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Constitution 2009

Student Government Association BBC, Florida International University

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**FLORIDA INTERNATIONAL UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
CONSTITUTION**

PREAMBLE

We, the students of the Florida International University, desiring to produce and preserve a more cohesive Student Body shall establish a Student Government providing a form of representational government through which the individual student can affirmatively participate. This government shall facilitate the cooperation between the Student Body, Faculty, and Administration, and maintain the interests and concerns of the students to ensure that their rights and liberties are protected. Thus, we do hereby ordain and establish this Constitution of the Student Body of the Florida International University.

**ARTICLE I
STUDENT BODY**

Section 1 Name

The name of this organization shall be the Student Body of the Florida International University. The governing entity of the "Student Body" shall be the Student Government Association of the Florida International University; hereinafter referred to as SGA.

Section 2 Students Rights

- A. All students shall be entitled to vote in the Student Body elections; set guidelines shall be prescribed by each SGC Elections Codes as described in their Student Government Statutes.
- B. Student Government shall not discriminate on the bases of race, ethnicity, creed, sex, sexual orientation, gender identity and expression, national origin, age, religion, disability, or any other classification as provided by law. The denial of due process or the infringement of the substantive rights of any student will not be tolerated.
- C. No students shall be denied the right to freedom of expression, association, or assembly or to the access of the facilities necessary for the exercise of these rights.

Section 3 Purpose

- A. The purpose of this government shall include but not be limited to the following:
 - 1. Allocation of the Activity & Service Fee
 - 2. To provide official voice and action on behalf of the student body

3. Ensure that students concerns are addressed in the immediate governance of and policy development of Florida International University at all levels.
4. Evaluate and establish student programs and services
5. Encourage the betterment of educational standards, facilities and services

ARTICLE II **AUTHORITY**

Section 1 **Establishment of Power**

- 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 powers and duties of Student Government are set forth in this Constitution and by Florida Statues, 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), these powers cannot be increased or decreased except by amendment to this Constitution or applicable by law.

Section 2 **Jurisdiction**

- A. All students by virtue of their registration at the Florida International University are members of the Student Body and are granted all the rights and privileges of this Constitution
- B. Members of the Student Body shall be subject to this Constitution, the Student Body Statutes, SGA Rules and Procedures, and to all University Rules & Regulations.

ARTICLE III **ORGANIZATION**

Section 1 **University Park and Biscayne Bay**

The SGA is composed of two (2) Student Government Councils (SGC), one (1) to represent the interests of students at the University Park and Engineering Center hereinafter referred to as (SGC-UP), and one (1) to represent the interests of students at the Biscayne Bay Campus and Broward Pines Center hereinafter referred to as (SGC-BBC).

Section 2 **Branches of Government**

- A. The powers of each SGC shall be divided into (Article IV) Legislative (Article V) Executive, and (Article VI) Judicial branches.
- B. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.
- C. No person shall hold office on more than one branch at a time.

ARTICLE IV
LEGISLATIVE BRANCH

Section 1

Legislative power of the Student Government Councils shall be vested in the Student Senate, hereinafter referred to as the Senate.

Section 2 **Composition**

- A. **The Student Senate of University Park shall be composed of:**
- a. Thirty (30) Senators which will be elected; the allocation of representation is listed within parenthesis of each College/School/etc listed below:
 - 1. Architecture and the Arts (1)
 - 2. Arts and Sciences (5)
 - 3. Business Administration (3)
 - 4. Education (2)
 - 5. Engineering and Computing (2)
 - 6. Nursing & Health Sciences (2)
 - 7. Public Health (1)
 - 8. Honors College (1)
 - 9. Law (1)
 - 10. Medicine (1)
 - ii. Divisional Senators
 - 1. Two (2) Graduate Student Senators
 - 2. Four (4) Lower Divisions Senators
 - 3. Two (2) Housing Senators
 - 4. Three (3) Senators at Large
- B. **The Student Senate of Biscayne Bay Campus shall be composed of:**
- a. Twenty (20) Senators which will be elected; the allocation of representation is listed within parenthesis of each College/School/etc listed below:
 - i. Senators from the following Colleges/Schools:
 - 1. Arts and Sciences (2)
 - 2. Business Administration (1)
 - 3. Education (1)
 - 4. Honors College (1)
 - 5. Hospitality and Tourism Management (2)
 - 6. Journalism and Mass Communication (2)
 - 7. Nursing & Health Sciences (1)
 - ii. Divisional Senators:
 - 1. One (1) Graduate Student Senators
 - 2. Four (4) Lower Divisions Senators
 - 3. One (1) Housing Senator
 - 4. One (1) Broward Pines Center Senators
 - 5. Three (3) Senators at Large

Section 3 Apportionment

If a new college is created with its own Dean or Associate Dean, a new Senate seat will be added to the SGC where the college/school is campus-based in the next election period. If additional on-campus living facilities are built, a possible Senate seat may be established on the SGC where the facility is based.

Section 4 Qualifications

A. Qualifications of Senators:

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. Senators of specific schools, colleges, or class levels must be accepted students of that school, college, or class level as defined in the SGA Statutes
3. May run for only one position in SGA during any general or special election;
4. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for or hold office;
5. 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 their SGC;
6. Must maintain a minimum of nine (9) undergraduate credit hours;
7. Senators 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,
8. The Housing Senators must reside in their respected University on-campus housing in order to be eligible to run for and hold that office;
9. Graduate students shall be eligible to run for Housing, Graduate Senate, and Broward Pines seats only. 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 their 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 requirements, but must maintain at least three (3) credit hours.
10. Law students are only eligible to run for and hold Housing and Law senate seats.
11. 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-UP;
 - 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. Senators must meet qualifications prior to running and holding office.

Section 5 **Terms & Vacancies**

- A. Elected Senators shall be elected by plurality votes a term of one (1) year, starting the first day of the Summer A semester and ending the last day of the Spring semester.
- B. In the case of absences, removal or a vacancy of a Senator, the Senate may appoint a substitute to serve until the next special election is called or a special session in Senate is called by the Speaker of the Senate or 2/3rd of the Senate membership; but subject to the qualifications and terms enumerated in Section 4 of this article.

Section 6 **Senate Sessions**

- A. Each SGC Senate shall convene as prescribed in their Statutes.
- B. Summer sessions of Senate shall begin on the first day of summer classes and shall end at the end of the summer semester.
- C. Summer sessions shall have the entitlement of the same authority and powers as fall and spring semesters.
- D. Fall sessions of Senate shall begin on the first day of fall classes and shall end at the end of the fall semester.
- E. Spring sessions of Senate shall begin on the first day of spring classes and shall end at the end of the spring semester.
- F. Senate sessions shall not be called during holidays or breaks and/or when the University is closed.
- G. Each SGC shall convene as prescribed by Sunshine State Laws.

Section 7 **Officers of the Senate**

- A. The Vice President of each SGC will serve as President of the Senate in an ex-officio manner. As President of the Senate, he or she will chair the Senate, until a Speaker of the Senate is elected by majority of the Senate positions in office.
 1. The President of the Senate if acting chair of the Senate shall vote only in the case of a tie; once a Speaker of Senate is selected; the Vice President shall serve as liaison between the executive and legislative branch.

2. The Speaker of Senate as chair of the Senate shall retain their voting power.
 - B. The Senate shall also elect a Speaker Pro Tempore to assist the Speaker of the Senate in all administrative duties of the legislative branch.
 - C. The Chair of the Finance Committee shall be selected by members of Senate and be third in line in Senate leadership.
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Section 8 **Powers of the Senate**

- A. Enact and diligently carryout all legislation necessary and proper for the general welfare of the Student Body.
- B. Enact constitutional bylaws to be known as Student Government Statutes with a majority vote of the Senate, with the exception of bylaws concerning elections, which shall require 2/3rd vote of the Senate.
- C. Determine its own rules and procedures and meeting times as determined in the Statutes with 2/3rd vote of the Senate; provided that quorum is met.
- D. Approve and allocate all Activity & Service expenditures; subject to the provisions of the Chapter 1009.24 (10b) of the Florida Statutes and Article IX of this constitution.
- E. Provide for the compilation and publication of legislation.
- F. Advice, consent, and/or approve all appointments and recommendations of the SGC President; especially University-campus specific committees by a majority of the Senate provided that quorum be met.
 1. University Wide committees shall be approved by the University Wide Council by a 2/3rd votes of the Council; provided that quorum is met.
- G. The Senate has the power to impeach all SGC officials elected and appointed for misfeasance, malfeasance, and/or nonfeasance of duty, or action contrary to or in violation of this Constitution, the Statutes of each SGC and the University Wide Statutes of Florida International University.
 1. Impeachment shall be instigated by one-third (1/3rd) vote of the SGC Senate leadership.
 2. Impeachment shall be defined as an accusation and charging of an individual with misfeasance, malfeasance, and/or nonfeasance of duty, to be tried before the Judicial Branch of the Student Government; with the Chief Justice presiding.
 3. Removal can only take place as deemed in the Statutes of Government listed under Judicial.
- H. The Senate shall establish means for active participation in the formulation of policies from the Student Body.

- I. Overturn a Presidential veto by 2/3rd votes of not less than quorum of that respected SGC Senate.
 - J. The Senate shall have the power to create any committee necessary to the operation of the Senate, and to appoint and remove any committee chair by majority of committee members present. No member of the Senate may chair more than one committee, nor hold office in any other branch of Student Government.
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Section 9 Limits & Prohibitions

- A. Senate shall not enact a Bill or Resolution that conflicts with or violates any Federal law, State law, Local law, or ordinance. The SGC Judicial Branch shall negate and remove, if presented for Judicial Review, existing SGA law if it conflicts with this provision.
- B. No SGC Senate can enact a Bill or Resolution that affects the other unless proper consent is given by both SGC Speakers of the Senate and will not be carried out unless voted by the University Wide Council, which shall require two-thirds (2/3rd) vote of not less than quorum.
- C. Senate shall not deny speaking privileges in the Student Senate to the SGC President, Vice President, Comptroller, or any other official within SGA or elsewhere discussing business of nature to the SG councils.
- D. Shall convene as prescribed by Sunshine State Laws
- E. Conduct any vote in secret ballot unless as prescribed in the SGC Statutes

ARTICLE V
EXECUTIVE BRANCH

Section 1 Leadership of University Park & Biscayne Bay

Each SGC executive power shall be vested in a President and assisted by a Vice President, and Comptroller and such administrative officers as the President shall appoint in accordance with this Article and by Statute.

Section 2 Election of Executive & Terms

- A. The President and Vice President from each campus running on a ticket shall be elected by the students in the Spring Elections by plurality.
 - 1. Members of the Executive Branch shall be elected for terms of one (1) year
 - 2. No person shall hold the office of SGC President for more than two (2) terms.
 - 3. 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.

Section 3 **Qualifications**

A. President and Vice President

1. 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;
2. May not be under any academic or disciplinary sanction as detailed in the Student Code of Conduct to run for and hold office;
3. Must maintain no less than a 2.5 cumulative undergraduate grade point average and 2.0 term grade point average 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;
4. Must have held at least one SGA position for at least two (2) academic semesters and/or 154 consecutive days, prior to the first day of official campaigning in Spring Elections; an exception to this section is a member succeeding to the office of President;
 - i. Vice Presidential candidates are exempt from this provision.
5. Must be of at least sophomore standing to run and hold office, and having attended FIU for at least one year;
6. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
7. In his/her semester of graduation he/she is exempt from the nine (9) undergraduate credit hour requirements, but must maintain a minimum of three (3) credit hours,
8. May run for or hold office on only one SGC at a time;
9. May run for only one position on a Council during any general or special election;
10. Must not exceed term limits as described in this article Section 2.

Section 4 **Duties of the SGC President**

A. University Park

1. Shall be the chief executive of SGC-UP
2. Administer and ensure that all provisions of this Constitution and Statutes are faithfully executed
3. Preside over the SGC Executive 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 Statutes;
4. Represent the interests of the SGC-UP to the administration and faculty
5. Attend or send a designee to Senate meetings;
6. Appoint or create positions not provided for in this Constitution or SGC Statutes.
 - i. All appointments shall still require Senate approval as prescribed in Article IX Section 4.
7. Serve on and/or nominate and/or appoint individual students to University Park committees; such provision shall still require Senate approval as prescribed in Article IV.
 - i. University Wide committees must follow guidelines as expressed in Section 4, Article IX.
8. Have the power to convene special SGC-UP executive meetings,

9. Can convene meetings of the full SGC-UP Council, to include the Executive and Legislative bodies, and be the presiding officer in times of need, urgency, and/or to give reports.
10. Shall serve on the University Wide Council and University Wide Budget Committee as a voting member
11. Serve as student Trustee on the Board of Trustee and serve on the University Wide Council.
12. Shall have any other power or duty as prescribed by this Constitution and/or SGC Statutes

B. Biscayne Bay Campus

1. Shall be the chief executive of SGC-BBC
2. Administer and ensure that all provisions of this Constitution and Statutes are faithfully executed
3. Preside over the SGC Executive 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 Statutes;
4. Represent the interests of the SGC-BBC to the administration and faculty
5. Attend or send a designee to Senate meetings;
6. Appoint or create positions not provided for in this Constitution or SGC Statutes.
 - i. All appointments shall still require Senate approval as prescribed in Article IV.
7. Serve on and/or nominate and/or appoint individual students to Biscayne Bay committees; such provision shall still require Senate approval as prescribed in Article IV.
 - i. University Wide committees must follow guidelines as expressed in Section 8, Article IV
8. Have the power to convene special SGC-BBC executive meetings
9. Can convene meetings of the full SGC-BBC Council, to include the Executive and Legislative bodies, and be the presiding officer in times of need, urgency, and/or to give reports
10. Shall serve on the University Wide Council and University Wide Budget Committee as a voting member
11. Serve on the FIU Foundation Board of Directors
12. Shall have any other power or duty as prescribed by this Constitution and/or SGC Statutes

Section 5 Powers of SGC Presidents

A. Presidential Veto Power

1. SGC President must act on legislation passed by the Senate by either signing to enact or veto. The President will have five (5) business days to sign passed legislations. Legislation failing to acquire the President's signature shall pass as law. Veto legislation shall require the two-thirds (2/3rd) vote of not less than quorum of Senate.
2. The President shall also have line item veto power on legislation.
 - a. In overriding the use of "the line item veto," the senate will be able to overturn it on a line-by-line basis.

- b. The President must give written explanation of vetoed legislation and line item vetoed legislation within five (5) days of action.
3. The President can only sign and veto legislation from the council he/she serves.

Section 6 **Duties and Power of the Vice President**

- A. Fulfill all the duties of the SGC President of that campus in the absence of the President as detailed in the Constitution and SGC Statutes

- B. Serve as President of the Senate and abide by the rules as prescribed in Article IV and SGC Statutes
- C. Shall serve on the University Wide Council as voting member
- D. Shall serve on the University Wide Budget Committee as voting member
- E. Shall have any other power or duty as prescribed by law and/or SGC Statutes

Section 7 **Duties and Power of the SGC Comptroller**

- A. Serve as the Chief Financial Officer for his/her respected SGC and SGC funded entities.
- B. Shall assist the Vice President for Student Affairs or his/her designee(s) in the management and disbursement of SGC funds
- C. Shall serve as a non-voting member of the Finance committee
- D. Shall serve on the University Wide Council as a non-voting member
- E. Shall serve on the University Wide Budget Committee as a voting member
- F. The Comptroller can reject request of funds provided that explanation is given to the SGC funded entity and meets the stipulations as prescribed in the SGC Statutes
- G. Shall have any other power or duty as prescribed by law and/or SGC Statutes

Section 8 **Executive Cabinet**

- A. There shall be a cabinet determined in size and structure by the SGC President and Vice President on each campus that shall assist and advise the executive leadership.
- B. The members of the cabinet shall be selected by the President and Vice President with majority vote of approval from the Senate.
 1. The President has the power to remove at his/her discretion any officer appointed to a position in the Executive branch without Senate approval

- C. Cabinet members will be required to report to the Senate as prescribed in the SGC Statutes the status of major projects and accomplishments of the term year.

Section 9 **Executive Office of the President**

- A. The Executive Office shall serve as the means through which the President and Vice President can execute their constitutional powers and carry out their administrations' programs, projects, and agenda. The purpose of the Executive Office and its divisions is to provide information and assistance to the President and Vice President in a particular area or field of expertise.
- B. The President may organize the Executive Office, as he/she deems necessary and proper within the limits imposed upon him/her by each SGC Statutes.

Section 10 **Governing Council**

A. University Park

1. Governing Councils under SGC jurisdiction are:
- a. Residential Housing Association (RHA)
 - b. Council of Student Organizations (CSO)
 - c. Student Programming Council (SPC)
 - d. Homecoming Council (HC)
 - e. Panther Rage (PR)
 - f. Multi-faith Council (MC)
 - g. Greek Council (GC)
 - h. Graduate Student Association (GSA)
 - i. Black Student Union (BSU)

B. Biscayne Bay

1. Governing Councils under SGC jurisdiction are:
- a. Bay Vista Hall Council (BVHC)
 - b. Student Organizations Council (SOC)
 - c. Student Programming Council (SPC)
 - d. Panther Power (PP)
 - e. Graduate Student Association (GSA)
 - f. Black Student Union (BSU)

- C. Governing Council Presidents shall be required to attend SGC Executive meetings and/or attend separate meetings as designated by the SGC President to facilitate cooperation between their organizations.
- D. Governing Council Presidents or appointed designee shall provide a timely report to the Senate as prescribed by this Constitution and SGC Statutes.
- E. Shall be elected by their respective organizations and maintain organizational constitutions.

1. Shall not have any provisions in their constitution that supersedes SGC laws and guidelines
 - F. SGC officials shall be exempt from the nine (9) credit hour requirement, their semester of graduation but must maintain at least three (3) credit hours.
 - G. Shall abide by the SGC Constitution and Statutes
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- H. No SGC official, appointed, or elected, shall have any authority not specified in this document, the SGC Statutes, or as may be granted to him/her by majority vote of their respected SGC.

ARTICLE VI **JUDICIAL BRANCH**

Section 1 **Judicial**

Judicial power of the Student Body shall be vested in a Supreme Court of the Student Government Association.

Section 2 **Composition**

- A. The SGC Supreme Court shall be composed of one (1) Chief Justice and four (4) justices.
- B. The Chief Justice shall be the chief administrative officer of the judicial system
- C. The Chief Justice and the justices shall apply and approved by the required majority vote of the Senate not less than quorum.

Section 3 **Qualifications**

- A. 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;
- B. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for or hold office;
- C. 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 their SGC;
- D. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding the summer semester;
- E. 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;

Section 4 **Jurisdiction and Powers**

- A. The SGCs Supreme Courts shall interpret any provision of the constitution and governing councils' constitutions and/or any law upon written
- B. The Supreme Court shall have jurisdiction:
 - 1. Over issues and concerns involving questions of the constitutionality of actions by student governing groups, organizations and their representatives
 - 2. Over conflicts between student groups
 - 3. Violations of the Student Body Constitution and Statutes
- C. The Supreme Court must negate and remove existing Student Government Statutes, Appropriations, Law, Joint Resolution, Executive Order, and/or Senatorial policy that conflicts with any Federal, state, local law and/or ordinance or University regulation
- D. Subpoena Power:
 - 1. The Supreme Court shall have the power to issue subpoena over students having interest of effect in matters before the Court.
 - 2. Failure to comply may result in punishment deemed appropriate by the Supreme Court and approved with majority vote of the Senate.
- E. Justices may recues themselves from taking part in hearings or decisions on a complaint if they are an active member of the club or organization in the complaint
- F. Censure and Removal:
 - 1. The Court shall have the power to hear charges seeking the removal and/or censure of SGC members and Governing Council officials as expressed in Article VIII.

Section 5 **Duties**

- A. The Supreme Court will meet at least monthly or when deemed necessary by the Chief Justice
- B. Each year, during the week of September 17th the Supreme Courts of both SGCs shall convene and review the SGA Constitution and make recommendations to the University Wide Council for its update; this day will be called "FIU Constitution Day."
- C. Members of the Court will attend and successfully complete training through the department of Student Conduct and Conflict Resolution.

Section 5 **Terms & Limits**

- A. Members of the Supreme Court are not limited in terms, but must re-apply after every SGA term.
- B. Justices may be removed by two-thirds (2/3) vote of the Senate not less than quorum.

ARTICLE VII
UNIVERSITY-WIDE COUNCIL

Section 1 **Purpose**

- A. It is the responsibility of the University Wide Council, hereinafter to be referred to as the UWC, to represent and address students' needs on matters of university-wide, local, state, federal, and international concerns.
- B. The UWC also serves to aid in the coordination and support of the activities of each SGC.

Section 2 **Composition**

- A. The University Wide Council (UWC) shall be comprised of:
 - 1. Each SGC President
 - 2. Each SGC Vice President
 - 3. Each Speaker of the Senate
 - 4. Each Speaker Pro Tempore
- B. The UWC shall also be comprised of these non-voting members:
 - 1. Each SGC Comptroller
 - 2. Each Chief Justice
 - i. Must follow guidelines as prescribed in Section 3D

Section 3 **Duties**

- A. The UWC shall meet on the last academic calendar Wednesday of every month alternating between the University Park and Biscayne Bay Campus.
 - 1. The first meeting shall be at the SGA Retreat, and then alternate between the University Park and Biscayne Bay.
- B. The SGC President hosting shall set the agenda and chair the meeting
 - 1. The other SGC President shall serve as Vice Chair of the meeting.
 - 2. The agenda shall be approved by majority of the UWC prior to the meeting.
- C. Quorum shall be fifty percent (50%) plus one; provided that at least two (2) members from each SGC is present
- D. The Chief Justice from the host campus must be present and serve as Parliamentarian of the meeting.
 - 1. If not present an associate justice from the host campus can fulfill the duties

2. The other Chief Justice should be present to serve as reference for the non-host campus judicial procedures and guidelines
3. If not present an associate justice can be selected to fulfill the duties

Section 4 Powers

- A. The UWC shall make necessary appointments or create ad hoc committees it deems necessary to carry out the business of the UWC
 1. Appointments to UWC committees require majority vote of the members not less than quorum.
- B. The UWC may propose Constitutional amendments in a form of a University Wide Bill after:
 1. Securing a majority vote of approval not less than quorum from each SGC Senate
 - i. Constitutional amendments failing to receive majority approval from whichever Senate must require two-thirds (2/3) vote from the Senate that passed the bill to override and secure a majority vote from the UWC members.
 2. Proposed Constitutional amendments must be ratified in a student body election
- C. The UWC may propose university-wide statutes or SGA Bylaws consistent with this Constitution, which are necessary and proper for the general welfare of the entire student body.
- D. The UWC shall be allowed to enact Resolutions expressing the opinions and needs of the entire student body
- E. The UWC shall have the power to enact University Wide Bills hereinafter referred to as a UWB.
 1. These bills will not be carried out unless voted by the UWC, which shall require two-thirds (2/3rd) vote of not less than quorum.
 2. Constitutional UWBs need to follow the guidelines as mentioned in Section 4C
 3. UWBs are legislation that create and implement University Wide committees and/or projects and initiatives
- F. Vote on the budget from the University Wide Budget committee.
- G. The UWC shall provide for the compilation and publication of legislation to be referred to as the SGA Statutes, this compilation shall include each SGC statutes and/or bylaws and University Wide bills and resolutions.

Section 5 Limits

- A. The UWC shall not enact a Bill without the consent of each SGC Senate.
 1. Speakers of the Senate must acquire majority vote of not less than quorum from their Senate to introduce a bill to the UWC
- B. The UWC shall not enact a Bill that conflicts with or violates any Federal law, State law, Local law, or ordinance. The host SGC Judicial Branch shall negate and remove, if presented for Judicial Review, existing SGA law if it conflicts with this provision.

- C. The UWC cannot enact a Bill or Resolution that affects the other unless proper consent is given by both SGC Speakers of the Senate and will not be carried out unless voted by the University Wide Council, which shall require two-thirds (2/3rd) vote of not less than quorum.
- D. The UWC shall not deny speaking privileges to any official within SGA or elsewhere discussing business of nature to the SG councils.

E. Shall convene as prescribed by Sunshine State Laws

F. Conduct any vote in secret ballot unless in the selection of University Wide Committees and/or as prescribed in the University Wide SGA Statutes.

Section 6 **Governing Councils of the UWC**

- A. The University Wide Council (UWC) will aid each SGC Senate in overseeing the duties and functions of these university wide organizations:
 - a. Graduate Student Association (GSA)
 - b. Black Student Union (BSU)
- B. Each organization will be responsible for reporting to the UWC at each UWC scheduled meeting.

Section 7 **University Wide Budget Committee**

- A. The purpose of the University Wide Budget Committee hereinafter to be referred to, as the Budget Committee (BC) will be to draft the SGA University Wide budget and overseer of the SGA University Wide reserve accounts.
- B. The composition of the University Wide Budget Committee shall be:
 - 1. Each SGC President
 - 2. Each SGC Vice President
 - 3. Each SGC Speaker of the Senate
 - 4. Each SGC Comptroller
 - 5. SGC-UP Finance Chair
- C. The BBC and Broward 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 Broward Pines Center remaining after the allocation of:
 - 1. Fixed expenses
 - 2. SGA University-Wide accounts
- D. The Broward Pines Center shall be funded from the total amount allocated to SGC-BBC and shall be at the sole discretion of the SGC-BBC

- E. The Engineering Center shall be funded from the total amount allocated to SGC-UP and shall be at the sole discretion of the SGC-UP
 - F. Each SGC Senate shall be responsible for approving their campus specific budgets by a two-thirds (2/3) vote of not less than quorum.
 - G. The University Wide budget must be approved by two-thirds (2/3) vote of not less than quorum of the University Wide Council.
-

1. Failure for the University Wide budget to secure the necessary votes shall go back to the University Wide Budget Committee until the budget is approved and then signed by the University President and/or designee.

- H. Campus specific budgets failing to secure the necessary votes will go back to the respected Finance committee for modification until the budget is approved and then signed by the SGC President.

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 Senators 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 Senators 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. Any student has the right to call for a University-wide initiative/referendum; or recall a general or special election if a petition signed by at least 20% of the number of students that voted in the most recent general election is submitted as specified by Statutes. Student Body enrollment figures shall be determined by the Registrar's Office at the time of the initiative/referendum/recall.
- F. All elected SGC positions are held for one year, with the terms beginning the first day of Summer semester and ending the last day prior to the following Summer semester.
- G. 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 Senators 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
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 Statues.

ARTICLE X
VACANCIES AND SUCCESSION

- A. Permanent absences, resignation, or removal of the SGC President; then the proper order of succession shall be:
 - 1. Vice President or
 - 2. Speaker of the Senate or

3. Speaker Pro Tempore or
 4. Finance Chair
- B. In the event that order of succession is exhausted, the Senate shall convene to select a President until special elections can be called for, the selection of this President shall require two-thirds ($2/3^{\text{rd}}$) votes of the Senate not less than quorum.
- C. The new SGC President shall appoint the Vice President, this appointment must be approved by a two-thirds ($2/3^{\text{rd}}$) vote of the SGC Senate.
-

ARTICLE XI
TERM LIMITS

- A. 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 XII
BUDGET

- A. 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 XIII
AMENDMENTS

- A. 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:
- B. Amendments to this Constitution may be proposed by either a petition of five (5) percent of the total student population
- C. The UWC may propose Constitutional amendments in a form of a University Wide Bill after:
1. Securing a majority vote of approval not less than quorum from each SGC Senate
 - a. Constitutional amendments failing to receive majority approval from whichever Senate must require two-thirds ($2/3$) vote from the Senate that passed the bill to override and secure a majority vote from the UWC members.
- D. Proposed Constitutional amendments must be ratified in a student body election

- E. 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.
- F. Final ratification of consent shall be given by the Vice President of Student Affairs.

ARTICLE XIV
SGC STATUTES

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

ARTICLE XV
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. 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.
- D. SGC Senators, excluding the Speaker, shall receive annually an amount up to twenty-five percent (25%) of the President's pay,
- E. Salaries for other appointed or elected positions of each SGC, including such positions as Director of Student Legislative Affairs, Chief Justice, and Elections Commissioner; shall be left to the discretion of the individual executive council of each campus, but cannot exceed the annual salary of the Speaker of the Senate
- F. Members or appointed individuals of each SGC holding more than one (1) position shall receive remuneration for only one (1) position, whichever is highest.
- G. Remuneration will be through a payroll method;
- H. Hours and wages for appointed elected positions will be distributed according to the allocation of funds to each SGC's emolument account;
- I. Each SGC shall assist in the selection, appointment, evaluation, and termination of personnel who perform professional and/or administrative functions in the SGC office. When appropriate,

the SGC President and the SGC Advisor(s) will confer in the determination of job descriptions and compensation.

ARTICLE XVI
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 XVII
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 XVIII
DISSOLUTION

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





**FLORIDA INTERNATIONAL UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
CONSTITUTION**

PREAMBLE

We, the students of the Florida International University, desiring to produce and preserve a more cohesive Student Body shall establish a Student Government providing a form of representational government through which the individual student can affirmatively participate. This government shall facilitate the cooperation between the Student Body, Faculty, and Administration, and maintain the interests and concerns of the students to ensure that their rights and liberties are protected. Thus, we do hereby ordain and establish this Constitution of the Student Body of the Florida International University.

**ARTICLE I
STUDENT BODY**

Section 1 Name

The name of this organization shall be the Student Body of the Florida International University. The governing entity of the "Student Body" shall be the Student Government Association of the Florida International University; hereinafter referred to as SGA.

Section 2 Students Rights

- A. All students shall be entitled to vote in the Student Body elections; set guidelines shall be prescribed by each SGC Elections Codes as described in their Student Government Statutes.
- B. Student Government shall not discriminate on the bases of race, ethnicity, creed, sex, sexual orientation, gender identity and expression, national origin, age, religion, disability, or any other classification as provided by law. The denial of due process or the infringement of the substantive rights of any student will not be tolerated.
- C. No students shall be denied the right to freedom of expression, association, or assembly or to the access of the facilities necessary for the exercise of these rights.

Section 3 Purpose

- A. The purpose of this government shall include but not be limited to the following:
 - 1. Allocation of the Activity & Service Fee
 - 2. To provide official voice and action on behalf of the student body

3. Ensure that students concerns are addressed in the immediate governance of and policy development of Florida International University at all levels.
4. Evaluate and establish student programs and services
5. Encourage the betterment of educational standards, facilities and services

ARTICLE II **AUTHORITY**

Section 1 **Establishment of Power**

- 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 powers and duties of Student Government are set forth in this Constitution and by 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), these powers cannot be increased or decreased except by amendment to this Constitution or applicable by law.

Section 2 **Jurisdiction**

- A. All students by virtue of their registration at the Florida International University are members of the Student Body and are granted all the rights and privileges of this Constitution
- B. Members of the Student Body shall be subject to this Constitution, the Student Body Statutes, SGA Rules and Procedures, and to all University Rules & Regulations.

ARTICLE III **ORGANIZATION**

Section 1 **University Park and Biscayne Bay**

The SGA is composed of two (2) Student Government Councils (SGC), one (1) to represent the interests of students at the University Park and Engineering Center hereinafter referred to as (SGC-UP), and one (1) to represent the interests of students at the Biscayne Bay Campus and Broward Pines Center hereinafter referred to as (SGC-BBC).

Section 2 **Branches of Government**

- A. The powers of each SGC shall be divided into (Article IV) Legislative (Article V) Executive, and (Article VI) Judicial branches.
- B. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.
- C. No person shall hold office on more than one branch at a time.

ARTICLE IV
LEGISLATIVE BRANCH

Section 1

Legislative power of the Student Government Councils shall be vested in the Student Senate, hereinafter referred to as the Senate.

Section 2 **Composition**

- A. **The Student Senate of University Park shall be composed of:**
- a. Thirty (30) Senators which will be elected; the allocation of representation is listed within parenthesis of each College/School/etc listed below:
 1. Architecture and the Arts (1)
 2. Arts and Sciences (5)
 3. Business Administration (3)
 4. Education (2)
 5. Engineering and Computing (2)
 6. Nursing & Health Sciences (2)
 7. Public Health (1)
 8. Honors College (1)
 9. Law (1)
 10. Medicine (1)
 - ii. Divisional Senators
 1. Two (2) Graduate Student Senators
 2. Four (4) Lower Divisions Senators
 3. Two (2) Housing Senators
 4. Three (3) Senators at Large
- B. **The Student Senate of Biscayne Bay Campus shall be composed of:**
- a. Twenty (20) Senators which will be elected; the allocation of representation is listed within parenthesis of each College/School/etc listed below:
 - i. Senators from the following Colleges/Schools:
 1. Arts and Sciences (2)
 2. Business Administration (1)
 3. Education (1)
 4. Honors College (1)
 5. Hospitality and Tourism Management (2)
 6. Journalism and Mass Communication (2)
 7. Nursing & Health Sciences (1)
 - ii. Divisional Senators:
 1. One (1) Graduate Student Senators
 2. Four (4) Lower Divisions Senators
 3. One (1) Housing Senator
 4. One (1) Broward Pines Center Senators
 5. Three (3) Senators at Large

Section 3 Apportionment

If a new college is created with its own Dean or Associate Dean, a new Senate seat will be added to the SGC where the college/school is campus-based in the next election period. If additional on-campus living facilities are built, a possible Senate seat may be established on the SGC where the facility is based.

Section 4 Qualifications

A. Qualifications of Senators:

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. Senators of specific schools, colleges, or class levels must be accepted students of that school, college, or class level as defined in the SGA Statutes
3. May run for only one position in SGA during any general or special election;
4. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for or hold office;
5. 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 their SGC;
6. Must maintain a minimum of nine (9) undergraduate credit hours;
7. Senators 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,
8. The Housing Senators must reside in their respected University on-campus housing in order to be eligible to run for and hold that office;
9. Graduate students shall be eligible to run for Housing, Graduate Senate, and Broward Pines seats only. 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 their 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 requirements, but must maintain at least three (3) credit hours.
10. Law students are only eligible to run for and hold Housing and Law senate seats.
11. 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-UP;
 - 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. Senators must meet qualifications prior to running and holding office.

Section 5 Terms & Vacancies

- A. Elected Senators shall be elected by plurality votes a term of one (1) year, starting the first day of the Summer A semester and ending the last day of the Spring semester.
- B. In the case of absences, removal or a vacancy of a Senator, the Senate may appoint a substitute to serve until the next special election is called or a special session in Senate is called by the Speaker of the Senate or 2/3rd of the Senate membership; but subject to the qualifications and terms enumerated in Section 4 of this article.

Section 6 Senate Sessions

- A. Each SGC Senate shall convene as prescribed in their Statutes.
- B. Summer sessions of Senate shall begin on the first day of summer classes and shall end at the end of the summer semester.
- C. Summer sessions shall have the entitlement of the same authority and powers as fall and spring semesters.
- D. Fall sessions of Senate shall begin on the first day of fall classes and shall end at the end of the fall semester.
- E. Spring sessions of Senate shall begin on the first day of spring classes and shall end at the end of the spring semester.
- F. Senate sessions shall not be called during holidays or breaks and/or when the University is closed.
- G. Each SGC shall convene as prescribed by Sunshine State Laws.

Section 7 Officers of the Senate

- A. The Vice President of each SGC will serve as President of the Senate in an ex-officio manner. As President of the Senate, he or she will chair the Senate, until a Speaker of the Senate is elected by majority of the Senate positions in office.
 1. The President of the Senate if acting chair of the Senate shall vote only in the case of a tie; once a Speaker of Senate is selected; the Vice President shall serve as liaison between the executive and legislative branch.

2. The Speaker of Senate as chair of the Senate shall retain their voting power.
 - B. The Senate shall also elect a Speaker Pro Tempore to assist the Speaker of the Senate in all administrative duties of the legislative branch.
 - C. The Chair of the Finance Committee shall be selected by members of Senate and be third in line in Senate leadership.
-

Section 8 **Powers of the Senate**

- A. Enact and diligently carryout all legislation necessary and proper for the general welfare of the Student Body.
- B. Enact constitutional bylaws to be known as Student Government Statutes with a majority vote of the Senate, with the exception of bylaws concerning elections, which shall require 2/3rd vote of the Senate.
- C. Determine its own rules and procedures and meeting times as determined in the Statutes with 2/3rd vote of the Senate; provided that quorum is met.
- D. Approve and allocate all Activity & Service expenditures; subject to the provisions of the Chapter 1009.24 (10b) of the Florida Statutes and Article IX of this constitution.
- E. Provide for the compilation and publication of legislation.
- F. Advice, consent, and/or approve all appointments and recommendations of the SGC President; especially University-campus specific committees by a majority of the Senate provided that quorum be met.
 1. University Wide committees shall be approved by the University Wide Council by a 2/3rd votes of the Council; provided that quorum is met.
- G. The Senate has the power to impeach all SGC officials elected and appointed for misfeasance, malfeasance, and/or nonfeasance of duty, or action contrary to or in violation of this Constitution, the Statutes of each SGC and the University Wide Statutes of Florida International University.
 1. Impeachment shall be instigated by one-third (1/3rd) vote of the SGC Senate leadership.
 2. Impeachment shall be defined as an accusation and charging of an individual with misfeasance, malfeasance, and/or nonfeasance of duty, to be tried before the Judicial Branch of the Student Government; with the Chief Justice presiding.
 3. Removal can only take place as deemed in the Statutes of Government listed under Judicial.
- H. The Senate shall establish means for active participation in the formulation of policies from the Student Body.

- I. Overturn a Presidential veto by 2/3rd votes of not less than quorum of that respected SGC Senate.
 - J. The Senate shall have the power to create any committee necessary to the operation of the Senate, and to appoint and remove any committee chair by majority of committee members present. No member of the Senate may chair more than one committee, nor hold office in any other branch of Student Government.
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Section 9 **Limits & Prohibitions**

- A. Senate shall not enact a Bill or Resolution that conflicts with or violates any Federal law, State law, Local law, or ordinance. The SGC Judicial Branch shall negate and remove, if presented for Judicial Review, existing SGA law if it conflicts with this provision.
- B. No SGC Senate can enact a Bill or Resolution that affects the other unless proper consent is given by both SGC Speakers of the Senate and will not be carried out unless voted by the University Wide Council, which shall require two-thirds (2/3rd) vote of not less than quorum.
- C. Senate shall not deny speaking privileges in the Student Senate to the SGC President, Vice President, Comptroller, or any other official within SGA or elsewhere discussing business of nature to the SG councils.
- D. Shall convene as prescribed by Sunshine State Laws
- E. Conduct any vote in secret ballot unless as prescribed in the SGC Statutes

ARTICLE V
EXECUTIVE BRANCH

Section 1 **Leadership of University Park & Biscayne Bay**

Each SGC executive power shall be vested in a President and assisted by a Vice President, and Comptroller and such administrative officers as the President shall appoint in accordance with this Article and by Statute.

Section 2 **Election of Executive & Terms**

- A. The President and Vice President from each campus running on a ticket shall be elected by the students in the Spring Elections by plurality.
 - 1. Members of the Executive Branch shall be elected for terms of one (1) year
 - 2. No person shall hold the office of SGC President for more than two (2) terms.
 - 3. 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.

Section 3 **Qualifications**

A. President and Vice President

1. 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;
2. May not be under any academic or disciplinary sanction as detailed in the Student Code of Conduct to run for and hold office;
3. Must maintain no less than a 2.5 cumulative undergraduate grade point average and 2.0 term grade point average 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;
4. Must have held at least one SGA position for at least two (2) academic semesters and/or 154 consecutive days, prior to the first day of official campaigning in Spring Elections; an exception to this section is a member succeeding to the office of President;
 - i. Vice Presidential candidates are exempt from this provision.
5. Must be of at least sophomore standing to run and hold office, and having attended FIU for at least one year;
6. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
7. In his/her semester of graduation he/she is exempt from the nine (9) undergraduate credit hour requirements, but must maintain a minimum of three (3) credit hours,
8. May run for or hold office on only one SGC at a time;
9. May run for only one position on a Council during any general or special election;
10. Must not exceed term limits as described in this article Section 2.

Section 4 **Duties of the SGC President**

A. University Park

1. Shall be the chief executive of SGC-UP
2. Administer and ensure that all provisions of this Constitution and Statutes are faithfully executed
3. Preside over the SGC Executive 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 Statutes;
4. Represent the interests of the SGC-UP to the administration and faculty
5. Attend or send a designee to Senate meetings;
6. Appoint or create positions not provided for in this Constitution or SGC Statutes.
 - i. All appointments shall still require Senate approval as prescribed in Article IX Section 4.
7. Serve on and/or nominate and/or appoint individual students to University Park committees; such provision shall still require Senate approval as prescribed in Article IV.
 - i. University Wide committees must follow guidelines as expressed in Section 4, Article IX.
8. Have the power to convene special SGC-UP executive meetings,

9. Can convene meetings of the full SGC-UP Council, to include the Executive and Legislative bodies, and be the presiding officer in times of need, urgency, and/or to give reports.
10. Shall serve on the University Wide Council and University Wide Budget Committee as a voting member
11. Serve as student Trustee on the Board of Trustee and serve on the University Wide Council.
12. Shall have any other power or duty as prescribed by this Constitution and/or SGC Statutes

B. Biscayne Bay Campus

1. Shall be the chief executive of SGC-BBC
2. Administer and ensure that all provisions of this Constitution and Statutes are faithfully executed
3. Preside over the SGC Executive 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 Statutes;
4. Represent the interests of the SGC-BBC to the administration and faculty
5. Attend or send a designee to Senate meetings;
6. Appoint or create positions not provided for in this Constitution or SGC Statutes.
 - i. All appointments shall still require Senate approval as prescribed in Article IV.
7. Serve on and/or nominate and/or appoint individual students to Biscayne Bay committees; such provision shall still require Senate approval as prescribed in Article IV.
 - i. University Wide committees must follow guidelines as expressed in Section 8, Article IV
8. Have the power to convene special SGC-BBC executive meetings
9. Can convene meetings of the full SGC-BBC Council, to include the Executive and Legislative bodies, and be the presiding officer in times of need, urgency, and/or to give reports
10. Shall serve on the University Wide Council and University Wide Budget Committee as a voting member
11. Serve on the FIU Foundation Board of Directors
12. Shall have any other power or duty as prescribed by this Constitution and/or SGC Statutes

Section 5 Powers of SGC Presidents

A. Presidential Veto Power

1. SGC President must act on legislation passed by the Senate by either signing to enact or veto. The President will have five (5) business days to sign passed legislations. Legislation failing to acquire the President's signature shall pass as law. Veto legislation shall require the two-thirds (2/3rd) vote of not less than quorum of Senate.
2. The President shall also have line item veto power on legislation.
 - a. In overriding the use of "the line item veto," the senate will be able to overturn it on a line-by-line basis.

- b. The President must give written explanation of vetoed legislation and line item vetoed legislation within five (5) days of action.
3. The President can only sign and veto legislation from the council he/she serves.

Section 6 **Duties and Power of the Vice President**

- A. Fulfill all the duties of the SGC President of that campus in the absence of the President as detailed in the Constitution and SGC Statutes
- B. Serve as President of the Senate and abide by the rules as prescribed in Article IV and SGC Statutes
- C. Shall serve on the University Wide Council as voting member
- D. Shall serve on the University Wide Budget Committee as voting member
- E. Shall have any other power or duty as prescribed by law and/or SGC Statutes

Section 7 **Duties and Power of the SGC Comptroller**

- A. Serve as the Chief Financial Officer for his/her respected SGC and SGC funded entities.
- B. Shall assist the Vice President for Student Affairs or his/her designee(s) in the management and disbursement of SGC funds
- C. Shall serve as a non-voting member of the Finance committee
- D. Shall serve on the University Wide Council as a non-voting member
- E. Shall serve on the University Wide Budget Committee as a voting member
- F. The Comptroller can reject request of funds provided that explanation is given to the SGC funded entity and meets the stipulations as prescribed in the SGC Statutes
- G. Shall have any other power or duty as prescribed by law and/or SGC Statutes

Section 8 **Executive Cabinet**

- A. There shall be a cabinet determined in size and structure by the SGC President and Vice President on each campus that shall assist and advise the executive leadership.
- B. The members of the cabinet shall be selected by the President and Vice President with majority vote of approval from the Senate.
 1. The President has the power to remove at his/her discretion any officer appointed to a position in the Executive branch without Senate approval

- C. Cabinet members will be required to report to the Senate as prescribed in the SGC Statutes the status of major projects and accomplishments of the term year.

Section 9 **Executive Office of the President**

- A. The Executive Office shall serve as the means through which the President and Vice President can execute their constitutional powers and carry out their administrations' programs, projects, and agenda. The purpose of the Executive Office and its divisions is to provide information and assistance to the President and Vice President in a particular area or field of expertise.
- B. The President may organize the Executive Office, as he/she deems necessary and proper within the limits imposed upon him/her by each SGC Statutes.

Section 10 **Governing Council**

A. University Park

1. Governing Councils under SGC jurisdiction are:
- a. Residential Housing Association (RHA)
 - b. Council of Student Organizations (CSO)
 - c. Student Programming Council (SPC)
 - d. Homecoming Council (HC)
 - e. Panther Rage (PR)
 - f. Multi-faith Council (MC)
 - g. Greek Council (GC)
 - h. Graduate Student Association (GSA)
 - i. Black Student Union (BSU)

B. Biscayne Bay

1. Governing Councils under SGC jurisdiction are:
- a. Bay Vista Hall Council (BVHC)
 - b. Student Organizations Council (SOC)
 - c. Student Programming Council (SPC)
 - d. Panther Power (PP)
 - e. Graduate Student Association (GSA)
 - f. Black Student Union (BSU)

- C. Governing Council Presidents shall be required to attend SGC Executive meetings and/or attend separate meetings as designated by the SGC President to facilitate cooperation between their organizations.
- D. Governing Council Presidents or appointed designee shall provide a timely report to the Senate as prescribed by this Constitution and SGC Statutes.
- E. Shall be elected by their respective organizations and maintain organizational constitutions.

1. Shall not have any provisions in their constitution that supersedes SGC laws and guidelines
- F. SGC officials shall be exempt from the nine (9) credit hour requirement, their semester of graduation but must maintain at least three (3) credit hours.
- G. Shall abide by the SGC Constitution and Statutes
- H. No SGC official, appointed, or elected, shall have any authority not specified in this document, the SGC Statutes, or as may be granted to him/her by majority vote of their respected SGC.

ARTICLE VI **JUDICIAL BRANCH**

Section 1 **Judicial**

Judicial power of the Student Body shall be vested in a Supreme Court of the Student Government Association.

Section 2 **Composition**

- A. The SGC Supreme Court shall be composed of one (1) Chief Justice and four (4) justices.
- B. The Chief Justice shall be the chief administrative officer of the judicial system
- C. The Chief Justice and the justices shall apply and approved by the required majority vote of the Senate not less than quorum.

Section 3 **Qualifications**

- A. 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;
- B. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for or hold office;
- C. 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 their SGC;
- D. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding the summer semester;
- E. 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;

Section 4 Jurisdiction and Powers

- A. The SGCs Supreme Courts shall interpret any provision of the constitution and governing councils' constitutions and/or any law upon written
- B. The Supreme Court shall have jurisdiction:
 - 1. Over issues and concerns involving questions of the constitutionality of actions by student governing groups, organizations and their representatives
 - 2. Over conflicts between student groups
 - 3. Violations of the Student Body Constitution and Statutes
- C. The Supreme Court must negate and remove existing Student Government Statutes, Appropriations, Law, Joint Resolution, Executive Order, and/or Senatorial policy that conflicts with any Federal, state, local law and/or ordinance or University regulation
- D. Subpoena Power:
 - 1. The Supreme Court shall have the power to issue subpoena over students having interest of effect in matters before the Court.
 - 2. Failure to comply may result in punishment deemed appropriate by the Supreme Court and approved with majority vote of the Senate.
- E. Justices may recues themselves from taking part in hearings or decisions on a complaint if they are an active member of the club or organization in the complaint
- F. Censure and Removal:
 - 1. The Court shall have the power to hear charges seeking the removal and/or censure of SGC members and Governing Council officials as expressed in Article VIII.

Section 5 Duties

- A. The Supreme Court will meet at least monthly or when deemed necessary by the Chief Justice
- B. Each year, during the week of September 17th the Supreme Courts of both SGCs shall convene and review the SGA Constitution and make recommendations to the University Wide Council for its update; this day will be called "FIU Constitution Day."
- C. Members of the Court will attend and successfully complete training through the department of Student Conduct and Conflict Resolution.

Section 5 Terms & Limits

- A. Members of the Supreme Court are not limited in terms, but must re-apply after every SGA term.
- B. Justices may be removed by two-thirds (2/3) vote of the Senate not less than quorum.

ARTICLE VII
UNIVERSITY-WIDE COUNCIL

Section 1 **Purpose**

- A. It is the responsibility of the University Wide Council, hereinafter to be referred to as the UWC, to represent and address students' needs on matters of university-wide, local, state, federal, and international concerns.
- B. The UWC also serves to aid in the coordination and support of the activities of each SGC.

Section 2 **Composition**

- A. The University Wide Council (UWC) shall be comprised of:
 - 1. Each SGC President
 - 2. Each SGC Vice President
 - 3. Each Speaker of the Senate
 - 4. Each Speaker Pro Tempore
- B. The UWC shall also be comprised of these non-voting members:
 - 1. Each SGC Comptroller
 - 2. Each Chief Justice
 - i. Must follow guidelines as prescribed in Section 3D

Section 3 **Duties**

- A. The UWC shall meet on the last academic calendar Wednesday of every month alternating between the University Park and Biscayne Bay Campus.
 - 1. The first meeting shall be at the SGA Retreat, and then alternate between the University Park and Biscayne Bay.
- B. The SGC President hosting shall set the agenda and chair the meeting
 - 1. The other SGC President shall serve as Vice Chair of the meeting.
 - 2. The agenda shall be approved by majority of the UWC prior to the meeting.
- C. Quorum shall be fifty percent (50%) plus one; provided that at least two (2) members from each SGC is present
- D. The Chief Justice from the host campus must be present and serve as Parliamentarian of the meeting.
 - 1. If not present an associate justice from the host campus can fulfill the duties

2. The other Chief Justice should be present to serve as reference for the non-host campus judicial procedures and guidelines
3. If not present an associate justice can be selected to fulfill the duties

Section 4 Powers

- A. The UWC shall make necessary appointments or create ad hoc committees it deems necessary to carry out the business of the UWC
 1. Appointments to UWC committees require majority vote of the members not less than quorum.
- B. The UWC may propose Constitutional amendments in a form of a University Wide Bill after:
 1. Securing a majority vote of approval not less than quorum from each SGC Senate
 - i. Constitutional amendments failing to receive majority approval from whichever Senate must require two-thirds (2/3) vote from the Senate that passed the bill to override and secure a majority vote from the UWC members.
 2. Proposed Constitutional amendments must be ratified in a student body election
- C. The UWC may propose university-wide statutes or SGA Bylaws consistent with this Constitution, which are necessary and proper for the general welfare of the entire student body.
- D. The UWC shall be allowed to enact Resolutions expressing the opinions and needs of the entire student body
- E. The UWC shall have the power to enact University Wide Bills hereinafter referred to as a UWB.
 1. These bills will not be carried out unless voted by the UWC, which shall require two-thirds (2/3rd) vote of not less than quorum.
 2. Constitutional UWBs need to follow the guidelines as mentioned in Section 4C
 3. UWBs are legislation that create and implement University Wide committees and/or projects and initiatives
- F. Vote on the budget from the University Wide Budget committee.
- G. The UWC shall provide for the compilation and publication of legislation to be referred to as the SGA Statutes, this compilation shall include each SGC statutes and/or bylaws and University Wide bills and resolutions.

Section 5 Limits

- A. The UWC shall not enact a Bill without the consent of each SGC Senate.
 1. Speakers of the Senate must acquire majority vote of not less than quorum from their Senate to introduce a bill to the UWC
- B. The UWC shall not enact a Bill that conflicts with or violates any Federal law, State law, Local law, or ordinance. The host SGC Judicial Branch shall negate and remove, if presented for Judicial Review, existing SGA law if it conflicts with this provision.

- C. The UWC cannot enact a Bill or Resolution that affects the other unless proper consent is given by both SGC Speakers of the Senate and will not be carried out unless voted by the University Wide Council, which shall require two-thirds (2/3rd) vote of not less than quorum.
 - D. The UWC shall not deny speaking privileges to any official within SGA or elsewhere discussing business of nature to the SG councils.
-
- E. Shall convene as prescribed by Sunshine State Laws
 - F. Conduct any vote in secret ballot unless in the selection of University Wide Committees and/or as prescribed in the University Wide SGA Statutes.

Section 6 **Governing Councils of the UWC**

- A. The University Wide Council (UWC) will aid each SGC Senate in overseeing the duties and functions of these university wide organizations:
 - a. Graduate Student Association (GSA)
 - b. Black Student Union (BSU)
- B. Each organization will be responsible for reporting to the UWC at each UWC scheduled meeting.

Section 7 **University Wide Budget Committee**

- A. The purpose of the University Wide Budget Committee hereinafter to be referred to, as the Budget Committee (BC) will be to draft the SGA University Wide budget and overseer of the SGA University Wide reserve accounts.
- B. The composition of the University Wide Budget Committee shall be:
 - 1. Each SGC President
 - 2. Each SGC Vice President
 - 3. Each SGC Speaker of the Senate
 - 4. Each SGC Comptroller
 - 5. SGC-UP Finance Chair
- C. The BBC and Broward 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 Broward Pines Center remaining after the allocation of:
 - 1. Fixed expenses
 - 2. SGA University-Wide accounts
- D. The Broward Pines Center shall be funded from the total amount allocated to SGC-BBC and shall be at the sole discretion of the SGC-BBC

- E. The Engineering Center shall be funded from the total amount allocated to SGC-UP and shall be at the sole discretion of the SGC-UP
- F. Each SGC Senate shall be responsible for approving their campus specific budgets by a two-thirds (2/3) vote of not less than quorum.
- G. The University Wide budget must be approved by two-thirds (2/3) vote of not less than quorum of the University Wide Council.

- 1. Failure for the University Wide budget to secure the necessary votes shall go back to the University Wide Budget Committee until the budget is approved and then signed by the University President and/or designee.

- H. Campus specific budgets failing to secure the necessary votes will go back to the respected Finance committee for modification until the budget is approved and then signed by the SGC President.

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 Senators 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 Senators 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. Any student has the right to call for a University-wide initiative/referendum; or recall a general or special election if a petition signed by at least 20% of the number of students that voted in the most recent general election is submitted as specified by Statutes. Student Body enrollment figures shall be determined by the Registrar's Office at the time of the initiative/referendum/recall.
- F. All elected SGC positions are held for one year, with the terms beginning the first day of Summer semester and ending the last day prior to the following Summer semester.
- G. 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 Senators 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

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 Statues.

ARTICLE X

VACANCIES AND SUCCESSION

- A. Permanent absences, resignation, or removal of the SGC President; then the proper order of succession shall be:
 - 1. Vice President or
 - 2. Speaker of the Senate or

3. Speaker Pro Tempore or
 4. Finance Chair
- B. In the event that order of succession is exhausted, the Senate shall convene to select a President until special elections can be called for, the selection of this President shall require two-thirds (2/3rd) votes of the Senate not less than quorum.
- C. The new SGC President shall appoint the Vice President, this appointment must be approved by a two-thirds (2/3rd) vote of the SGC Senate.
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ARTICLE XI
TERM LIMITS

- A. 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 XII
BUDGET

- A. 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 XIII
AMENDMENTS

- A. 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:
- B. Amendments to this Constitution may be proposed by either a petition of five (5) percent of the total student population
- C. The UWC may propose Constitutional amendments in a form of a University Wide Bill after:
1. Securing a majority vote of approval not less than quorum from each SGC Senate
 - a. Constitutional amendments failing to receive majority approval from whichever Senate must require two-thirds (2/3) vote from the Senate that passed the bill to override and secure a majority vote from the UWC members.
- D. Proposed Constitutional amendments must be ratified in a student body election

- E. 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.
- F. Final ratification of consent shall be given by the Vice President of Student Affairs.

ARTICLE XIV
SGC STATUTES

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

ARTICLE XV
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. 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.
- D. SGC Senators, excluding the Speaker, shall receive annually an amount up to twenty-five percent (25%) of the President's pay,
- E. Salaries for other appointed or elected positions of each SGC, including such positions as Director of Student Legislative Affairs, Chief Justice, and Elections Commissioner; shall be left to the discretion of the individual executive council of each campus, but cannot exceed the annual salary of the Speaker of the Senate
- F. Members or appointed individuals of each SGC holding more than one (1) position shall receive remuneration for only one (1) position, whichever is highest.
- G. Remuneration will be through a payroll method;
- H. Hours and wages for appointed elected positions will be distributed according to the allocation of funds to each SGC's emolument account;
- I. Each SGC shall assist in the selection, appointment, evaluation, and termination of personnel who perform professional and/or administrative functions in the SGC office. When appropriate,

the SGC President and the SGC Advisor(s) will confer in the determination of job descriptions and compensation.

ARTICLE XVI
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 XVII
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 XVIII
DISSOLUTION

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





**FLORIDA INTERNATIONAL UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
CONSTITUTION**

PREAMBLE

We, the students of the Florida International University, desiring to produce and preserve a more cohesive Student Body shall establish a Student Government providing a form of representational government through which the individual student can affirmatively participate. This government shall facilitate the cooperation between the Student Body, Faculty, and Administration, and maintain the interests and concerns of the students to ensure that their rights and liberties are protected. Thus, we do hereby ordain and establish this Constitution of the Student Body of the Florida International University.

**ARTICLE I
STUDENT BODY**

Section 1 Name

The name of this organization shall be the Student Body of the Florida International University. The governing entity of the "Student Body" shall be the Student Government Association of the Florida International University; hereinafter referred to as SGA.

Section 2 Students Rights

- A. All students shall be entitled to vote in the Student Body elections; set guidelines shall be prescribed by each SGC Elections Codes as described in their Student Government Statutes.
- B. Student Government shall not discriminate on the bases of race, ethnicity, creed, sex, sexual orientation, gender identity and expression, national origin, age, religion, disability, or any other classification as provided by law. The denial of due process or the infringement of the substantive rights of any student will not be tolerated.
- C. No students shall be denied the right to freedom of expression, association, or assembly or to the access of the facilities necessary for the exercise of these rights.

Section 3 Purpose

- A. The purpose of this government shall include but not be limited to the following:
 - 1. Allocation of the Activity & Service Fee
 - 2. To provide official voice and action on behalf of the student body

3. Ensure that students concerns are addressed in the immediate governance of and policy development of Florida International University at all levels.
4. Evaluate and establish student programs and services
5. Encourage the betterment of educational standards, facilities and services

ARTICLE II **AUTHORITY**

Section 1 **Establishment of Power**

- 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 powers and duties of Student Government are set forth in this Constitution and by 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), these powers cannot be increased or decreased except by amendment to this Constitution or applicable by law.

Section 2 **Jurisdiction**

- A. All students by virtue of their registration at the Florida International University are members of the Student Body and are granted all the rights and privileges of this Constitution
- B. Members of the Student Body shall be subject to this Constitution, the Student Body Statutes, SGA Rules and Procedures, and to all University Rules & Regulations.

ARTICLE III **ORGANIZATION**

Section 1 **University Park and Biscayne Bay**

The SGA is composed of two (2) Student Government Councils (SGC), one (1) to represent the interests of students at the University Park and Engineering Center hereinafter referred to as (SGC-UP), and one (1) to represent the interests of students at the Biscayne Bay Campus and Broward Pines Center hereinafter referred to as (SGC-BBC).

Section 2 **Branches of Government**

- A. The powers of each SGC shall be divided into (Article IV) Legislative (Article V) Executive, and (Article VI) Judicial branches.
- B. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.
- C. No person shall hold office on more than one branch at a time.

ARTICLE IV
LEGISLATIVE BRANCH

Section 1

Legislative power of the Student Government Councils shall be vested in the Student Senate, hereinafter referred to as the Senate.

Section 2 **Composition**

A. The Student Senate of **University Park** shall be composed of:

- a. Thirty (30) Senators which will be elected; the allocation of representation is listed within parenthesis of each College/School/etc listed below:
 - 1. Architecture and the Arts (1)
 - 2. Arts and Sciences (5)
 - 3. Business Administration (3)
 - 4. Education (2)
 - 5. Engineering and Computing (2)
 - 6. Nursing & Health Sciences (2)
 - 7. Public Health (1)
 - 8. Honors College (1)
 - 9. Law (1)
 - 10. Medicine (1)
- ii. Divisional Senators
 - 1. Two (2) Graduate Student Senators
 - 2. Four (4) Lower Divisions Senators
 - 3. Two (2) Housing Senators
 - 4. Three (3) Senators at Large

B. The Student Senate of **Biscayne Bay Campus** shall be composed of:

- a. Twenty (20) Senators which will be elected; the allocation of representation is listed within parenthesis of each College/School/etc listed below:
 - i. Senators from the following Colleges/Schools:
 - 1. Arts and Sciences (2)
 - 2. Business Administration (1)
 - 3. Education (1)
 - 4. Honors College (1)
 - 5. Hospitality and Tourism Management (2)
 - 6. Journalism and Mass Communication (2)
 - 7. Nursing & Health Sciences (1)
 - ii. Divisional Senators:
 - 1. One (1) Graduate Student Senators
 - 2. Four (4) Lower Divisions Senators
 - 3. One (1) Housing Senator
 - 4. One (1) Broward Pines Center Senator
 - 5. Three (3) Senators at Large

Section 3 Apportionment

If a new college is created with its own Dean or Associate Dean, a new Senate seat will be added to the SGC where the college/school is campus-based in the next election period. If additional on-campus living facilities are built, a possible Senate seat may be established on the SGC where the facility is based.

Section 4 Qualifications

A. Qualifications of Senators:

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. Senators of specific schools, colleges, or class levels must be accepted students of that school, college, or class level as defined in the SGA Statutes
3. May run for only one position in SGA during any general or special election;
4. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for or hold office;
5. 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 their SGC;
6. Must maintain a minimum of nine (9) undergraduate credit hours;
7. Senators 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,
8. The Housing Senators must reside in their respected University on-campus housing in order to be eligible to run for and hold that office;
9. Graduate students shall be eligible to run for Housing, Graduate Senate, and Broward Pines seats only. 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 their 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 requirements, but must maintain at least three (3) credit hours.
10. Law students are only eligible to run for and hold Housing and Law senate seats.
11. 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-UP;
 - 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. Senators must meet qualifications prior to running and holding office.

Section 5 Terms & Vacancies

- A. Elected Senators shall be elected by plurality votes a term of one (1) year, starting the first day of the Summer A semester and ending the last day of the Spring semester.
- B. In the case of absences, removal or a vacancy of a Senator, the Senate may appoint a substitute to serve until the next special election is called or a special session in Senate is called by the Speaker of the Senate or 2/3rd of the Senate membership; but subject to the qualifications and terms enumerated in Section 4 of this article.

Section 6 Senate Sessions

- A. Each SGC Senate shall convene as prescribed in their Statutes.
- B. Summer sessions of Senate shall begin on the first day of summer classes and shall end at the end of the summer semester.
- C. Summer sessions shall have the entitlement of the same authority and powers as fall and spring semesters.
- D. Fall sessions of Senate shall begin on the first day of fall classes and shall end at the end of the fall semester.
- E. Spring sessions of Senate shall begin on the first day ^{of} ~~of~~ spring classes and shall end at the end of the spring semester.
- F. Senate sessions shall not be called during holidays or breaks and/or when the University is closed.
- G. Each SGC shall convene as prescribed by Sunshine State Laws.

Section 7 Officers of the Senate

- A. The Vice President of each SGC will serve as President of the Senate in an ex-officio manner. As President of the Senate, he or she will chair the Senate, until a Speaker of the Senate is elected by majority of the Senate positions in office.
 1. The President of the Senate if acting chair of the Senate shall vote only in the case of a tie; once a Speaker of Senate is selected; the Vice President shall serve as liaison between the executive and legislative branch.

2. The Speaker of Senate as chair of the Senate shall retain their voting power.
- B. The Senate shall also elect a Speaker Pro Tempore to assist the Speaker of the Senate in all administrative duties of the legislative branch.
- C. The Chair of the Finance Committee shall be selected by members of Senate and be third in line in Senate leadership.

Section 8 Powers of the Senate

- A. Enact and diligently carryout all legislation necessary and proper for the general welfare of the Student Body.
- B. Enact constitutional bylaws to be known as Student Government Statutes with a majority vote of the Senate, with the exception of bylaws concerning elections, which shall require 2/3rd vote of the Senate.
- C. Determine its own rules and procedures and meeting times as determined in the Statutes with 2/3rd vote of the Senate; provided that quorum is met.
- D. Approve and allocate all Activity & Service expenditures; subject to the provisions of the Chapter 1009.24 (10b) of the Florida Statutes and Article IX of this constitution.
- E. Provide for the compilation and publication of legislation.
- F. Advice, consent, and/or approve all appointments and recommendations of the SGC President; especially University-campus specific committees by a majority of the Senate provided that quorum be met.
 1. University Wide committees shall be approved by the University Wide Council by a 2/3rd votes of the Council; provided that quorum is met.
- G. The Senate has the power to impeach all SGC officials elected and appointed for misfeasance, malfeasance, and/or nonfeasance of duty, or action contrary to or in violation of this Constitution, the Statutes of each SGC and the University Wide Statutes of Florida International University.
 1. Impeachment shall be instigated by one-third (1/3rd) vote of the SGC Senate leadership.
 2. Impeachment shall be defined as an accusation and charging of an individual with misfeasance, malfeasance, and/or nonfeasance of duty, to be tried before the Judicial Branch of the Student Government; with the Chief Justice presiding.
 3. Removal can only take place as deemed in the Statutes of Government listed under Judicial.
- H. The Senate shall establish means for active participation in the formulation of policies from the Student Body.

- I. Overturn a Presidential veto by 2/3rd votes of not less than quorum of that respected SGC Senate.
- J. The Senate shall have the power to create any committee necessary to the operation of the Senate, and to appoint and remove any committee chair by majority of committee members present. No member of the Senate may chair more than one committee, nor hold office in any other branch of Student Government.
 - 1. Serve on at least one (1) legislative
 - i. Legislative Committees:
 - 1. Finance Committee
 - 2. Operational Review Committee
 - 3. Student Advocacy Committee
 - 4. Internal Affairs Committee
 - 5. Rules, Legislation and Judiciary Committee
 - ii. The structure and purpose of these committees will be outlined within each SGC Statutes.

Section 9 Limits & Prohibitions

- A. Senate shall not enact a Bill or Resolution that conflicts with or violates any Federal law, State law, Local law, or ordinance. The SGC Judicial Branch shall negate and remove, if presented for Judicial Review, existing SGA law if it conflicts with this provision.
- B. No SGC Senate can enact a Bill or Resolution that affects the other unless proper consent is given by both SGC Speakers of the Senate and will not be carried out unless voted by the University Wide Council, which shall require two-thirds (2/3rd) vote of not less than quorum.
- C. Senate shall not deny speaking privileges in the Student Senate to the SGC President, Vice President, Comptroller, or any other official within SGA or elsewhere discussing business of nature to the SG councils.
- D. Shall convene as prescribed by Sunshine State Laws
- E. Conduct any vote in secret ballot unless as prescribed in the SGC Statutes

ARTICLE V
EXECUTIVE BRANCH

Section 1 Leadership of University Park & Biscayne Bay

Each SGC executive power shall be vested in a President and assisted by a Vice President, and Comptroller and such administrative officers as the President shall appoint in accordance with this Article and by Statute.

Section 2 **Election of Executive & Terms**

- A. The President and Vice President from each campus running on a ticket shall be elected by the students in the Spring Elections by plurality.
1. Members of the Executive Branch shall be elected for terms of one (1) year
 2. No person shall hold the office of SGC President for more than two (2) terms.
 3. 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.

Section 3 **Qualifications**

A. President and Vice President

1. 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;
2. May not be under any academic or disciplinary sanction as detailed in the Student Code of Conduct to run for and hold office;
3. Must maintain no less than a 2.5 cumulative undergraduate grade point average and 2.0 term grade point average 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;
4. Must have held at least one SGA position for at least two (2) academic semesters and/or 154 consecutive days, prior to the first day of official campaigning in Spring Elections; an exception to this section is a member succeeding to the office of President;
 - i. Vice Presidential candidates are exempt from this provision.
5. Must be of at least sophomore standing to run and hold office, and having attended FIU for at least one year;
6. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
7. In his/her semester of graduation he/she is exempt from the nine (9) undergraduate credit hour requirements, but must maintain a minimum of three (3) credit hours,
8. May run for or hold office on only one SGC at a time;
9. May run for only one position on a Council during any general or special election;
10. Must not exceed term limits as described in this article Section 2.

Section 4 **Duties of the SGC President**

A. University Park

1. Shall be the chief executive of SGC-UP
2. Administer and ensure that all provisions of this Constitution and Statutes are faithfully executed
3. Preside over the SGC Executive 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 Statutes;
4. Represent the interests of the SGC-UP to the administration and faculty
5. Attend or send a designee to Senate meetings;
6. Appoint or create positions not provided for in this Constitution or SGC Statutes.

- i. All appointments shall still require Senate approval as prescribed in Article IX Section 4.
- 7. Serve on and/or nominate and/or appoint individual students to University Park committees; such provision shall still require Senate approval as prescribed in Article IV.
 - i. University Wide committees must follow guidelines as expressed in Section 4, Article IX.
- 8. Have the power to convene special SGC-UP executive meetings,
- 9. Can convene meetings of the full SGC-UP Council, to include the Executive and Legislative bodies, and be the presiding officer in times of need, urgency, and/or to give reports.
- 10. Shall serve on the University Wide Council and University Wide Budget Committee as a voting member
- 11. Serve as student Trustee on the Board of Trustee and serve on the University Wide Council.
- 12. Shall have any other power or duty as prescribed by this Constitution and/or SGC Statutes

B. Biscayne Bay Campus

- 1. Shall be the chief executive of SGC-BBC
- 2. Administer and ensure that all provisions of this Constitution and Statutes are faithfully executed
- 3. Preside over the SGC Executive 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 Statutes;
- 4. Represent the interests of the SGC-BBC to the administration and faculty
- 5. Attend or send a designee to Senate meetings;
- 6. Appoint or create positions not provided for in this Constitution or SGC Statutes.
 - i. All appointments shall still require Senate approval as prescribed in Article IV.
- 7. Serve on and/or nominate and/or appoint individual students to Biscayne Bay committees; such provision shall still require Senate approval as prescribed in Article IV.
 - i. University Wide committees must follow guidelines as expressed in Section 8, Article IV
- 8. Have the power to convene special SGC-BBC executive meetings
- 9. Can convene meetings of the full SGC-BBC Council, to include the Executive and Legislative bodies, and be the presiding officer in times of need, urgency, and/or to give reports
- 10. Shall serve on the University Wide Council and University Wide Budget Committee as a voting member
- 11. Serve on the FIU Foundation Board of Directors
- 12. Shall have any other power or duty as prescribed by this Constitution and/or SGC Statutes

Section 5 Powers of SGC Presidents

A. Presidential Veto Power

1. SGC President must act on legislation passed by the Senate by either signing to enact or veto. The President will have five (5) business days to sign passed legislations. Legislation failing to acquire the President's signature shall pass as law. Veto legislation shall require the two-thirds (2/3rd) vote of not less than quorum of Senate.
2. The President shall also have line item veto power on legislation.
 - a. In overriding the use of "the line item veto," the senate will be able to overturn it on a line-by-line basis.
 - b. The President must give written explanation of vetoed legislation and line item vetoed legislation within five (5) days of action.
3. The President can only sign and veto legislation from the council he/she serves.

Section 6 **Duties and Power of the Vice President**

- A. Fulfill all the duties of the SGC President of that campus in the absence of the President as detailed in the Constitution and SGC Statutes
- B. Serve as President of the Senate and abide by the rules as prescribed in Article IV and SGC Statutes
- C. Shall serve on the University Wide Council as voting member
- D. Shall serve on the University Wide Budget Committee as voting member
- E. Shall have any other power or duty as prescribed by law and/or SGC Statutes

Section 7 **Duties and Power of the SGC Comptroller**

- A. Serve as the Chief Financial Officer for his/her respected SGC and SGC funded entities.
- B. Shall assist the Vice President for Student Affairs or his/her designee(s) in the management and disbursement of SGC funds
- C. Shall serve as a non-voting member of the Finance committee
- D. Shall serve on the University Wide Council as a non-voting member
- E. Shall serve on the University Wide Budget Committee as a voting member
- F. The Comptroller can reject request of funds provided that explanation is given to the SGC funded entity and meets the stipulations as prescribed in the SGC Statutes
- G. Shall have any other power or duty as prescribed by law and/or SGC Statutes

Section 8 **Executive Cabinet**

- A. There shall be a cabinet determined in size and structure by the SGC President and Vice President on each campus that shall assist and advise the executive leadership.
- B. The members of the cabinet shall be selected by the President and Vice President with majority vote of approval from the Senate.
 - 1. The President has the power to remove at his/her discretion any officer appointed to a position in the Executive branch without Senate approval
- C. Cabinet members will be required to report to the Senate as prescribed in the SGC Statutes the status of major projects and accomplishments of the term year.

Section 9 **Executive Office of the President**

- A. The Executive Office shall serve as the means through which the President and Vice President can execute their constitutional powers and carry out their administrations' programs, projects, and agenda. The purpose of the Executive Office and its divisions is to provide information and assistance to the President and Vice President in a particular area or field of expertise.
- B. The President may organize the Executive Office, as he/she deems necessary and proper within the limits imposed upon him/her by each SGC Statutes.

Section 10 **Governing Council**

- A. University Park
 - 1. Governing Councils under SGC jurisdiction are:
 - a. Residential Housing Association (RHA)
 - b. Council of Student Organizations (CSO)
 - c. Student Programming Council (SPC)
 - d. Homecoming Council (HC)
 - e. Panther Rage (PR)
 - f. Multi-faith Council (MC)
 - g. Greek Council (GC)
 - h. Graduate Student Association (GSA)
 - i. Black Student Union (BSU)
- B. Biscayne Bay
 - 1. Governing Councils under SGC jurisdiction are:
 - a. Bay Vista Hall Council (BVHC)
 - b. Student Organizations Council (SOC)
 - c. Student Programming Council (SPC)
 - d. Panther Power (PP)
 - e. Graduate Student Association (GSA)
 - f. Black Student Union (BSU)

- C. Governing Council Presidents shall be required to attend SGC Executive meetings and/or attend separate meetings as designated by the SGC President to facilitate cooperation between their organizations.
- D. Governing Council Presidents or appointed designee shall provide a timely report to the Senate as prescribed by this Constitution and SGC Statutes.
- E. Shall be elected by their respective organizations and maintain organizational constitutions.
 - 1. Shall not have any provisions in their constitution that supersedes SGC laws and guidelines
- F. SGC officials shall be exempt from the nine (9) credit hour requirement, their semester of graduation but must maintain at least three (3) credit hours.
- G. Shall abide by the SGC Constitution and Statutes
- H. No SGC official, appointed, or elected, shall have any authority not specified in this document, the SGC Statutes, or as may be granted to him/her by majority vote of their respected SGC.

ARTICLE VI **JUDICIAL BRANCH**

Section 1 **Judicial**

Judicial power of the Student Body shall be vested in a Supreme Court of the Student Government Association.

Section 2 **Composition**

- A. The SGC Supreme Court shall be composed of one (1) Chief Justice and four (4) justices.
- B. The Chief Justice shall be the chief administrative officer of the judicial system
- C. The Chief Justice and the justices shall apply and approved by the required majority vote of the Senate not less than quorum.

Section 3 **Qualifications**

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

- C. 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 their SGC;
- D. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding the summer semester;
- E. 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;

Section 4 Jurisdiction and Powers

- A. The SGCs Supreme Courts shall interpret any provision of the constitution and governing councils' constitutions and/or any law upon written
- B. The Supreme Court shall have jurisdiction:
 - 1. Over issues and concerns involving questions of the constitutionality of actions by student governing groups, organizations and their representatives
 - 2. Over conflicts between student groups
 - 3. Violations of the Student Body Constitution and Statutes
- C. The Supreme Court must negate and remove existing Student Government Statutes, Appropriations, Law, Joint Resolution, Executive Order, and/or Senatorial policy that conflicts with any Federal, state, local law and/or ordinance or University regulation
- D. Subpoena Power:
 - 1. The Supreme Court shall have the power to issue subpoena over students having interest of effect in matters before the Court.
 - 2. Failure to comply may result in punishment deemed appropriate by the Supreme Court and approved with majority vote of the Senate.
- E. Justices may recues themselves from taking part in hearings or decisions on a complaint if they are an active member of the club or organization in the complaint
- F. Censure and Removal:
 - 1. The Court shall have the power to hear charges seeking the removal and/or censure of SGC members and Governing Council officials as expressed in Article VIII.

Section 5 Duties

- A. The Supreme Court will meet at least monthly or when deemed necessary by the Chief Justice

- B. Each year, during the week of September 17th the Supreme Courts of both SGCs shall convene and review the SGA Constitution and make recommendations to the University Wide Council for its update; this day will be called "FIU Constitution Day."
- C. Members of the Court will attend and successfully complete training through the department of Student Conduct and Conflict Resolution.

Section 5 **Terms & Limits**

- A. Members of the Supreme Court are not limited in terms, but must re-apply after every SGA term.
- B. Justices may be removed by two-thirds (2/3) vote of the Senate not less than quorum.

ARTICLE VII
UNIVERSITY-WIDE COUNCIL

Section 1 **Purpose**

- A. It is the responsibility of the University Wide Council, hereinafter to be referred to as the UWC, to represent and address students' needs on matters of university-wide, local, state, federal, and international concerns.
- B. The UWC also serves to aid in the coordination and support of the activities of each SGC.

Section 2 **Composition**

- A. The University Wide Council (UWC) shall be comprised of:
 - 1. Each SGC President
 - 2. Each SGC Vice President
 - 3. Each Speaker of the Senate
 - 4. Each Speaker Pro Tempore
- B. The UWC shall also be comprised of these non-voting members:
 - 1. Each SGC Comptroller
 - 2. Each Chief Justice
 - i. Must follow guidelines as prescribed in Section 3D

Section 3 **Duties**

- A. The UWC shall meet on the last academic calendar Wednesday of every month alternating between the University Park and Biscayne Bay Campus.
 - 1. The first meeting shall be at the SGA Retreat, and then alternate between the University Park and Biscayne Bay.
- B. The SGC President hosting shall set the agenda and chair the meeting

1. The other SGC President shall serve as Vice Chair of the meeting.
 2. The agenda shall be approved by majority of the UWC prior to the meeting.
- C. Quorum shall be fifty percent (50%) plus one; provided that at least two (2) members from each SGC is present
- D. The Chief Justice from the host campus must be present and serve as Parliamentarian of the meeting.
1. If not present an associate justice from the host campus can fulfill the duties
 2. The other Chief Justice should be present to serve as reference for the non-host campus judicial procedures and guidelines
 3. If not present an associate justice can be selected to fulfill the duties

Section 4 Powers

- A. The UWC shall make necessary appointments or create ad hoc committees it deems necessary to carry out the business of the UWC
1. Appointments to UWC committees require majority vote of the members not less than quorum.
- B. The UWC may propose Constitutional amendments in a form of a University Wide Bill after:
1. Securing a majority vote of approval not less than quorum from each SGC Senate
 - i. Constitutional amendments failing to receive majority approval from whichever Senate must require two-thirds (2/3) vote from the Senate that passed the bill to override and secure a majority vote from the UWC members.
 2. Proposed Constitutional amendments must be ratified in a student body election
- C. The UWC may propose university-wide statutes or SGA Bylaws consistent with this Constitution, which are necessary and proper for the general welfare of the entire student body.
- D. The UWC shall be allowed to enact Resolutions expressing the opinions and needs of the entire student body
- E. The UWC shall have the power to enact University Wide Bills hereinafter referred to as a UWB.
1. These bills will not be carried out unless voted by the UWC, which shall require two-thirds (2/3rd) vote of not less than quorum.
 2. Constitutional UWBs need to follow the guidelines as mentioned in Section 4C
 3. UWBs are legislation that create and implement University Wide committees and/or projects and initiatives
- F. Vote on the budget from the University Wide Budget committee.
- G. The UWC shall provide for the compilation and publication of legislation to be referred to as the SGA Statutes, this compilation shall include each SGC statutes and/or bylaws and University Wide bills and resolutions.

Section 5 **Limits**

- A. The UWC shall not enact a Bill without the consent of each SGC Senate.
 - 1. Speakers of the Senate must acquire majority vote of not less than quorum from their Senate to introduce a bill to the UWC
- B. The UWC shall not enact a Bill that conflicts with or violates any Federal law, State law, Local law, or ordinance. The host SGC Judicial Branch shall negate and remove, if presented for Judicial Review, existing SGA law if it conflicts with this provision.
- C. The UWC cannot enact a Bill or Resolution that affects the other unless proper consent is given by both SGC Speakers of the Senate and will not be carried out unless voted by the University Wide Council, which shall require two-thirds (2/3rd) vote of not less than quorum.
- D. The UWC shall not deny speaking privileges to any official within SGA or elsewhere discussing business of nature to the SG councils.
- E. Shall convene as prescribed by Sunshine State Laws
- F. Conduct any vote in secret ballot unless in the selection of University Wide Committees and/or as prescribed in the University Wide SGA Statutes.

Section 6 **Governing Councils of the UWC**

- A. The University Wide Council (UWC) will aid each SGC Senate in overseeing the duties and functions of these university wide organizations:
 - a. Graduate Student Association (GSA)
 - b. Black Student Union (BSU)
- B. Each organization will be responsible for reporting to the UWC at each UWC scheduled meeting.

Section 7 **University Wide Budget Committee**

- A. The purpose of the University Wide Budget Committee hereinafter to be referred to, as the Budget Committee (BC) will be to draft the SGA University Wide budget and overseer of the SGA University Wide reserve accounts.
- B. The composition of the University Wide Budget Committee shall be:
 - 1. Each SGC President
 - 2. Each SGC Vice President
 - 3. Each SGC Speaker of the Senate
 - 4. Each SGC Comptroller
 - 5. SGC-UP Finance Chair

- C. The BBC and Broward 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 Broward Pines Center remaining after the allocation of:
 - 1. Fixed expenses
 - 2. SGA University-Wide accounts
- D. The Broward Pines Center shall be funded from the total amount allocated to SGC-BBC and shall be at the sole discretion of the SGC-BBC
- E. The Engineering Center shall be funded from the total amount allocated to SGC-UP and shall be at the sole discretion of the SGC-UP
- F. Each SGC Senate shall be responsible for approving their campus specific budgets by a two-thirds (2/3) vote of not less than quorum.
- G. The University Wide budget must be approved by two-thirds (2/3) vote of not less than quorum of the University Wide Council.
 - 1. Failure for the University Wide budget to secure the necessary votes shall go back to the University Wide Budget Committee until the budget is approved and then signed by the University President and/or designee.
- H. Campus specific budgets failing to secure the necessary votes will go back to the respected Finance committee for modification until the budget is approved and then signed by the SGC President.

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 Senators 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 Senators 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. Any student has the right to call for a University-wide initiative/referendum; or recall a general or special election if a petition signed by at least 20% of the number of students that voted in the most recent general election is submitted as specified by Statutes. Student Body enrollment

figures shall be determined by the Registrar's Office at the time of the initiative/referendum/recall.

- F. All elected SGC positions are held for one year, with the terms beginning the first day of Summer semester and ending the last day prior to the following Summer semester.
- G. 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 Senators 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 **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 Statues.

ARTICLE X
VACANCIES AND SUCCESSION

- A. Permanent absences, resignation, or removal of the SGC President; then the proper order of succession shall be:
1. Vice President or
 2. Speaker of the Senate or
 3. Speaker Pro Tempore or
 4. Finance Chair
- B. In the event that order of succession is exhausted, the Senate shall convene to select a President until special elections can be called for, the selection of this President shall require two-thirds (2/3rd) votes of the Senate not less than quorum.
- C. The new SGC President shall appoint the Vice President, this appointment must be approved by a two-thirds (2/3rd) vote of the SGC Senate.

ARTICLE XI
TERM LIMITS

- A. 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 XII
BUDGET

- A. 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 XIII
AMENDMENTS

- A. 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:
- B. Amendments to this Constitution may be proposed by either a petition of five (5) percent of the total student population

- C. The UWC may propose Constitutional amendments in a form of a University Wide Bill after:
 - 1. Securing a majority vote of approval not less than quorum from each SGC Senate
 - a. Constitutional amendments failing to receive majority approval from whichever Senate must require two-thirds (2/3) vote from the Senate that passed the bill to override and secure a majority vote from the UWC members.
- D. Proposed Constitutional amendments must be ratified in a student body election
- E. 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.
- F. Final ratification of consent shall be given by the Vice President of Student Affairs.

ARTICLE XIV
SGC STATUTES

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

ARTICLE XV
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. 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.
- D. SGC Senators, excluding the Speaker, shall receive annually an amount up to twenty-five percent (25%) of the President's pay,
- E. Salaries for other appointed or elected positions of each SGC, including such positions as Director of Student Legislative Affairs, Chief Justice, and Elections Commissioner; shall be left to the discretion of the individual executive council of each campus, but cannot exceed the annual salary of the Speaker of the Senate

- F. Members or appointed individuals of each SGC holding more than one (1) position shall receive remuneration for only one (1) position, whichever is highest.
- G. Remuneration will be through a payroll method;
- H. Hours and wages for appointed elected positions will be distributed according to the allocation of funds to each SGC's emolument account;
- I. Each SGC shall assist in the selection, appointment, evaluation, and termination of personnel who perform professional and/or administrative functions in the SGC office. When appropriate, the SGC President and the SGC Advisor(s) will confer in the determination of job descriptions and compensation.

ARTICLE XVI
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 XVII
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 XVIII
DISSOLUTION

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



**FLORIDA INTERNATIONAL UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
CONSTITUTION**

PREAMBLE

We, the students of the Florida International University, desiring to produce and preserve a more cohesive Student Body shall establish a Student Government providing a form of representational government through which the individual student can affirmatively participate. This government shall facilitate the cooperation between the Student Body, Faculty, and Administration, and maintain the interests and concerns of the students to ensure that their rights and liberties are protected. Thus, we do hereby ordain and establish this Constitution of the Student Body of the Florida International University.

**ARTICLE I
STUDENT BODY**

Section 1 Name

The name of this organization shall be the Student Body of the Florida International University. The governing entity of the "Student Body" shall be the Student Government Association of the Florida International University; hereinafter referred to as SGA.

Section 2 Students Rights

- A. All students shall be entitled to vote in the Student Body elections; set guidelines shall be prescribed by each SGC Elections Codes as described in their Student Government Statutes.
- B. Student Government shall not discriminate on the bases of race, ethnicity, creed, sex, sexual orientation, gender identity and expression, national origin, age, religion, disability, or any other classification as provided by law. The denial of due process or the infringement of the substantive rights of any student will not be tolerated.
- C. No students shall be denied the right to freedom of expression, association, or assembly or to the access of the facilities necessary for the exercise of these rights.

Section 3 Purpose

- A. The purpose of this government shall include but not be limited to the following:
 - 1. Allocation of the Activity & Service Fee
 - 2. To provide official voice and action on behalf of the student body

3. Ensure that students concerns are addressed in the immediate governance of and policy development of Florida International University at all levels.
4. Evaluate and establish student programs and services
5. Encourage the betterment of educational standards, facilities and services

ARTICLE II **AUTHORITY**

Section 1 **Establishment of Power**

- 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 powers and duties of Student Government are set forth in this Constitution and by 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), these powers cannot be increased or decreased except by amendment to this Constitution or applicable by law.

Section 2 **Jurisdiction**

- A. All students by virtue of their registration at the Florida International University are members of the Student Body and are granted all the rights and privileges of this Constitution
- B. Members of the Student Body shall be subject to this Constitution, the Student Body Statutes, SGA Rules and Procedures, and to all University Rules & Regulations.

ARTICLE III **ORGANIZATION**

Section 1 **University Park and Biscayne Bay**

The SGA is composed of two (2) Student Government Councils (SGC), one (1) to represent the interests of students at the University Park and Engineering Center hereinafter referred to as (SGC-UP), and one (1) to represent the interests of students at the Biscayne Bay Campus and Broward Pines Center hereinafter referred to as (SGC-BBC).

Section 2 **Branches of Government**

- A. The powers of each SGC shall be divided into (Article IV) Legislative (Article V) Executive, and (Article VI) Judicial branches.
- B. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.
- C. No person shall hold office on more than one branch at a time.

ARTICLE IV
LEGISLATIVE BRANCH

Section 1

Legislative power of the Student Government Councils shall be vested in the Student Senate, hereinafter referred to as the Senate.

Section 2 **Composition**

A. The Student Senate of University Park shall be composed of:

a. Thirty (30) Senators which will be elected; the allocation of representation is listed within parenthesis of each College/School/etc listed below:

1. Architecture and the Arts (1)
2. Arts and Sciences (5)
3. Business Administration (3)
4. Education (2)
5. Engineering and Computing (2)
6. Nursing & Health Sciences (2)
7. Public Health (1)
8. Honors College (1)
9. Law (1)
10. Medicine (1)

ii. Divisional Senators

1. Two (2) Graduate Student Senators
2. Four (4) Lower Divisions Senators
3. Two (2) Housing Senators
4. Three (3) Senators at Large

B. The Student Senate of Biscayne Bay Campus shall be composed of:

a. Twenty (20) Senators which will be elected; the allocation of representation is listed within parenthesis of each College/School/etc listed below:

i. Senators from the following Colleges/Schools:

1. Arts and Sciences (2)
2. Business Administration (1)
3. Education (1)
4. Honors College (1)
5. Hospitality and Tourism Management (2)
6. Journalism and Mass Communication (2)
7. Nursing & Health Sciences (1)

ii. Divisional Senators:

1. One (1) Graduate Student Senators
2. Four (4) Lower Divisions Senators
3. One (1) Housing Senator
4. One (1) Broward Pines Center Senators
5. Three (3) Senators at Large

Section 3 Apportionment

If a new college is created with its own Dean or Associate Dean, a new Senate seat will be added to the SGC where the college/school is campus-based in the next election period. If additional on-campus living facilities are built, a possible Senate seat may be established on the SGC where the facility is based.

Section 4 Qualifications

A. Qualifications of Senators:

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. Senators of specific schools, colleges, or class levels must be accepted students of that school, college, or class level as defined in the SGA Statutes
3. May run for only one position in SGA during any general or special election;
4. May not be under any academic or disciplinary sanctions as detailed in the Student Code of Conduct to run for or hold office;
5. 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 their SGC;
6. Must maintain a minimum of nine (9) undergraduate credit hours;
7. Senators 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,
8. The Housing Senators must reside in their respected University on-campus housing in order to be eligible to run for and hold that office;
9. Graduate students shall be eligible to run for Housing, Graduate Senate, and Broward Pines seats only. 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 their 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 requirements, but must maintain at least three (3) credit hours.
10. Law students are only eligible to run for and hold Housing and Law senate seats.
11. 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-UP;
 - 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. Senators must meet qualifications prior to running and holding office.

Section 5 **Terms & Vacancies**

- A. Elected Senators shall be elected by plurality votes a term of one (1) year, starting the first day of the Summer A semester and ending the last day of the Spring semester.
- B. In the case of absences, removal or a vacancy of a Senator, the Senate may appoint a substitute to serve until the next special election is called or a special session in Senate is called by the Speaker of the Senate or 2/3rd of the Senate membership; but subject to the qualifications and terms enumerated in Section 4 of this article.

Section 6 **Senate Sessions**

- A. Each SGC Senate shall convene as prescribed in their Statutes.
- B. Summer sessions of Senate shall begin on the first day of summer classes and shall end at the end of the summer semester.
- C. Summer sessions shall have the entitlement of the same authority and powers as fall and spring semesters.
- D. Fall sessions of Senate shall begin on the first day of fall classes and shall end at the end of the fall semester.
- E. Spring sessions of Senate shall begin on the first day of spring classes and shall end at the end of the spring semester.
- F. Senate sessions shall not be called during holidays or breaks and/or when the University is closed.
- G. Each SGC shall convene as prescribed by Sunshine State Laws.

Section 7 **Officers of the Senate**

- A. The Vice President of each SGC will serve as President of the Senate in an ex-officio manner. As President of the Senate, he or she will chair the Senate, until a Speaker of the Senate is elected by majority of the Senate positions in office.
 1. The President of the Senate if acting chair of the Senate shall vote only in the case of a tie; once a Speaker of Senate is selected; the Vice President shall serve as liaison between the executive and legislative branch.

2. The Speaker of Senate as chair of the Senate shall retain their voting power.
- B. The Senate shall also elect a Speaker Pro Tempore to assist the Speaker of the Senate in all administrative duties of the legislative branch.
- C. The Chair of the Finance Committee shall be selected by members of Senate and be third in line in Senate leadership.

Section 8 **Powers of the Senate**

- A. Enact and diligently carryout all legislation necessary and proper for the general welfare of the Student Body.
- B. Enact constitutional bylaws to be known as Student Government Statutes with a majority vote of the Senate, with the exception of bylaws concerning elections, which shall require 2/3rd vote of the Senate.
- C. Determine its own rules and procedures and meeting times as determined in the Statutes with 2/3rd vote of the Senate; provided that quorum is met.
- D. Approve and allocate all Activity & Service expenditures; subject to the provisions of the Chapter 1009.24 (10b) of the Florida Statutes and Article IX of this constitution.
- E. Provide for the compilation and publication of legislation.
- F. Advice, consent, and/or approve all appointments and recommendations of the SGC President; especially University-campus specific committees by a majority of the Senate provided that quorum be met.
 1. University Wide committees shall be approved by the University Wide Council by a 2/3rd votes of the Council; provided that quorum is met.
- G. The Senate has the power to impeach all SGC officials elected and appointed for misfeasance, malfeasance, and/or nonfeasance of duty, or action contrary to or in violation of this Constitution, the Statutes of each SGC and the University Wide Statutes of Florida International University.
 1. Impeachment shall be instigated by one-third (1/3rd) vote of the SGC Senate leadership.
 2. Impeachment shall be defined as an accusation and charging of an individual with misfeasance, malfeasance, and/or nonfeasance of duty, to be tried before the Judicial Branch of the Student Government; with the Chief Justice presiding.
 3. Removal can only take place as deemed in the Statutes of Government listed under Judicial.
- H. The Senate shall establish means for active participation in the formulation of policies from the Student Body.

- I. Overturn a Presidential veto by 2/3rd votes of not less than quorum of that respected SGC Senate.
- J. The Senate shall have the power to create any committee necessary to the operation of the Senate, and to appoint and remove any committee chair by majority of committee members present. No member of the Senate may chair more than one committee, nor hold office in any other branch of Student Government.
 - 1. Serve on at least one (1) legislative
 - i. Legislative Committees:
 - 1. Finance Committee
 - 2. Operational Review Committee
 - 3. Student Advocacy Committee
 - 4. Internal Affairs Committee
 - 5. Rules, Legislation and Judiciary Committee
 - ii. The structure and purpose of these committees will be outlined within each SGC Statute.

Section 9 **Limits & Prohibitions**

- A. Senate shall not enact a Bill or Resolution that conflicts with or violates any Federal law, State law, Local law, or ordinance. The SGC Judicial Branch shall negate and remove, if presented for Judicial Review, existing SGA law if it conflicts with this provision.
- B. No SGC Senate can enact a Bill or Resolution that affects the other unless proper consent is given by both SGC Speakers of the Senate and will not be carried out unless voted by the University Wide Council, which shall require two-thirds (2/3rd) vote of not less than quorum.
- C. Senate shall not deny speaking privileges in the Student Senate to the SGC President, Vice President, Comptroller, or any other official within SGA or elsewhere discussing business of nature to the SG councils.
- D. Shall convene as prescribed by Sunshine State Laws
- E. Conduct any vote in secret ballot unless as prescribed in the SGC Statutes

ARTICLE V
EXECUTIVE BRANCH

Section 1 **Leadership of University Park & Biscayne Bay**

Each SGC executive power shall be vested in a President and assisted by a Vice President, and Comptroller and such administrative officers as the President shall appoint in accordance with this Article and by Statute.

Section 2 **Election of Executive & Terms**

- A. The President and Vice President from each campus running on a ticket shall be elected by the students in the Spring Elections by plurality.
1. Members of the Executive Branch shall be elected for terms of one (1) year
 2. No person shall hold the office of SGC President for more than two (2) terms.
 3. 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.

Section 3 **Qualifications**

- A. President and Vice President
1. 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;
 2. May not be under any academic or disciplinary sanction as detailed in the Student Code of Conduct to run for and hold office;
 3. Must maintain no less than a 2.5 cumulative undergraduate grade point average and 2.0 term grade point average 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;
 4. Must have held at least one SGA position for at least two (2) academic semesters and/or 154 consecutive days, prior to the first day of official campaigning in Spring Elections; an exception to this section is a member succeeding to the office of President;
 - i. Vice Presidential candidates are exempt from this provision.
 5. Must be of at least sophomore standing to run and hold office, and having attended FIU for at least one year;
 6. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding summer semester;
 7. In his/her semester of graduation he/she is exempt from the nine (9) undergraduate credit hour requirements, but must maintain a minimum of three (3) credit hours,
 8. May run for or hold office on only one SGC at a time;
 9. May run for only one position on a Council during any general or special election;
 10. Must not exceed term limits as described in this article Section 2.

Section 4 **Duties of the SGC President**

- A. University Park
1. Shall be the chief executive of SGC-UP
 2. Administer and ensure that all provisions of this Constitution and Statutes are faithfully executed
 3. Preside over the SGC Executive 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 Statutes;
 4. Represent the interests of the SGC-UP to the administration and faculty
 5. Attend or send a designee to Senate meetings;
 6. Appoint or create positions not provided for in this Constitution or SGC Statutes.

- i. All appointments shall still require Senate approval as prescribed in Article IX Section 4.
- 7. Serve on and/or nominate and/or appoint individual students to University Park committees; such provision shall still require Senate approval as prescribed in Article IV.
 - i. University Wide committees must follow guidelines as expressed in Section 4, Article IX.
- 8. Have the power to convene special SGC-UP executive meetings,
- 9. Can convene meetings of the full SGC-UP Council, to include the Executive and Legislative bodies, and be the presiding officer in times of need, urgency, and/or to give reports.
- 10. Shall serve on the University Wide Council and University Wide Budget Committee as a voting member
- 11. Serve as student Trustee on the Board of Trustee and serve on the University Wide Council.
- 12. Shall have any other power or duty as prescribed by this Constitution and/or SGC Statutes

B. Biscayne Bay Campus

- 1. Shall be the chief executive of SGC-BBC
- 2. Administer and ensure that all provisions of this Constitution and Statutes are faithfully executed
- 3. Preside over the SGC Executive 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 Statutes;
- 4. Represent the interests of the SGC-BBC to the administration and faculty
- 5. Attend or send a designee to Senate meetings;
- 6. Appoint or create positions not provided for in this Constitution or SGC Statutes.
 - i. All appointments shall still require Senate approval as prescribed in Article IV.
- 7. Serve on and/or nominate and/or appoint individual students to Biscayne Bay committees; such provision shall still require Senate approval as prescribed in Article IV.
 - i. University Wide committees must follow guidelines as expressed in Section 8, Article IV
- 8. Have the power to convene special SGC-BBC executive meetings
- 9. Can convene meetings of the full SGC-BBC Council, to include the Executive and Legislative bodies, and be the presiding officer in times of need, urgency, and/or to give reports
- 10. Shall serve on the University Wide Council and University Wide Budget Committee as a voting member
- 11. Serve on the FIU Foundation Board of Directors
- 12. Shall have any other power or duty as prescribed by this Constitution and/or SGC Statutes

Section 5 Powers of SGC Presidents

A. Presidential Veto Power

1. SGC President must act on legislation passed by the Senate by either signing to enact or veto. The President will have five (5) business days to sign passed legislations. Legislation failing to acquire the President's signature shall pass as law. Veto legislation shall require the two-thirds (2/3rd) vote of not less than quorum of Senate.
2. The President shall also have line item veto power on legislation.
 - a. In overriding the use of "the line item veto," the senate will be able to overturn it on a line-by-line basis.
 - b. The President must give written explanation of vetoed legislation and line item vetoed legislation within five (5) days of action.
3. The President can only sign and veto legislation from the council he/she serves.

Section 6 **Duties and Power of the Vice President**

- A. Fulfill all the duties of the SGC President of that campus in the absence of the President as detailed in the Constitution and SGC Statutes
- B. Serve as President of the Senate and abide by the rules as prescribed in Article IV and SGC Statutes
- C. Shall serve on the University Wide Council as voting member
- D. Shall serve on the University Wide Budget Committee as voting member
- E. Shall have any other power or duty as prescribed by law and/or SGC Statutes

Section 7 **Duties and Power of the SGC Comptroller**

- A. Serve as the Chief Financial Officer for his/her respected SGC and SGC funded entities.
- B. Shall assist the Vice President for Student Affairs or his/her designee(s) in the management and disbursement of SGC funds
- C. Shall serve as a non-voting member of the Finance committee
- D. Shall serve on the University Wide Council as a non-voting member
- E. Shall serve on the University Wide Budget Committee as a voting member
- F. The Comptroller can reject request of funds provided that explanation is given to the SGC funded entity and meets the stipulations as prescribed in the SGC Statutes
- G. Shall have any other power or duty as prescribed by law and/or SGC Statutes

Section 8 **Executive Cabinet**

- A. There shall be a cabinet determined in size and structure by the SGC President and Vice President on each campus that shall assist and advise the executive leadership.
- B. The members of the cabinet shall be selected by the President and Vice President with majority vote of approval from the Senate.
 - 1. The President has the power to remove at his/her discretion any officer appointed to a position in the Executive branch without Senate approval
- C. Cabinet members will be required to report to the Senate as prescribed in the SGC Statutes the status of major projects and accomplishments of the term year.

Section 9 Executive Office of the President

- A. The Executive Office shall serve as the means through which the President and Vice President can execute their constitutional powers and carry out their administrations' programs, projects, and agenda. The purpose of the Executive Office and its divisions is to provide information and assistance to the President and Vice President in a particular area or field of expertise.
- B. The President may organize the Executive Office, as he/she deems necessary and proper within the limits imposed upon him/her by each SGC Statutes.

Section 10 Governing Council

A. University Park

- 1. Governing Councils under SGC jurisdiction are:
 - a. Residential Housing Association (RHA)
 - b. Council of Student Organizations (CSO)
 - c. Student Programming Council (SPC)
 - d. Homecoming Council (HC)
 - e. Panther Rage (PR)
 - f. Multi-faith Council (MC)
 - g. Greek Council (GC)
 - h. Graduate Student Association (GSA)
 - i. Black Student Union (BSU)

B. Biscayne Bay

- 1. Governing Councils under SGC jurisdiction are:
 - a. Bay Vista Hall Council (BVHC)
 - b. Student Organizations Council (SOC)
 - c. Student Programming Council (SPC)
 - d. Panther Power (PP)
 - e. Graduate Student Association (GSA)
 - f. Black Student Union (BSU)

- C. Governing Council Presidents shall be required to attend SGC Executive meetings and/or attend separate meetings as designated by the SGC President to facilitate cooperation between their organizations.
- D. Governing Council Presidents or appointed designee shall provide a timely report to the Senate as prescribed by this Constitution and SGC Statutes.
- E. Shall be elected by their respective organizations and maintain organizational constitutions.
 - 1. Shall not have any provisions in their constitution that supersedes SGC laws and guidelines
- F. SGC officials shall be exempt from the nine (9) credit hour requirement, their semester of graduation but must maintain at least three (3) credit hours.
- G. Shall abide by the SGC Constitution and Statutes
- H. No SGC official, appointed, or elected, shall have any authority not specified in this document, the SGC Statutes, or as may be granted to him/her by majority vote of their respected SGC.

ARTICLE VI
JUDICIAL BRANCH

Section 1 **Judicial**

Judicial power of the Student Body shall be vested in a Supreme Court of the Student Government Association.

Section 2 **Composition**

- A. The SGC Supreme Court shall be composed of one (1) Chief Justice and four (4) justices.
- B. The Chief Justice shall be the chief administrative officer of the judicial system
- C. The Chief Justice and the justices shall apply and approved by the required majority vote of the Senate not less than quorum.

Section 3 **Qualifications**

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

- C. 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 their SGC;
- D. Must maintain a minimum of nine (9) undergraduate or six (6) graduate credit hours for each semester in office, excluding the summer semester;
- E. 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;

Section 4 Jurisdiction and Powers

- A. The SGCs Supreme Courts shall interpret any provision of the constitution and governing councils' constitutions and/or any law upon written
- B. The Supreme Court shall have jurisdiction:
 - 1. Over issues and concerns involving questions of the constitutionality of actions by student governing groups, organizations and their representatives
 - 2. Over conflicts between student groups
 - 3. Violations of the Student Body Constitution and Statutes
- C. The Supreme Court must negate and remove existing Student Government Statutes, Appropriations, Law, Joint Resolution, Executive Order, and/or Senatorial policy that conflicts with any Federal, state, local law and/or ordinance or University regulation
- D. Subpoena Power:
 - 1. The Supreme Court shall have the power to issue subpoena over students having interest of effect in matters before the Court.
 - 2. Failure to comply may result in punishment deemed appropriate by the Supreme Court and approved with majority vote of the Senate.
- E. Justices may recues themselves from taking part in hearings or decisions on a complaint if they are an active member of the club or organization in the complaint
- F. Censure and Removal:
 - 1. The Court shall have the power to hear charges seeking the removal and/or censure of SGC members and Governing Council officials as expressed in Article VIII.

Section 5 Duties

- A. The Supreme Court will meet at least monthly or when deemed necessary by the Chief Justice

- B. Each year, during the week of September 17th the Supreme Courts of both SGCs shall convene and review the SGA Constitution and make recommendations to the University Wide Council for its update; this day will be called "FIU Constitution Day."
- C. Members of the Court will attend and successfully complete training through the department of Student Conduct and Conflict Resolution.

Section 5 Terms & Limits

- A. Members of the Supreme Court are not limited in terms, but must re-apply after every SGA term.
- B. Justices may be removed by two-thirds (2/3) vote of the Senate not less than quorum.

**ARTICLE VII
UNIVERSITY-WIDE COUNCIL**

Section 1 Purpose

- A. It is the responsibility of the University Wide Council, hereinafter to be referred to as the UWC, to represent and address students' needs on matters of university-wide, local, state, federal, and international concerns.
- B. The UWC also serves to aid in the coordination and support of the activities of each SGC.

Section 2 Composition

- A. The University Wide Council (UWC) shall be comprised of:
 - 1. Each SGC President
 - 2. Each SGC Vice President
 - 3. Each Speaker of the Senate
 - 4. Each Speaker Pro Tempore
- B. The UWC shall also be comprised of these non-voting members:
 - 1. Each SGC Comptroller
 - 2. Each Chief Justice
 - i. Must follow guidelines as prescribed in Section 3D

Section 3 Duties

- A. The UWC shall meet on the last academic calendar Wednesday of every month alternating between the University Park and Biscayne Bay Campus.
 - 1. The first meeting shall be at the SGA Retreat, and then alternate between the University Park and Biscayne Bay.
- B. The SGC President hosting shall set the agenda and chair the meeting

1. The other SGC President shall serve as Vice Chair of the meeting.
 2. The agenda shall be approved by majority of the UWC prior to the meeting.
- C. Quorum shall be fifty percent (50%) plus one; provided that at least two (2) members from each SGC is present
- D. The Chief Justice from the host campus must be present and serve as Parliamentarian of the meeting.
1. If not present an associate justice from the host campus can fulfill the duties
 2. The other Chief Justice should be present to serve as reference for the non-host campus judicial procedures and guidelines
 3. If not present an associate justice can be selected to fulfill the duties

Section 4 Powers

- A. The UWC shall make necessary appointments or create ad hoc committees it deems necessary to carry out the business of the UWC
1. Appointments to UWC committees require majority vote of the members not less than quorum.
- B. The UWC may propose Constitutional amendments in a form of a University Wide Bill after:
1. Securing a majority vote of approval not less than quorum from each SGC Senate
 - i. Constitutional amendments failing to receive majority approval from whichever Senate must require two-thirds (2/3) vote from the Senate that passed the bill to override and secure a majority vote from the UWC members.
 2. Proposed Constitutional amendments must be ratified in a student body election
- C. The UWC may propose university-wide statutes or SGA Bylaws consistent with this Constitution, which are necessary and proper for the general welfare of the entire student body.
- D. The UWC shall be allowed to enact Resolutions expressing the opinions and needs of the entire student body
- E. The UWC shall have the power to enact University Wide Bills hereinafter referred to as a UWB.
1. These bills will not be carried out unless voted by the UWC, which shall require two-thirds (2/3rd) vote of not less than quorum.
 2. Constitutional UWBs need to follow the guidelines as mentioned in Section 4C
 3. UWBs are legislation that create and implement University Wide committees and/or projects and initiatives
- F. Vote on the budget from the University Wide Budget committee.
- G. The UWC shall provide for the compilation and publication of legislation to be referred to as the SGA Statutes, this compilation shall include each SGC statutes and/or bylaws and University Wide bills and resolutions.

Section 5 **Limits**

- A. The UWC shall not enact a Bill without the consent of each SGC Senate.
 - 1. Speakers of the Senate must acquire majority vote of not less than quorum from their Senate to introduce a bill to the UWC
- B. The UWC shall not enact a Bill that conflicts with or violates any Federal law, State law, Local law, or ordinance. The host SGC Judicial Branch shall negate and remove, if presented for Judicial Review, existing SGA law if it conflicts with this provision.
- C. The UWC cannot enact a Bill or Resolution that affects the other unless proper consent is given by both SGC Speakers of the Senate and will not be carried out unless voted by the University Wide Council, which shall require two-thirds (2/3rd) vote of not less than quorum.
- D. The UWC shall not deny speaking privileges to any official within SGA or elsewhere discussing business of nature to the SG councils.
- E. Shall convene as prescribed by Sunshine State Laws
- F. Conduct any vote in secret ballot unless in the selection of University Wide Committees and/or as prescribed in the University Wide SGA Statutes.

Section 6 **Governing Councils of the UWC**

- A. The University Wide Council (UWC) will aid each SGC Senate in overseeing the duties and functions of these university wide organizations:
 - a. Graduate Student Association (GSA)
 - b. Black Student Union (BSU)
- B. Each organization will be responsible for reporting to the UWC at each UWC scheduled meeting.

Section 7 **University Wide Budget Committee**

- A. The purpose of the University Wide Budget Committee hereinafter to be referred to, as the Budget Committee (BC) will be to draft the SGA University Wide budget and overseer of the SGA University Wide reserve accounts.
- B. The composition of the University Wide Budget Committee shall be:
 - 1. Each SGC President
 - 2. Each SGC Vice President
 - 3. Each SGC Speaker of the Senate
 - 4. Each SGC Comptroller
 - 5. SGC-UP Finance Chair

- C. The BBC and Broward 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 Broward Pines Center remaining after the allocation of:
 - 1. Fixed expenses
 - 2. SGA University-Wide accounts
- D. The Broward Pines Center shall be funded from the total amount allocated to SGC-BBC and shall be at the sole discretion of the SGC-BBC
- E. The Engineering Center shall be funded from the total amount allocated to SGC-UP and shall be at the sole discretion of the SGC-UP
- F. Each SGC Senate shall be responsible for approving their campus specific budgets by a two-thirds (2/3) vote of not less than quorum.
- G. The University Wide budget must be approved by two-thirds (2/3) vote of not less than quorum of the University Wide Council.
 - 1. Failure for the University Wide budget to secure the necessary votes shall go back to the University Wide Budget Committee until the budget is approved and then signed by the University President and/or designee.
- H. Campus specific budgets failing to secure the necessary votes will go back to the respected Finance committee for modification until the budget is approved and then signed by the SGC President.

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 Senators 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 Senators 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. Any student has the right to call for a University-wide initiative/referendum; or recall a general or special election if a petition signed by at least 20% of the number of students that voted in the most recent general election is submitted as specified by Statutes. Student Body enrollment

figures shall be determined by the Registrar's Office at the time of the initiative/referendum/recall.

- F. All elected SGC positions are held for one year, with the terms beginning the first day of Summer semester and ending the last day prior to the following Summer semester.
- G. 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 Senators 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 **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 Statues.

ARTICLE X
VACANCIES AND SUCCESSION

- A. Permanent absences, resignation, or removal of the SGC President; then the proper order of succession shall be:
1. Vice President or
 2. Speaker of the Senate or
 3. Speaker Pro Tempore or
 4. Finance Chair
- B. In the event that order of succession is exhausted, the Senate shall convene to select a President until special elections can be called for, the selection of this President shall require two-thirds (2/3rd) votes of the Senate not less than quorum.
- C. The new SGC President shall appoint the Vice President, this appointment must be approved by a two-thirds (2/3rd) vote of the SGC Senate.

ARTICLE XI
TERM LIMITS

- A. 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 XII
BUDGET

- A. 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 XIII
AMENDMENTS

- A. 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:
- B. Amendments to this Constitution may be proposed by either a petition of five (5) percent of the total student population

- C. The UWC may propose Constitutional amendments in a form of a University Wide Bill after:
 - 1. Securing a majority vote of approval not less than quorum from each SGC Senate
 - a. Constitutional amendments failing to receive majority approval from whichever Senate must require two-thirds (2/3) vote from the Senate that passed the bill to override and secure a majority vote from the UWC members.
- D. Proposed Constitutional amendments must be ratified in a student body election
- E. 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.
- F. Final ratification of consent shall be given by the Vice President of Student Affairs.

ARTICLE XIV
SGC STATUTES

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

ARTICLE XV
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. 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.
- D. SGC Senators, excluding the Speaker, shall receive annually an amount up to twenty-five percent (25%) of the President's pay,
- E. Salaries for other appointed or elected positions of each SGC, including such positions as Director of Student Legislative Affairs, Chief Justice, and Elections Commissioner; shall be left to the discretion of the individual executive council of each campus, but cannot exceed the annual salary of the Speaker of the Senate

- F. Members or appointed individuals of each SGC holding more than one (1) position shall receive remuneration for only one (1) position, whichever is highest.
- G. Remuneration will be through a payroll method;
- H. Hours and wages for appointed elected positions will be distributed according to the allocation of funds to each SGC's emolument account;
- I. Each SGC shall assist in the selection, appointment, evaluation, and termination of personnel who perform professional and/or administrative functions in the SGC office. When appropriate, the SGC President and the SGC Advisor(s) will confer in the determination of job descriptions and compensation.

ARTICLE XVI
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 XVII
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 XVIII
DISSOLUTION

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