e. One (1) Broward Pines Center representative;
- f. Three (3) Undergraduate At-Large representatives.

3. The Judicial Branch:

- a. Chief Justice,
- b. Four (4) Justices.

**C. If a new college/schools is created with its own dean or associate dean, a new representative seat will be added to the SGC on the campus where the college/schools is based at the next election period.**

**D. The SGA also will be comprised of a University-Wide Council (hereafter referred to as UWC) and a University-Wide Budget Committee that is further discussed in Article X.**

**ARTICLE IV**  
**Executive Branch**

The executive branch of each SGC will be composed of the following: President, Vice President, Comptroller, Executive Cabinet, and Committee Chairpersons.

**A. President**

**1. Qualifications of the SGC President:**

- a. Must be a student of Florida International University and attending at least fifty percent (50%) of classes at the campus he/she represents to run for and hold office;
- b. May not be under any academic or disciplinary sanction as detailed in the Student Code of Conduct to run for and hold office;
- c. Must maintain no less than a 2.5 cumulative undergraduate grade point average and 2.0 term grade point average or no less than a 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for and hold office;
- d. Must have held at least one of the following positions with the SGA for at least two academic semesters, or 154 consecutive days, prior to the first day of official campaigning: President, Vice President, Representative, Committee Chairs, Comptroller and/or Cabinet Member. An exception to this section is a member succeeding to the office of President;
- e. Must be of at least sophomore standing, and having attended FIU for at least one year;
- f. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
- g. May run for or hold office on only one SGC at a time;
- h. May run for only one position on a Council during any general or special election;
- i. Must not exceed term limits as described in Article XII.

**2. Duties of the SGC President shall be to:**

- a. 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 SGC Bylaws;
- b. Represent the interests of the SGC to the administration and faculty of his/her campus;
- c. He/She shall only vote to break a tie;
- d. Serve on and/or nominate and/or appoint individual students to campus governing bodies and to University committees;
- e. Have the power to convene special SGC meetings, provided there is at least forty-eight (48) hours notice of such meetings;
- f. Appoint assistants, as needed, subject to majority approval of the SGC members in attendance at a regular meeting;
- g. Authorize any disbursement of SGC funds in the absence of the Comptroller;
- h. Set and maintain a minimum of twenty (20) weekly office hours, ten (10) of which must be in the office itself;
- i. Fulfill all duties and responsibilities as detailed by the SGA Constitution and SGC Bylaws.

**3. Presidential Veto Power**

- a. SGC Presidents must act on legislation passed by the House 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.

- b. Signing to enact: The President may ratify legislation passed by the House by signing to enact within four (4) business days of the House's action.
- c. Signing to veto: The President may refuse legislation passed by the House by signing to veto within four (4) business days of the House's action.
- d. Vetoes legislation must be returned to the House that passed it.
- e. The House can override a Presidential veto by a two-thirds (2/3) vote of its total membership if it does so within ten (10) business days of the President's action.
- f. The President's power to enact or veto legislation is limited to the Council he/she serves.
- g. The President's power to enact or veto legislation is not extended to the UWC.
- h. Business days are defined as Mondays through Fridays during each semester. Semester breaks, weekends, and holidays in which classes are not held are excluded.

## B. Vice-President

### 1. Qualifications of the SGC Vice President:

- a. Must be a student of Florida International University and attending at least fifty percent (50%) of classes at the campus he/she represents to run for and hold office;
- b. May not be under any academic or disciplinary sanctions as detailed in Student Code of Conduct to run for and hold office;
- c. Must maintain no less than a 2.5 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;
- d. Must be of at least sophomore standing to run for and hold office;
- e. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
- f. May run for or hold office on only one SGC at a time;
- g. May run for only one position on a Council during any general or special election.

### 2. Duties of the SGC Vice President shall be to:

- a. Fulfill all SGC presidential responsibilities for that campus in the absence of the President as detailed in the SGA Constitution and SGC Bylaws;
- b. Fulfill all duties and responsibilities of the SGC Vice President in regard to the UWC;
- c. Oversee all SGC committee chairs;
- d. Set and maintain a minimum of fifteen (15) weekly office hours, ten (10) of which must be in the office itself;
- e. Fulfill all duties and responsibilities of the SGC Vice President as detailed by the SGA Constitution and SGC Bylaws.

## C. SGC Comptroller

### 1. Qualifications for the SGC Comptroller:

- a. 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;
- b. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for and hold office;
- c. 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 office;

- d. Must be of at least sophomore standing to run for and hold office;
  - e. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
  - f. May run for or hold office on only one SGC at a time.
2. Duties of the Comptroller:
- a. Shall assist the Vice President for Student Affairs or his/her designee(s) in the management and disbursement of SGC Funds;
  - b. Shall perform other duties as outlined in the Student Government Finance Code;
  - c. The Comptroller will set and maintain a minimum of fifteen (15) weekly office hours, ten (10) of which must be in the office itself.

D. Executive Cabinet Members

- 1. Selection of Executive Cabinet/Staff
  - a. The members of the executive cabinet will be selected by the President and Vice President and approved by the SGC.
  - b. The Makeup of the cabinet and exact positions are at the discretion of the President and Vice President, yet shall include but are not limited to: Chief of Staff, Clerk of Council, Director of Legislative Affairs, Intern Coordinator, and Special Events Coordinator.
- 2. An Executive cabinet member may be removed from his/her position with no less than a two-thirds vote of the SGC representatives. The SGC President, if deemed necessary after consultation with the Executive Board and Chief of Staff, may also remove an executive cabinet member.
- 3. Executive Cabinet members will set and maintain a minimum of five (5) weekly office hours, three (3) of which must be in the office itself.

E. Standing Committee Chairpersons

- 1. Each SGC shall have the following Standing Committees:
  - a. Academic Affairs
  - b. Elections
  - c. Finance
  - d. International Students
  - e. Student Services
  - f. Student Union
- 2. The Chairpersons of each of the above committees must meet the qualifications of Student Government Representatives outlined in ARTICLE V excluding Finance Committee Chairperson.
- 3. The Chairperson of the International Student 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 SGC Bylaws of each SGC.
- 5. Selection of Committee Chairpersons
  - a. Standing Committee Chairpersons will be chosen through an application process and elected by a simple majority vote by the SGC at a regular meeting of the new term prior to June 15<sup>th</sup>, any vacancies can be filled at any subsequent general meetings.
  - b. To be eligible, all candidates will submit proper applications and platforms for review by the Council.
  - c. A chairperson may be removed from office by a two-thirds, vote of the SGC.
- 6. Each Standing Committee Chair will set and maintain a minimum of ten (10) weekly office hours, five (5) of which must be in the office itself;

- F. No SGC member, appointed or elected, shall have any authority not specified in this document, the SGC Bylaws, or as may be granted to him/her by majority vote of the SGC;
- G. SGC members in their semester of graduation are exempt from the nine (9) credit hour requirement, but must maintain at least three (3) credit hours.

**ARTICLE V**  
**Legislative Branch**

- A. Qualifications for Representative:
  - 1. Must be a student of Florida International University and attending no less than fifty 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 SGC Bylaws;
  - 3. May run for or hold office on only one SGC at a time;
  - 4. May run for only one position on a SGC during any general or special election;
  - 5. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for or hold office;
  - 6. Must maintain no less than a 2.5 cumulative undergraduate grade point average and a 2.0 term grade point average to run for and hold their position on SGC;
  - 7. Must maintain a minimum of nine (9) undergraduate credit hours;
  - 8. Representatives in their semester of graduation are exempt from the nine (9) undergraduate credit hour requirements, but must maintain a minimum of three (3) credit hours;
  - 9. The Housing representatives must reside in University housing on the campus where they are running, in order to be eligible to run for and hold office;
  - 10. Graduate students shall be eligible to run for Housing representative, Broward representative and Graduate representative seats. Graduate students:
    - a. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for and hold office;
    - b. Must maintain a 3.0 cumulative graduate grade point average and 2.5 term grade point average to run for and hold their position on SGC;
    - c. Must maintain a minimum of six (6) graduate credit hours;
    - d. In their semester of graduation, are exempt from the six (6) graduate credit hour requirement, but must maintain at least three (3) credit hours.
  - 11. Law students are only eligible to run for and hold Housing representative and Law representative seats. Law students:
    - a. May not be under any academic or disciplinary sanctions as detailed in the College of Law Student Handbook;
    - b. Must maintain a 2.5 cumulative law school grade point average and a 2.0 term grade point average to run for and hold their position on SGC;
    - c. Must maintain seven (7) law school credit hours;
    - d. In their semester of graduation, are exempt from the seven (7) law school credit hour requirement, but must maintain at least three (3) credit hours.
- B. Duties of the SGC Representatives shall be to:
  - 1. Attend regularly scheduled and special meetings of the SGC;
  - 2. Serve on two (2) committees, be they SGC committees, campus or University committees, community committees, ad-hoc committees or special projects;
  - 3. Faithfully and diligently represent the needs and interests of the students they represent to the SGC;
  - 4. Fulfill all special assignments as delegated by the SGC and its Bylaws;

5. Set and maintain a minimum of five (5) weekly office hours, three (3) of which must be in the office itself;
6. Elect the Speaker of the House one month from the time that the majority of the representative positions are filled;
7. The Speaker of the House shall set and maintain a minimum of ten (10) weekly office hours, five (5) of which must be in the office itself.

## **ARTICLE VI**

### **Judicial Branch**

- A. The Student Judiciary shall be composed of four (4) Justices and one (1) Chief Justice. The Chief Justice will recommend nominees for these positions to the SGC for approval. The members' terms shall end on the last day of the Spring Semester.
- B. The Judicial Branch will attend and successfully complete training through the department of Student Conduct and Conflict Resolution.
- C. The Student Judiciary will serve as the internal standards board for the SGC. This board will be assigned responsibilities and duties as necessary to maintain proper division of powers, while being the chief agent for interpretation of the SGA Constitution.
- D. **Qualifications and Duties for Chief Justice:**
  1. Justices who have served on the Student Judiciary for a minimum of one (1) full semester, elected representatives and officers, or standing committee chairpersons are eligible to serve as Chief Justice. Elected officials and committee chairpersons must have served a minimum of 154 consecutive days in office to become eligible;
  2. Shall serve as chief administrator of the Student Judicial Branch and will not have a vote on the Student Judiciary except to break a tie.
- Qualifications and Duties for the Student Judiciary:**
  1. Must be a currently enrolled student of Florida International University. Additionally, at least fifty percent (50%) 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 Code of Conduct 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 or 3.0 cumulative graduate grade point average and 2.5 term graduate grade point average to run for or hold office;
  4. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
  5. The Student Judiciary will meet at least monthly or when deemed necessary by the Chief Justice;
  6. No Justice 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 Student Judiciary;
  7. Each year, during the week of September 17<sup>th</sup> the Student Judiciary shall review the SGA Constitution and make recommendations to the UWC for its update; this day will be called "FIU Constitution Day."
- F. **Powers and Limitations**
  1. The Student Judiciary shall be empowered to determine if actions by the SGC are within their Constitutional bounds and whether suggested SGC Bylaws conflict with the Constitution;
  2. The Student Judiciary 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 from taking part in hearing or deciding on a complaint if he/she is an active member of the club or organization in this complaint;

4. The Judicial Board shall serve as the legal aide to SGC in regards to interpretation of the SGA Constitution.
- G. A justice may be removed from the Student Judiciary by a two-thirds (2/3) vote of the SGC.
- H. The Chief Justice shall receive annually an amount up to thirty-five percent (35%) of the President's pay, distributed bi-weekly.
- I. The Chief Justice shall set and maintain a minimum of ten (10) weekly office hours, seven (7) of which must be in the office itself;

## **ARTICLE VII**

### **Censure and Removal**

- A. The basis for removal of a SGC member shall be malfeasance, misfeasance, nonfeasance, incompetence, permanent inability to perform official duties, conviction of a felony, and/or any violations of the SGA Constitution and Bylaws.
- B. SGC members may also be removed based on the guidelines established in the Florida Statutes.
- C. The SGA recognizes the need for due process in the censure of or removal from office, by the SGC, of any SGC Member.
- D. Violations of the Student Code of Conduct, including violations of the law, will be referred to Student Conduct and Conflict Resolution for review, which include being intoxicated and exhibiting disruptive behavior at any university event, on or off campus.
- E. For the censure or removal of any SGC member, to take place, the member must first be accused in the form of a written complaint submitted to the Student Judiciary. The Student Judiciary must then evaluate the validity of the complaint. If validity is confirmed, the Student Judiciary moves to immediate trial and the member's pay is - suspended until the outcome of the trial. Any discussion resulting from a recommendation for removal or censure of the accused from office, by the Student Judiciary, will be open solely to the voting members of the SGC and the Student Judiciary.
- F. If a trial is deemed necessary, the Chief Justice, in consultation with the SGC Advisor will schedule an information session with the charged student to inform him/her of the allegations, charges, student rights, and explain the judicial process.
- G. The charged student has the right to challenge the inclusion of any Justice prior to the scheduled hearing. The challenge must be in writing, and be based on cause, which clearly provides evidence of a conflict of interest, bias, pressure, or influence that could preclude a fair and impartial hearing.
- H. The Process for Appeal is outlined in the SGC Bylaws.

## **ARTICLE VIII**

### **Elections and Referenda**

- A. SGA annual elections will be held for two (2) days of the second week following Spring Break, this date may be changed with the two-thirds majority approval of the UWC and the consent of the Vice President of Student Affairs.
- B. Campaigning for election to SGC will begin on each campus the week prior to elections.
- C. The annual elections will be held for the offices of SGC President, Vice President, and all SGC representatives on each campus. The President and Vice President will be elected campus-wide. Positions for specific schools, colleges, divisions, and graduate seats, and the Broward Campus will be elected by the student membership of that school, college, division or campus. The Housing Representatives shall be elected by the students living in the Housing facilities of their respective campuses.
- D. Unless otherwise specified, all elections shall be decided by plurality 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 or any special elections. Campus-specific amendments and referenda on any issue may be called with approval by two-thirds (2/3) 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 (2/3) vote of the UWC 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.

## **ARTICLE IX**

### **Powers**

Each SGC 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;
- B. Arrange its meetings provided there are regular meetings with fixed time and place at least twice monthly;
- C. Call for a special election or referendum with two-thirds (2/3) vote of the House in attendance at the meeting;
- D. By two-thirds (2/3) vote of those voting members present, the SGC may recommend that the establishment or dissolution of Standing Committees be submitted to a vote of the student body at the next campus wide election;
- E. Establish ad hoc committees with a simple majority vote of the House at the meeting;
- F. Allocate Activity and Service Fees that have been designated for the campus and monitor the use of those funds through the campus specific budget committee;
- G. Pass motions and resolutions to conduct the business of the SGC with the required vote of the House;
- H. 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;
- I. Carry out other such responsibilities and duties as are consistent with the purposes of SGA and conform to state laws and University policies.

## **ARTICLE X**

### **University-Wide Council**

- A. **The University Wide Council**
  - 1. It is the responsibility of the UWC to represent student interests and address student needs on matters of university-wide, local, state, federal and international concerns. The UWC 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 UWC itself.
  - 2. The function of the UWC shall be to coordinate the activities of the SGCs and to represent the interests of all Florida International University (FIU) students on matters of University-Wide, local, state, federal, and international concerns.
  - 3. The UWC will be comprised of:
    - a. Each SGC President,
    - b. Each SGC Vice President,
    - c. Each SGC Comptroller,
    - d. Each SGC Speaker of the House.
  - 4. Powers and Duties of the University-Wide Council:

- a. The UWC 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;
- b. Quorum for the UWC shall be fifty percent (50%) plus one, provided that at least two members representing each SGC is present;
- c. The UWC, through majority vote of the members in attendance at a meeting at which there is quorum, can conduct the business of the UWC. The UWC 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 UWC 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;
- d. The UWC shall make necessary appointments or create ad hoc committees it deems necessary to carry out the business of the UWC;
- e. The UWC shall not create any standing committees;
- f. The UWC shall choose the official representatives involving both SGC to lobby on behalf of student needs and interests with local, state, federal and international government organizations;
- g. The UWC may propose Constitutional amendments by a three-fourths (3/4) vote of the Council to become ratified in a student body election;
- h. UWC may propose legislation and university-wide statutes or SGC Bylaws consistent with this Constitution, which are necessary and proper for the general welfare of the entire student body.

5. Vacancies in the UWC

- a. In the event that a seat becomes vacant on the UWC, 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 UWC until the position that produced the vacancy is filled;
- b. Vacant seats on the UWC may also be filled by an alternate selected by the UWC. All appointments require simple majority vote of the UWC. The selected alternate shall retain his/her position on the UWC until the position that produced the vacancy is filled.

B. The function of the University-Wide Budget Committee shall be to draft the annual budget of the SGA;

1. All votes of the University-Wide Budget Committee will require a two-thirds (2/3) vote of the committee;
2. The BBC and Pines Center shall be allocated annually a percentage not greater than 2.25 times of the percentage of revenue collected by the combination of the BBC and Pines Center remaining after the allocation of:
  - a. fixed expenses;
  - b. the SGA university-wide accounts.
3. The Pines Center shall be funded from the total amount allocated to the BBC and Pines Center and shall be at the sole discretion of the SGC-BBC;
4. The University-Wide Budget Committee will be comprised of:
  - a. Each SGC President,
  - b. Each SGC Vice President,
  - c. Each SGC Comptroller,
  - d. Each SGC Speaker of the House,
  - e. The Speaker Pro-Tempore of the SGC-UP.

**ARTICLE XI**  
**Vacancies and Succession**

- A. Should the President-Elect become ineligible to take office after an election and before the start of the term, the Vice President-elect shall succeed the candidate.
- B. 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 (2/3) of the SGC members present at a meeting at which there is quorum, until a pre-scheduled midyear special election or regular annual election, whichever comes first. Nominees must meet the qualifications of the office of the President;
    - a. The Speaker of the House, or his/her designee shall serve as the chair for this meeting.
- C. 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 XII**

### **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 the Presidency who serve more than half (1/2) a term may only hold the office of the President for exactly one (1) additional term.

## **ARTICLE XIII**

### **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 XIV**

### **Amendments**

Unforeseen circumstances allow for the two-thirds (2/3) approval by the UWC and the consent of the Vice President of Student Affairs to grant a waiver, lasting no more than a semester, of any provision of the SGA Constitution. Such provisions may 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 (2/3) vote of the UWC 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.
- C. For final ratification the Vice President of Student Affairs must give his/her consent.

## **ARTICLE XV**

### **SGC Bylaws**

- A. Each SGC shall maintain a set of campus-specific SGC Bylaws that may be amended only by a majority vote of that 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 XVI**  
**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 Comptrollers shall receive annually an amount up to seventy-five percent (75%) of the President's pay, distributed bi-weekly;
- C. Other SGC Standing Committee Chairpersons shall receive annually an amount up to thirty-five percent (35%) of the President's pay, distributed bi-weekly.
- D. SGC Speakers of the House and Chiefs of Staffs shall receive annually an amount up to thirty-two percent (32%) of the President's pay, distributed bi-weekly.
- E. SGC Representatives, excluding the Speaker, shall receive annually an amount up to twenty-five percent (25%) of the President's pay, distributed bi-weekly;
- F. Salaries for other appointed or elected positions of each SGC, including such positions as Director of Student Legislative Affairs, Chief Justice, Elections Chairperson, and Clerk of Council; 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.
- G. Members or appointed individuals of each SGC holding more than one (1) position shall receive remuneration for only one (1) position, whichever is highest.
- H. Remuneration will be through a payroll method;
- I. Hours and wages for appointed elected positions will be distributed according to the allocation of funds to each SGC's emolument account;
- J. 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 XVII**  
**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.

**ARTICLE XVIII**  
**Ratification**

Ratification of this Constitution or any other Constitution replacing this document shall be achieved through a two-thirds (2/3) affirmative vote of the UWC 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 Florida International University Board of Trustees or their designee.

**ARTICLE XIX**

**Dissolution**

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