

Berea College Student Government Association Constitution

(Approved by the Student Life Council 4.10.2012)

Preamble

We, the students of Berea College, unite to represent student opinion and voice among faculty, administration, staff, and each other by combining our talents and diversities. Understanding the importance of promoting student welfare, representing student concerns and opinions, protecting the best interests of students, and fostering communication among the aforementioned groups, we resolve to work toward the benefit of the Student Body. In all these means, we strive to remember the traditional ideals of the Great Commitments of Berea College as they apply to the Student Body, thus establishing the Berea College Student Government Association.

Article I: Name and Purpose

Section A

The name of this organization shall be the Berea College Student Government Association (SGA).

Section B

The purpose of this organization is to facilitate student participation in campus governance by bringing about increased individual and group understanding of the responsibilities of democratic life and by promoting positive ideas and actions in the interest of the students.

Article II: Affiliation and Membership

The SGA recognizes the following entities as integral components of Student Government:

1. Student Body – All currently enrolled students of Berea College who pay the Student Activity Fee shall be members of the SGA.
2. Residence Halls and Units – This refers to housing that is established and administered by Berea College. These Halls and Units are the primary reflection of residential life. Residence Halls and Units are governed by their House Councils composed of an elected President, Vice-President, and any other position deemed necessary.
3. Clubs/Organizations – Student Clubs/Organizations of Berea College shall be considered integral components in that they serve as the primary reflection of student involvement. Clubs/Organizations are governed by the guidelines of their respective constitutions.
4. Classes – The four classes (Freshman, Sophomore, Junior, and Senior) are governed by a Class President, with the assistance of the Vice President and members of the Class.

Article III: Senate

Section A- Composition

The SGA Senate shall consist of the President, Vice-President, and Senator from each class, along with four at-large Senators. The Campus Activities Board (CAB) Chair (or designate from the CAB Executive Council) and one member of the faculty shall serve as *ex officio*, voting members; the Vice-President of Labor and Student Life (or designate) shall serve as an *ex officio*, non-voting member.

Section B- Leadership

The Senate shall elect a Speaker and a Clerk from within its membership and other officers as deemed necessary.

Section C- Duties

The duties of the Senate will be to:

1. Meet regularly, no less than bi-weekly.
2. Allocate the funds of the SGA treasury
3. Establish all election procedures for Senate positions and Executive Offices of the SGA.

4. Encourage and sponsor campus events that contribute to awareness, knowledge, and thought about contemporary issues.
5. Make all legislation necessary and proper to campus governance.

Article IV: Board of Residents

Section A- Composition

The SGA Board of Residents shall consist of one Representative from each Residence Hall/Unit who shall serve as a house council officer. One faculty member shall serve as an *ex officio*, voting member and a designate selected from residence life collegium shall serve as an *ex officio*, non-voting member.

Section B- Leadership

The Board of Residents shall elect a Chair and a Clerk from within its membership and other officers as deemed necessary.

Section C- Duties

The duties of the Board of Residents will be to:

1. Meet regularly, no less than bi-weekly.
2. Assist in all election procedures for the House Councils of Residence Halls/Units.
3. Encourage and sponsor residential events that contribute to awareness, knowledge, and thought about contemporary issues.
4. Make all legislation necessary and proper to residential governance.

Article V: Executive Branch

Section A

The Executive Branch exists to represent the SGA to students, faculty, administration, and staff and to administer all the legislation of the Senate and Board of Student Affairs.

Section B

The Executive Branch consists of the following officers:

1. President

Who Shall

- a. Execute all legislation.
- b. Assist in the development of an SGA budget.
- c. Speak on the state of the student body at a Fall Convocation.
- d. Report to members of the Senate and Board of Residents at a joint meeting held at least twice per semester.
- e. Serve as a Representative to the Board of Trustees.
- f. Serve as a voting Representative to the General Faculty.
- g. Make student appointments, with the consent of the Senate and the Board of Residents, to all faculty/counsel committees on which an SGA position is provided for.
- h. Appoint, with the consent of the Senate and the Board of Residents, a student to fill any vacancy in Student Judiciary Position 3.
- i. Appoint, with the consent of the Senate and the Board of Residents, the Vice-President of Finance and the Public Relations Secretary.
- j. Make appointments, with the consent of the Senate, to fill any vacancies within the Senate. Vacancies will be filled in this manner:
 - i. When a vacancy occurs in the Senate, whereas the Senator is a Class Vice-President, the Executive President, on advice and consent of the Class President, shall make appointments to fill this vacancy within the Senate.
 - ii. When a vacancy occurs in the Senate, whereas the Senator is a Class Senator, the Executive President, with consultation from the Class President, shall make

appointments to fill this vacancy within the Senate.

- iii. When a vacancy occurs in the Senate, whereas the Senator is a Senator-at-large, the Executive President, with consultation from the Senate, shall make appointments to fill this vacancy within the Senate.

Who May

- a. Sign legislation, veto legislation (within one week of its passage by sending it back to its house of origin with his/her remarks), or let a bill pass (by taking no action within a week of its passage). If vetoed, the house in question may override the veto by a two-thirds vote.
- b. Issue a stop order prior to the enactment of legislation. Such action is effective until review by its house of origin.
- c. Appoint a Cabinet, which is subject to the approval of the Senate and Board of Residents.

2. Executive Vice-President

Who Shall

- a. Assist the President in executing all legislation.
- b. Serve as President if the President is unable to discharge the duties of his/her office.
- c. Preside over all elections, unless he/she is seeking an elected position, in which case the Senate shall appoint an Elections Director.
- d. Serve as a Representative to the Board of Trustees.
- e. Serve as a voting Representative on the General Faculty.

3. Vice-President of Finance

Who Shall

- a. Manage the accounts of the SGA, including transfer of funds, receipts, and revenues.
- b. Keep records of all recent transactions, and have current account summaries on hand.
- c. Develop an SGA budget (for the coming academic year) by the end of Spring Term, bringing it before the Senate and for approval.
- d. Serve as a voting Representative on the General Faculty.

4. Public Relations Secretary

Who Shall

- a. Inform the Student body about SGA happenings.
- b. Act as a press secretary.
- c. Represent the SGA to external organizations.
- d. Assist the President in all matters relating to the aforementioned duties.
- e. Serve as a voting Representative on the General Faculty.

5. Speaker of the Senate and Chair of the Board of Residents

Who Shall

- a. Serve as voting Representatives to the General Faculty.
- b. Work with the President to consider which house shall consider overlapping issues.
- c. Appoint, with the consent of the Senate or Board of Residents, students to fill any vacancies of Student Judiciary.
Positions 1 and 2, respectively.

6. Class Presidents, CAB Chair (or designate), and Student Judiciary Chair

Who Shall

Have the sole executive duties of serving as voting Representatives to the General Faculty.

Article VI: Student Judiciary

Section A- Composition

The Student Judiciary within the SGA consists of three appointed student positions confirmed by the Senate. Position 1 shall be nominated by the Speaker of the Senate, Position 2 shall be nominated by the Chair of the Board of Residents, and Position 3 shall be nominated by the SGA President. Once confirmed, a student shall hold the office until which time he/she is no longer enrolled, he/she leaves to study abroad for a full semester (this exception shall exclude Summer Term (s)), he/she resigns, or he/she is convicted of an impeachable offense. When a vacancy comes to one of the positions, the officer responsible for nominating the replacement shall be notified. He/she should make every effort to ensure that the nominee is not of the same classification as the other two Judiciary members. Nominees should be of at least Sophomore standing.

Section B- Leadership

The Judiciary shall elect a Chair and a Clerk from within its membership and other officers as deemed necessary.

Section C- Duties

The Student Judiciary Shall

1. Interpret this Constitution, bylaws, and legislation when in dispute. These matters can only be referred to the Student Judiciary when requested by both a Senator and a Representative to the Board of Residents, a Senator and the SGA President, the SGA President and a Representative to the Board of Residents, or by a majority vote of either house.
2. Recognize that the SGA has empowered judicial boards to serve as separate judicial councils (i.e. Jboards) for the residence halls.
3. Work in coordination with the Student Life Judicial Liaison(s) (and/or Judicial Board Coordinator or designate) in a team structure to develop the Jboard Member selection process. This will likely involve team decision-making by the aforementioned parties in the qualifying, recruiting, election, appointment, training, and removal of Jboard Members. Prior to the start of this process, Student Life will screen applications by removing candidates that are ineligible.
4. Serve as the Jboards Review Committee. This committee will work in coordination with the Student Life Judicial Liaison(s) (and/or Judicial Board Coordinator or designate), Jboard Members, and Jboard Advisors to discuss Jboard-specific concerns such as consistency, process, trends, and ongoing training needs.
5. Be willing to listen to student opinion regarding a variety of general campus policies, advising the SGA President and the administration on such matters. The Judiciary will not entertain student appeals.

Article VII: Exclusivity and Internal Regulation

Section A

All positions within student government shall be mutually exclusive.

Section B

In addition to the bylaws for this constitution, the Senate, Board of Residents, and Student Judiciary may establish standing rules of order.

Article VIII: Election Procedures and Qualifications for Office

Section A

Elections for President and Executive Vice-President, as well as elections of Class Presidents, Class Vice- Presidents, and Class Senators (from the Sophomore, Junior, and Senior classes) will be held during spring term. Those elected will take office at the beginning of Fall Term.

Section B

Elections for Freshman Class President, Freshman Class Vice-President, Freshman Class Senator, the four at-large Senators, and Representatives to the Board of Residents will be held during fall term. Those elected will take office immediately.

Section C

Candidates for the offices of President and Executive Vice-President must be of at least Junior standing by the start of the new academic year. The only other qualification required to run for any office is that a student be a member of the SGA. No term limit may be placed on any office.

Article IX: SGA Summer Council

Section A

The Senate, Board of Residents, and Student Judiciary shall not function during summer. Power shall be vested in a Summer Council, which will serve approximately two-months, from the start of summer term

classes until the last day of summer term classes. This body may work to develop proposals for consideration by the incoming Senate and Board of Residents, collaborate with campus groups to address problems or concerns that arise during the Summer Term, participate during new-student orientations, and encourage and sponsor campus events.

Section B

The Summer Council shall consist of available Senators or Representatives to the Board of Residents (that served during the previous Spring Term or will serve during the following Fall Term), two councilpersons from the summer hall(s), the Summer CAB chair (and other interested CAB officers), two off-campus students (selected from applicants by the Chair of the Summer Council and Summer CAB Chair) and the Vice President of Labor and Student life (or designate). The incoming SGA President shall serve as the Chair of the Summer Council. If he/she is unable to serve, he/she must nominate a candidate for the position of Summer Council Chair, which must be approved by the outgoing Senate.

Section C

The Summer Council shall:

1. Allocate only those funds which the Senate and Board of Residents has approved for Summer Council Usage.
2. Not have the power to amend this Constitution, alter any Bylaws or Standing Rules of Order, or enact any legislation.

Article X: Referendum, Impeachment, Removal, and Probation

Section A

Members of the Student Body may request a direct vote on legislation by submitting a petition to the Executive Vice-President; it must bear the signatures of at least 10% of the members of the SGA.

Section B

1. Students elected to SGA positions, students appointed to fill vacancies in elected positions, and students appointed to the Student Judiciary may be impeached on the grounds of blatant malfeasance, misfeasance, nonfeasance, and/or misconduct.
2. The Board of Residents shall have the sole power of impeachment.
3. The Senate shall have the power to try all impeachments. Conviction may be brought by a 2/3s majority. Conviction by the Senate shall result in immediate removal from office and ineligibility to hold future SGA positions. Unless a member of the Student Judiciary is impeached, the Chair of the Student Judiciary will preside.

Section C

1. A nomination for an appointed position may be withdrawn at any time leading up to the confirmation hearing, but only by the same person who made the nomination.
2. After the confirmation point, however, no person can be removed from their position by any means other than impeachment and conviction.
3. The only exception to this rule will be student appointees to outside bodies (such as faculty committees) and the positions of Vice-President of Finance and Public Relations Secretary. These appointees will not be subject to the impeachment process, but will be subject to a separate removal process. Removal will take a majority vote of the Senate and Board of Residents and approval of the President. Without the President's approval, a 2/3rds vote of the Senate and Board of Residents will be necessary. Poor attendance, misconduct, and failure to perform one's official functions will be grounds for removal from such positions, however, appointees must be given an advance warning that actions may be considered if behaviors are not changed.

Section D

The Senate may impose internal probation for any elected or appointed member of the SGA. Departmental labor probation may be imposed for any positions paid by the SGA budget, as outlined by the policies and procedures of the College Labor Program. This will require approval of a majority of the Senate and the Vice-President of Labor and Student Life (or designate).

Article XI: Assumption of Presidential Duties and Resignation

Section A

1. If the SGA President is unable to discharge his/her official duties, and the Vice President of Labor and Student Life (or designate) concurs, the assumption of those duties will take place in the following sequence: Executive Vice-President, Speaker of the Senate, Chair of the Board of Residents, Clerk of the Senate, and Clerk of the Board. Any assumption will only be until such time that the President is again able to resume his/her duties (this time period should generally not exceed five weeks). If the assumption is substantial, the Senate, with concurrence of the Vice President of Labor and Student Life (or designate), may choose to grant pay to the officer discharging those duties. The same order of assumption, however, will apply if the President is permanently unable to discharge his/her duties, at which time pay will be granted to the successor.
2. If the SGA President or Executive Vice-President will be off-campus, participating in a regular- term college-approved program, he/she will forfeit his/her position. The order of assumption will be invoked.

Section B

1. Any person wishing to resign from office must submit a signed letter or e-mail containing the reason for resignation and the effective date of resignation (the only other option is to verbally resign at an official meeting of the Senate or Board of Residents).
2. If any Executive Officer, Executive Cabinet Member, Senator, Judiciary Member, or Faculty Committee Representative wishes to submit a written resignation; he/she must submit the resignation, as described in paragraph 1, to the Speaker of the Senate and Chair of Board of Residents. The only exception to this rule is the Speaker of the Senate, who shall submit his/her resignation to the Clerk of the Senate.
3. If any member of the Board of Residents wishes to submit a written resignation, he/she shall submit the resignation, as described in paragraph 1, to the Chair of the Board of Residents. The only exception to this rule is the Chair of the Board of Residents, who shall submit his/her resignation to the Clerk of the Board of Residents.
4. Upon receiving notice of a resignation, the appropriate body shall vote to accept the resignation at the next scheduled meeting. By accepting the resignation, the body will declare that a vacancy exists, and inform the President and Public Relations Secretary.

Article XII: Amendments

Section A

Amendments to this Constitution shall be ratified by a 2/3 vote of the Senate and the Board of Residents.

Section B

The Student Life Council (SLC) must approve the proposed amendments.

Section C

Replacement of this Constitution must take a 2/3 vote of the Senate and the Board of Residents with the concurrence of 20% of the members of the SGA, and approval of the SLC.