



STEPHEN F. AUSTIN STATE UNIVERSITY

THE UNIVERSITY OF TEXAS SYSTEM
NACOGDOCHES, TEXAS



THE CONSTITUTION

OF THE STUDENT GOVERNMENT ASSOCIATION

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ARTICLE I: PURPOSE

Free inquiry, expression, and the responsible use thereof are essential attributes of the community of scholars. As members of that community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for the truth. The freedom to learn depends upon the appropriate opportunities and conditions in the classroom, on campus, and in the larger community. The responsibility to secure and respect general conditions conducive to the freedom to learn is shared by all members of the academic community, Stephen F. Austin State University has a duty to develop policies and procedures, which provide and safeguard the freedom to learn. Such policies and procedures should be developed with the broadest possible participation of the members of the academic community defined. We, the students of Stephen F. Austin State University, in order to assume the privileges and responsibilities of self-government and to promote the welfare of the student body, do hereby adopt and establish this constitution.

ARTICLE II: NAME

SECTION 1: OFFICIAL NAME

- A. The official name of this organization will be the Student Government Association (SGA) of Stephen F. Austin State University (SFASU), a member of the University of Texas System.

SECTION 2: JURISDICTION

- A. This organization will serve as the governing body for the students of Stephen F. Austin State University.
- B. This constitution has precedence over all other governing documents of the Student Government Association of Stephen F. Austin State University.

ARTICLE III: MEMBERSHIP

SECTION I: ELECTIONS AND APPOINTMENTS

- A. The Student Government Association offers two types of membership, elected and appointment.

SECTION 2: BRANCHES

- A. There are three branches within the Student Government Association:
 - a. The Executive Branch;
 - b. The Legislative Branch;
 - c. The Judicial Branch.

SECTION 3: MEMBERSHIP LIMITATIONS

- A. Any elected or appointed member of SGA may only hold membership within one (1) branch of SGA at any given point within their membership.
- B. If a member wishes to transfer to another branch outside of their current branch resided within, they must first renounce their position in the branch they wish to vacate.

ARTICLE IV: EXECUTIVE BRANCH

SECTION 1: EXECUTIVE AUTHORITY

- A. All executive powers of the Student Government Association of Stephen F. Austin State University will be vested in the Executive Branch as outlined in the Bylaws of the Student Government Association.

SECTION 2: OFFICERS

- A. Student Body President
- B. Student Body Vice-President

SECTION 3: REQUIREMENTS

- A. Have at least a 2.5 GPA at the time of the election and maintain that GPA throughout their term.
- B. Not be on disciplinary probation.
- C. Be enrolled for a minimum of twelve (12) semester hours as an undergraduate or six (6) hours as a graduate student at Stephen F. Austin State University and maintain those hours throughout the duration of their term.
 - a. If in their final semester, the number of enrolled hours may be only what is required to finish their degree.
- D. Attended Stephen F. Austin State University as a student for at least two (2) consecutive regular¹¹ semesters immediately preceding election to office, including the semester in which the election is held.
 - a. If the student participates and successfully completes an internship endorsed by an accredited college/ university, the internship absence will not be counted as an interruption of the two (2) consecutive regular semester rule; however,
 - b. The candidate must be present during the semester that the election is held and the semester immediately preceding the election.
- E. Any person wishing to run for an executive office must have experience within the Student Government Association at Stephen F. Austin State University.
 - a. This is constituted as serving in some capacity in the Student Government Association as being active during the semester of the election.
 - i. Active participation within the Student Government Association is defined as attending over half of the general scheduled meetings of the

¹ Regular semesters are defined as either Fall or Spring

Student Government Association within a given semester.

SECTION 4: ELECTION AND TERM OF OFFICE

- A. The Student Body President and Student Body Vice-President will be elected by a majority vote of the registered students of Stephen F. Austin State University during the spring semester general elections, for those offices respectively.
- B. The Student Body President and Student Body Vice-President will serve terms of one (1) year beginning immediately following their oath.
 - a. If the Student Body President and Student Body Vice-President are not re-elected, they will relinquish their offices following the regular spring elections and installation of the newly elected officers.
- C. All appointed officers will assume office upon approval of the Senate and taking of oath and will relinquish office following the regular spring elections and installation of the newly elected officers unless re-elected.
- D. Officers elected in special elections or appointed to office will serve until the next regularly scheduled election of appointment for their respective office.

SECTION 5: REMOVAL OF EXECUTIVE OFFICERS

- A. The Student Body President and Student Body Vice-President may only be removed from office through the process of impeachment or by the Advisor of the Student Government Association.
 - a. In such a case, their monetary compensation will be terminated upon final removal.

SECTION 6: THE FILLING OF VACANT OFFICERS

- A. In the event that no person shall seek the office of the Student Body President or Student Body Vice-President, thus rendering the offices vacant, the Internal Affairs Committee shall offer nominations to the Senate.
 - a. A two-thirds ($\frac{2}{3}$) majority vote of the Senate is required to approve the nominations offered by the Internal Affairs Committee.
- B. If at any time the Student Body Presidential seat becomes vacant, the Student Body Vice-President shall assume the seat as Student Body President and will appoint a new Student Body Vice-President with approval of the Senate, via a two-thirds ($\frac{2}{3}$) majority vote.
- C. If the Student Body Vice-President seat becomes vacant, the current Student Body President will appoint a new Student Body Vice-President with the approval of a two-thirds ($\frac{2}{3}$) vote of the Senate.
- D. If the Presidential and Vice-Presidential seats become vacant at a time other than elections, the Speaker of the Senate will become the Student Body President.
 - a. The new Student Body President will then appoint a new Student Body Vice-President, pending a two-thirds ($\frac{2}{3}$) majority vote of the Senate.
 - b. The Senate will elect a new Speaker of the Senate.

ARTICLE V: LEGISLATIVE BRANCH

SECTION 1: LEGISLATIVE AUTHORITY

- A. All legislative powers of the Student Government Association of Stephen F. Austin State University will be vested in the Legislative Branch.

SECTION 2: OFFICERS OF THE LEGISLATIVE BRANCH

- A. Speaker of the Senate
- B. Sergeant-At-Arms
- C. Committee Chairs
 - a. Committee Vice-Chairs

SECTION 3: MEMBERS OF THE SENATE

- A. There are five (5) off-campus Senatorial seats.
- B. Each class² will receive one (1) Senatorial seat per 750 class members³.
- C. Academic colleges⁴ will receive one (1) Senatorial seat per 750 students enrolled in each respective college.
- D. Each Greek Council⁵ will receive one (1) Senatorial seat to represent their council respectively per 750 active members.
- E. Athletics will receive two (2) senatorial seats.
- F. Student Involvement will have two (2) senatorial seats.
- G. Every class, college, and Greek council is guaranteed a minimum of one (1) Senatorial seat.

SECTION 4: REQUIREMENTS

- A. Have at least a 2.3 GPA at the time of the election and maintain that GPA throughout their term.
- B. Not be on disciplinary probation.
- C. Be enrolled for a minimum of twelve (12) semester hours as an undergraduate or six (6) hours as a graduate student at Stephen F. Austin State University and maintain those hours throughout the duration of their term.
 - a. If in their final semester, the number of enrolled hours may be only what is required to finish their degree.
- D. Be a member of the class or college they represent during their term of office.
- E. Maintain a schedule of prompt and regular attendance at all Senate meetings, Senate committee meetings, and organization retreats.

SECTION 5: ELECTION AND TERM OF OFFICE

- A. Speaker of the Senate

² Freshman, Sophomore, Junior, Senior, and Graduate

³ Enrollment to determine representatives is based on Fall enrollment prior to class elections.

⁴ Arthur Temple College of Forestry and Agriculture, the James I. Perkins College of Education, the Nelson Rushe College of Business, the College of Sciences and Mathematics, the Mickey Elliott College of Fine Arts, and the College of Liberal and Applied Arts

⁵ National Panhellenic, Panhellenic, Multicultural Greek Council, and Interfraternal Greek Councils

- a. Only the current members of the Legislative Branch are eligible to be nominated for the office of Speaker of the Senate.
 - b. Nominations for Speaker of the Senate are open to members of the Legislative Branch.
 - i. Any member of the Legislative Branch can be nominated for the office of Speaker of the Senate.
 - ii. Any member of the Legislative Branch can nominate themselves for the office of the Speaker of the Senate.
 - iii. All nominees require a second to become a valid candidate.
 - c. The regularly scheduled election of the Speaker of the Senate will take place at the last regularly scheduled meeting of the Spring semester.
 - d. The candidate receiving a two-thirds ($\frac{2}{3}$) majority vote of the Senate members present at the time of elections will be the Speaker of the Senate.
 - e. The new Speaker of the Senate will assume office immediately upon election and serve a term ending at the following Speaker of the Senate election unless re-elected.
 - f. The candidate receiving a two-thirds ($\frac{2}{3}$) majority vote of the Senate members present at the time of elections will be the Speaker of the Senate.
 - g. The new Speaker of the Senate will assume office immediately upon election and serve a term ending at the following Speaker of the Senate election unless re-elected.
- B. Sergeant at Arms
- a. The Speaker shall, following their taking of oath, appoint a Sergeant at Arms.
 - b. Any member of the Legislative Branch is eligible to be appointed as the Sergeant at Arms.
 - c. The appointed Sergeant at Arms must be approved by a two-thirds ($\frac{2}{3}$) majority vote of the Senate before taking office.
 - d. The Sergeant at Arms shall maintain the rights and responsibilities of a senator.
- C. Committee Chairs
- a. Committee Chairs shall be appointed by the Speaker of the Senate no later than the 2nd Senate meeting of the Fall semester.
 - b. Any member of the Legislative Branch is eligible to be appointed as a committee chair.
 - c. Any committee chair must be approved by a two-thirds ($\frac{2}{3}$) majority vote of the Senate before taking office.
- D. Committee Vice-Chairs
- a. Committee Vice-Chairs shall be appointed by the Committee Chair of each respective committee.
 - b. Any member of a committee is eligible to be appointed as the Committee Vice-Chair of their respective committee.

- c. Appointed Committee Vice-Chairs must be approved by a two-thirds ($\frac{2}{3}$) majority vote of their respective committee before taking office.
- E. Senators
- a. Academic college Senators and off-campus Senators will be elected in the general election in the spring semester.
 - b. Class senators will be elected in the general election in the fall semester.
 - c. Greek Council Senators will be appointed at the discretion of their respective councils during their normal executive elections.
 - d. Athletics Senators will be appointed at the discretion of the department.
 - i. One representative shall be the Student-Athlete Advisory Committee (SAAC) sitting President or designee and one (1) shall be elected as an at-large Senator by the department.
 - ii. If the sitting SAAC President or other SAAC designee is not able to fulfill the Senate seat, then the department shall choose to elect another at-large Senator.
 - e. Student Involvement senators will be appointed at the discretion of the Internal Affairs Committee, in accordance with the Bylaws of this Student Government Association.
 - f. Senators will serve a term immediately following taking oath and ending at the conclusion of the elections of the position they occupy.
 - g. Officers and Senators elected in special elections or appointed to office will serve until the next regularly scheduled election or appointment for their respective position.

SECTION 6: REMOVAL OF SENATORS AND SENATE OFFICERS

- A. The Speaker of the Senate and Senators may only be removed from office through the process of impeachment⁶ or by the Advisor of the Student Government Association.
 - a. In such a case, their monetary compensation will be terminated upon final removal.
- B. Committee Chairs can only be removed from their position via Speaker recall.
 - a. In the event that a committee chair is removed from their position, such action will be limited to the chairmanship and will not affect other Student Government Association offices or Senate seats held by the individual.
- C. Committee Vice-Chairs can only be removed from their position via Committee Chair recall.
 - a. In the event that a committee vice-chair is removed from their position, such action will be limited to the chairmanship and will not affect other Student Government Association offices or Senate seats held by the individual.

SECTION 7: FILLING VACANT OFFICES

- A. Should the office of the Speaker of the Senate become vacant, the Sergeant at Arms will serve as the interim Speaker of the Senate until the Senate elects a new Speaker.

⁶ Malfeasance, neglect of duty, or improper conduct shall constitute reasons for impeachment

- B. Should the office of Sergeant at Arms become vacant, the Speaker of the Senate shall appoint a new Sergeant with a two-thirds ($\frac{2}{3}$) majority vote of the Senate.
- C. Should the chairships of any committee become vacant, the Speaker of the Senate shall appoint a new committee chair with a two-thirds ($\frac{2}{3}$) majority vote of the Senate.
- D. Should the vice-chairships of any committee become vacant, the chair of that respective committee shall appoint a new vice-chair with a two-thirds ($\frac{2}{3}$) majority vote of the Senate.
- E. Should a Senate seat (excluding Greek Council and Athletic Senatorial seat) become vacant, the Internal Affairs Committee shall appoint a new Senator with a two-thirds ($\frac{2}{3}$) majority vote of the Senate.
 - a. The Chair of the Internal Affairs Committee shall present the candidate before the Senate.
- F. Should a Greek Council or Athletic Senator seat become vacant, that respective council/ department will appoint a new Senator at their discretion.

ARTICLE VI: THE JUDICIAL BRANCH

SECTION 1: JUDICIAL AUTHORITY

- A. All judiciary powers of the Student Government Association will be vested in the Judicial Branch as outlined in the Bylaws.

SECTION 2: SUPREME COURT JUSTICES

- A. The Supreme Court of the Student Government Association shall be composed of nine (9) Justices. The Justices are:
 - a. Chief Justice;
 - b. Deputy Chief Justice;
 - c. Associate Justices;
 - i. One (1) Freshman Associate Justice;
 - ii. One (1) Sophomore Associate Justice;
 - iii. One (1) Junior Associate Justice;
 - iv. One (1) Senior Associate Justice;
 - v. One (1) Graduate Associate Justice;
 - vi. Four (4) At-large Associate Justices.

SECTION 3: REQUIREMENTS

- A. Have at least a 2.5 GPA at the time of their appointment and maintain that GPA throughout their term.
- B. Not be on disciplinary probation.
- C. Be enrolled for a minimum of twelve (12) semester hours as an undergraduate or six (6) hours as a graduate student at Stephen F. Austin State University and maintain those hours throughout the duration of their term.
 - a. If in their final semester, the number of enrolled hours may only be what is required to finish their degree.
- D. Justices may not hold any other Student Government Association office concurrently.

SECTION 4: APPOINTMENT OF JUSTICES

- A. The Chief Justice and all Associate Justices are nominated by the Student Body President.
- B. The Chief Justice and Associate Justices shall take office after being approved by a two-thirds ($\frac{2}{3}$) majority vote of the Senate.
- C. The Chief Justice must have served at least one (1) semester as an Associate Justice prior to their appointment as Chief Justice.
 - a. If there is no eligible candidate for Chief Justice, the Student Body President may nominate a Chief Justice, pending an Internal Affairs Interview.
 - b. The nominated candidate must then be approved by the Senate by a two-thirds ($\frac{2}{3}$) majority vote.
- D. The Chief Justice shall appoint a Deputy Chief Justice from the slate of Associate Justices.
- E. The Deputy Chief Justice shall be approved by a two-thirds ($\frac{2}{3}$) majority vote of the Senate.
- F. All Justices, Chief and Associate, shall be appointed at the first Senate meeting of the Fall semester.
 - a. Returning Associate Justices are subject to review by the Student Body President to determine whether they shall remain in office at this regularly scheduled appointment time.

SECTION 5: TERMS OF OFFICE

- A. The Chief Justice will serve, beginning with the Fall semester, two (2) consecutive regular semesters⁷ including the semester in which they are appointed.
- B. Each Associate Justice will serve, beginning with the Fall semester, a term of two (2) consecutive regular semesters including the semester in which they are appointed.
- C. The Deputy Chief Justice will serve, beginning with the Fall semester, a term of two (2) consecutive regular semesters including the semester in which they are appointed.
- D. An Associate or Chief Justice may remain in office for the tenure of their time at Stephen F. Austin State University; there is no limit to terms.

SECTION 6: REMOVAL OF JUSTICES

- A. The Chief Justice may only be removed via Student Body President recall.
 - a. In the event that the Chief Justice is removed from their position, such action will be limited to the chairmanship and will not affect other Student Government Association offices or Justiceships held by the individual.
 - b. In such a case, their monetary compensation will be terminated upon final removal. If the impeached Justice has not completed the term for which they were compensated, they are liable for repayment of the dispersed funds.
- B. The Deputy Chief Justice can only be removed via Chief Justice recall.

⁷ Regular semesters constitute Fall or Spring semesters.

- a. In the event that the Deputy Chief Justice is removed from their position, such action will be limited to the chairmanship and will not affect other Student Government Association offices or justiceships held by the individual.
- C. Justices may be removed via impeachment or Student Body President appointment recall.
 - a. A recommendation on behalf of the Internal Affairs Committee, after a review of the associate Justice, will be made for the justice to be impeached or recalled by the Student Body President.
- D. Justices may be removed by the Advisor of the Student Government Association for GPA or disciplinary infractions.
- E. Any removal of justice can be appealed to the Internal Affairs Committee.

SECTION 7: FILLING VACANT JUSTICESHIPS

- A. Should the position of the Chief Justice become vacant, the Deputy Chief Justice shall become the Chief Justice.
- B. Should the Deputy Chief Justice position also be vacant when the Chief Justice position is vacant, the Student Body President will nominate a new Chief Justice.
 - a. The Senate shall approve the nomination with a two-thirds ($\frac{2}{3}$) majority vote.
 - b. The new Chief Justice shall then appoint a new Deputy Chief Justice.
- C. Should any Associate Justice positions become vacant, the Student Body President shall nominate a new justice.
 - a. The Senate shall approve the nomination with a two-thirds ($\frac{2}{3}$) majority vote.
- D. Justices appointed to office will serve until the next regularly scheduled election of appointment for their respective office, regardless of when they were appointed.

SECTION 8: JURISDICTION OF THE COURT

- A. Final student jurisdiction over all conflicts brought before the Court, between students, between students and student organizations, and between student organizations.
- B. Appellate jurisdiction in all student traffic cases, as well as cases charging denial of due process from the Residence Hall Association Hearing Board.
- C. Act as an advisory board in disciplinary cases at the request of the Assistant Vice President of Student Affairs and the Dean of Students.
- D. The Assistant Vice President of Student Affairs and Dean of Students will have appellate jurisdiction over decisions of the Student Government Association Supreme Court, except in student traffic cases.
- E. The Student Government Association Supreme Court shall determine which non-traffic cases it will hear at the request of at least three (3) justices.
- F. The Student Government Association Supreme Court will be the mediator between the student body and the Student Government Association Legislative Branch, in order, among other things, to keep the latter within the limits assigned by their enumerated jurisdiction outlined in the Student Government Association governing documents.
 - a. The interpretation of affirmed bills and amendments is the proper right of the Supreme Court, as well as the right to ascertain the meanings and intentions of the Student Government Association governing documents, including the meaning of any particular act of the legislative body.

- b. If there should happen to be an irreconcilable variance between the two, that which has the superior obligation and validity ought, of course, to be preferred; or, in other words, the Constitution ought to be the preferred statute.
- G. The Student Government Association Supreme Court will have the authority to obtain copies of legislation from the Senate, via a Writ of Certiorari, to review if a complaint or inquiry is presented to it.

ARTICLE VII: STUDENT INITIATIVE

SECTION 1: GENERAL ELECTIONS

- A. The Student Body President must call a general initiative election of the student community if petitioned by ten percent (10%) or more of the currently enrolled⁸ students of Stephen F. Austin State University.
- B. The election must take place within twenty (20) regular class days of the receipt of the petition.

SECTION 2: RECALL ELECTION

- A. The registered students of Stephen F. Austin State University may at any time recall any elected Student Government Association official.
- B. The recall petition requires both a signature and a valid student identification number from each student.
- C. The recall petition must be signed by a minimum of ten percent (10%) of the students within the affected official's represented body⁹.
 - a. In the case of officials who were elected at large, the petition must be signed by a minimum of ten percent (10%) of the registered students of Stephen F. Austin State University¹⁰.
- D. The petition must state: "We, the undersigned, agree that (name of the officer in question) holding the office of (office held), should be recalled from office".
- E. Each page of the petition should be dated and publicly noted by the advisor(s).
- F. If a complete and valid petition is submitted to the advisor(s), immediate notification will be given to the acting election judge.
 - a. Within twenty (20) class days from the date of submission to the Chief Justice, a recall election must take place.
- G. The officer will be immediately recalled if a two-thirds ($\frac{2}{3}$) majority vote of the registered students of Stephen F. Austin State University is in favor of the recall, rendering the office vacant and to be filled as prescribed in this Constitution.

⁸ Percentage based on enrollment of most previously accounted for when a petition is presented.

⁹ Class, college, council, department, or off-campus.

¹⁰ Calculated as of enrollment at most previously accounted for when petition is presented.

SECTION 3: REFERENDUM

- A. Any registered student at Stephen F. Austin State University may initiate legislation, provided the legislation bears the valid signatures of five percent (5%) of the registered students at Stephen F. Austin State University¹¹.
 - a. The legislation will be introduced to the Senate for approval or rejection at the following regular legislative meeting.
 - b. If the legislation is rejected by the Senate, it must be put forth before a vote of the entire registered student body of Stephen F. Austin State University within twenty (20) regular class days and will require a simple majority of affirmative votes for passage.
 - 1. The results of such a vote are not subject to Student Body Presidential veto and will be binding upon the Senate of the Student Government Association and its governing documents.
 - c. The governing documents of the Student Government Association are subject to referendum.

ARTICLE VIII: AMENDMENTS & RATIFICATION

SECTION 1: AMENDMENTS

- A. Amendments should be defined as a correction, up to and including the process of altering something through the earlier parliamentary or constitutional procedure.
 - a. This Constitution may be amended by a three-fourths ($\frac{3}{4}$) majority vote of the Student Government Association Senate at the first reading of the proposed amendments before the Senate Body.
 - b. The Bylaws of this Constitution may be amended by a two-thirds ($\frac{2}{3}$) majority vote of the Student Government Association Senate at the first reading of the proposed amendment before the Senate Body.
 - c. The Election Code may be amended by a two-thirds ($\frac{2}{3}$) majority vote of the Student Government Association Senate at the first reading of the proposed amendment before the Senate Body.
 - d. The Code of Official Conduct may be amended by a two-thirds ($\frac{2}{3}$) majority vote of the Student Government Association Senate at the first reading of the proposed amendment before the Senate Body.
 - e. All amendments made to this Constitution, or other governing documents, shall be made in corresponding documents in order to keep consistency between this Constitution and all inferior governing documents.¹²
- A. All votes on the amendments to any of these documents must be recorded as a roll call vote to ensure the requirements are met for ratification.

¹¹ Calculated as of enrollment at most previously account for when petition is presented.

¹² This shall be done by the Chief Justice.

- B. The governing documents of the Student Government Association are locked¹³ four (4) weeks prior to the Spring general election.
 - a. Any amendments passed during this time period are to be considered unconstitutional and null and void.

SECTION 2: RATIFICATION

- A. This Constitution will be ratified and enforced upon approval by three-fourths ($\frac{3}{4}$) of the Student Government Association Senate.
- B. All officers elected under the previous Constitution will continue to serve until the expiration of their term as prescribed under the previous Constitution.
- C. No retroactively applied policy shall occur due to the ratification of a new Constitution or Constitutional amendment.

ARTICLE IX: LEGAL AUTHORITY

SECTION 1: LEGAL AUTHORITY

- A. This Constitution shall be subject to the laws of the United States of America, the State of Texas, the County of Nacogdoches, and the City of Nacogdoches, TX.
- B. This Constitution shall be subject to the policies and rulings of the administration of Stephen F. Austin State University and the University of Texas System.

SECTION 2: ORGANIZATIONAL STRUCTURE

- A. Any Executive, Legislative, or Judicial action or duty which is not in compliance with this Constitution shall be considered invalid.
 - a. The Student Government Association Supreme Court shall have jurisdiction over the actions and duties of the Executive and Legislative Branches of this Student Government Association.
 - b. The current SGA Advisor(s) shall have jurisdiction over the actions and duties of the judiciary of this Student Government Association.

SECTION 3: MEMBER COMPLIANCE

- A. All members of the Student Government Association of the Stephen F. Austin State University shall be bound by oath to comply with and enforce all articles of this Constitution and all legislation passed in compliance thereof.

ARTICLE X: GOVERNING DOCUMENTS

¹³ Amendments to the governing documents are prohibited during this time period.

SECTION 1: THE GOVERNING DOCUMENTS OF THE STUDENT GOVERNMENT ASSOCIATION AT STEPHEN F. AUSTIN STATE UNIVERSITY

- A. Student Government Association Constitution;
- B. Student Government Association Bylaws;
- C. Student Government Association Election Code;
- D. Student Government Association Code of Official Conduct.