

Proposed SGA Constitution Draft

Preamble:

The Student Government of Berry College is entrusted to develop principles of democratic self-government in the student body of Berry College; to provide and represent students in the affairs of faculty, staff, and Board of Trustees; to encourage and provide meaningful opportunities among faculty, staff, and students; to improve student life through service and experiential opportunities; and to promote the founding principles of Berry College in all aspects of student life.

Article I: Authority

The Student Government of Berry College is recognized by the Board of Trustees and the College President as the official governing assembly of the student body. In fulfilling the mission set forth the preamble, the Student Government works closely with the Vice-President for Student Affairs and the Student Life Council to provide recommendations to the College President and Board of Trustees. In its activities, the Student Government recognizes the powers of the President as vested by the Board of Trustees and as found in the Statutes of Berry College.

Article II: Name, Membership and Empowerment:

Section I: Name

The Student Government of Berry College is named the Student Government Association (SGA). The deliberative and legislative assembly of SGA is named the Student Body.

Section II: Membership

All enrolled undergraduate and graduate students of Berry College are considered to be members of SGA. The General Assembly consists of elected representatives.

Section III: Empowerment

The SGA is empowered by this Constitution to fulfill its purpose to the fullest extent as permissible by the policies established at Berry College. As such, the provisions of this constitution are not intended to be in conflict with the authority and responsibilities of the Board of Trustees, the College President, or any faculty or staff delegated powers. If this constitution or actions of SGA should conflict with the policies found in the Statutes of Berry College, then SGA will conform to the policies in question or endanger its status as the official governing assembly of the student body.

Article III: The SGA Officers

Section 1: Positions

The Officers of SGA are President, Vice-President for Administration, Vice-President for Service, Secretary, and Treasurer.

Section 2: Qualifications

- A. The President and Vice-President for Administration will each:
 - 1. Be a regularly attending member of SGA for one semester prior to running for office.
 - 2. Be a member of the junior or senior class for the term of office.
 - 3. Maintain an overall Berry scholastic average of at least 2.50, as calculated to include all Berry course credit.
- B. The Vice-President for Service, Secretary, and Treasurer will each:
 - 1. Be a member of the sophomore, junior, or senior class for the term of office.
 - 2. Maintain an overall Berry scholastic average of at least 2.50, as calculated to include all Berry course credit.

Section 3: Election

Refer to Article VI, section 2 for election procedures.

Section 4: Introduction and Installation

- A. Introduction:
 - 1. Introduction of the newly elected SGA Officers will take place in Honors Convocation.
 - 2. The SGA Officers will participate in Honors Convocation as determined by the Vice-President for Student Affairs.
- B. Installation:
 - 1. New officers will be announced to and officially welcomed by the General Assembly at the last regular business meeting of the outgoing administration.

Section 5: Vacancies of Officers

Special elections will be held in accordance with Article VI, section 4 to fill any vacancy of an office that occurs due to any vacancy. The only exception to this occurs with a vacancy in the office of the President, which under the terms of this constitution will be filled by the Vice-President for Administration.

Article IV: Appointed Positions

Section 1: Parliamentarian

- A. Appointment:
 - 1. The Parliamentarian will be appointed by the President of the SGA at the first meeting of the administration. This appointee must be knowledgeable of the parliamentary procedure used by SGA.
 - 2. The majority of the SGA Officers may remove the Parliamentarian for any reason, so

long as it is explained in writing and read to the General Assembly. The General Assembly may reinstate the Parliamentarian by a two-thirds vote.

B. Representation and Remuneration:

1. The Parliamentarian will not have a voting right in the General Assembly by virtue of this office. The student serving as the Parliamentarian may serve as a representative of a club or student organization if otherwise elected or appointed as such.
2. Should the student serving as Parliamentarian be a representative of a club or student organization, the services rendered as Parliamentarian will fulfill all requirements for service projects.
3. All supplies approved for his/her use by the SGA Officers will be paid for by the SGA office fund.

Section 2: Historian

A. Appointment:

1. An SGA Historian may be appointed by the President of the SGA at any meeting of the administration. This appointee should be knowledgeable of, or willing to commit significant time to becoming knowledgeable of the history of SGA and be able to research, organize, and write well.
2. The majority of the SGA Officers may remove the Historian for any reason, so long as it is explained in writing and read to the General Assembly. The General Assembly may reinstate the Historian by a two-thirds vote.

B. Representation and Remuneration:

1. The Historian will be eligible to have a voting right in the General Assembly if the student holding the position is not currently a Representative.
2. The service of the Historian each week will count as his/her service projects.
3. Should college policies, the Historian, and the General Assembly approve, the Historian may be paid the Berry minimum wage for his/her service to SGA. Otherwise, the Historian will be a volunteer position.
4. All supplies approved by the SGA Officers for the use of the Historian will be paid for the by the SGA office fund.

Comment [JS1]: This is going to be merged in the Secretary's job role in the bylaws.

Article V: Election To The Student Government Association

Section 1: Authority To Set Election Dates

- A. With the approval of the SGA Officers and Administrative Advisors, the Vice-President for Administration will have the power to defer the date of nominations and elections as stated in this Article in the case that a conflict with other events on the college calendar should occur.
- B. If other causes should exist to alter the dates of nominations and elections, the Committee, with the approval of the Administrative Advisors, must present the rationale to the General Assembly. A two-thirds affirmative vote is required to change the dates.

Section 2: SGA Officers and Sophomore, Junior, and Senior Class Officer Elections

A. Nominations:

1. Nominations will open at the SGA meeting seven weeks prior to Honors Convocation.
2. Any student may make a nomination from the floor on that night or in the SGA office during the next week. A student interested in running for office may nominate himself/herself.
3. Students nominating and being nominated must complete the nomination form. Candidates must receive copies of the rules governing campaigning and the election and follow them or risk disqualification.
4. Nominations will close at the adjournment of the SGA meeting or at 8:00 PM, whichever is later, six weeks prior to Honors Convocation.

Section 3: SGA Officer and Class Officer Special Elections

- A. The procedure for special elections will be the same as stated for general and run-off elections, with the exception that special elections will be held within three weeks after such vacancy occurs.
- B. The sole exception to the above rule is if the vacancy occurs during the summer or during an academic break. In such a case, the three-week count prescribed above does not begin until classes resume.
 1. During a vacancy, the remaining SGA Officers may hire, with the approval from the Vice-President for Student Affairs, students to assist with the duties of the vacant position.
 2. Under extreme circumstances as declared by a unanimous vote of the remaining SGA Officers, with approval from a two-thirds majority of the General Assembly, this special election may be postponed for no more than three additional weeks.
 3. If a regularly scheduled election occurs within one month of a vacancy, the SGA Officers have the right, with approval from the Vice-President for Student Affairs, to leave the position vacant or appoint an officer to the vacant position.

Article VI: Impeachment of SGA Officers, Class Officers, and Representatives

Section 1: Impeachment Charges

- A. Impeachment charges may be made by any member or representative of the Student Government Association against an SGA Officer, Class Officer, or Representative, who is suspected of misadministration or misconduct in office or who has failed to carry out his/her duties outlined in this Constitution. Such charges will be made in writing and be presented under new business in an SGA business meeting.
- B. These charges will be copied and distributed by the SGA Secretary to all representatives and to the campus media outlets within 48 hours of the charge being made. If the Secretary is the focus of the impeachment, this task will be carried out by another SGA Officer to be designated by the SGA President.

Section 2: Impeachment Trial

- A. The impeachment trial is to be handled through the Student Judicial Board in the Dean

of Students' Office.

- B. This process will be handled like other student work misconduct cases within the Student Judicial Board.

Article VII: Good Standing

Section 1: Purpose

The SGA officers require help with running all the various events, projects, and services that SGA does each year. To ensure participation and assistance, all representatives are required take an active role in SGA events each semester. On an annual basis, the SGA officers will propose to the general assembly the requirements for the membership for the year. A majority vote by the general assembly is required for approval of these membership requirements.

Section 2: Definition

Good standing is defined as having fulfilled the requirements determined by the SGA Officers and Student Activities Office necessary to receive funding from the Student Activities Fund. Any club or student organization that does not fulfill these requirements is not considered to be in good standing and will lose its voting rights and have its funding frozen.

Comment [JS2]: Note the addition of voting rights to make it coherent with Article VIII, Section 4.C?

Article VIII: Representatives

Section 1: Definition

A "representative" in SGA is a person who has been elected or appointed in accordance to the rules listed in Article VI, who is entrusted with the powers listed in this article, who is charged with keeping the duties listed in this article, and who maintains his/her voting rights as outlined in this article.

Section 2: Residential Area, At-Large, and Club/Organization Representatives

A. Description:

1. Residential Area Representatives: SGA will seek to have at least one representative from each Residence Life area attend each SGA meeting. These students will be considered to be the residential area representatives in the general assembly.
2. At-Large Representatives: Students who are elected to represent their respective constituencies, especially those students whose interests are not represented by other representatives, are considered to be at-large representatives in SGA's general assembly. There are two types of at-large representatives: commuter and campus.
3. Club/Organization Representatives: Students who represent the interests of a student club or organization that has been officially approved by the Student Life Council are considered to be club/organization representatives in the general assembly.

Comment [JS3]: How's this change?

Comment [JS4]: How many of these do you think we need at a minimum, especially for commuters?

B. Election:

1. Terms of Office:

- i. The term of office for each representative will be for the academic year.
 - 2. Qualification:
 - i. The candidate must be a member of the constituency he/she desires to represent. A residential area representative may be a Resident Assistant.
 - ii. The candidate must not serve as a club/organization representative for another recognized club/organization on campus.
 - 3. Procedure for Selection:
 - i. Refer to Article VI, Section 5 for the procedure for election.
 - 4. Alternate Representatives:
 - i. Residential area and club/organization representatives may elect an alternate representative who will, in the absence of the primary representative, temporarily assume the rights and responsibilities of the primary representative outlined in this article.
- C. Powers:
- 1. A Representative is empowered to:
 - i. Establish, revise, and repeal by-laws governing SGA.
 - ii. Collect and report student concerns and suggestions.
 - iii. Discuss and vote on issues and motions brought before the general assembly.
 - iv. Explain, research, discuss, and seek remedies to student concerns with the College faculty and staff.
 - v. ~~Serve on SGA committees.~~
 - vi. Propose resolutions concerning any questions or problems pertaining to the general welfare of the student body and act on said resolutions.
 - vii. Bring impeachment charges and serve as the jury in the event of the impeachment of a SGA officer, class officer, or representative in accordance with the guidelines set forth in Article VI, Sections 1-2.
 - viii. Revise the SGA constitution when changes are desired or needed to keep this governing document current.

Comment [JS5]: I deleted: "Make recommendations and proposals for presentation to the appropriate governing body (e.g. Student Life Council and Academic Council) or person."

I figured this is subsumed under the follow the committee handbook guidelines language in the following section.

Section 3: Committee Representatives

- A. Description: Students who are appointed represent the student body on a college committee or council or internal SGA committee.
- B. Appointment:
 - 1. Terms of Office: The term of office for each representative will be for the academic year, unless otherwise stated in a college committee or council bylaw.
 - 2. Qualification: The student must be appointed to the position.
 - 3. Procedure for Selection: Refer to Article VIII, Section 1 for the appointment procedure.
- C. Powers: A committee representative will be empowered as listed in Section 2, C of this article.
- D. Each committee representative must fulfill all requirements as designated in the SGA Committee Representative's Handbook.

Section 4: Voting Rights

- A. Eligibility: All residential life, At-Large, Club/Organization, SGA Officers, Class Officers, and Committee and Council Representatives are privileged to have one vote in the SGA Body of Representatives. Each SGA Officer that does not have a position after the inauguration of the new administration in the spring semester will be granted a voting right until the end of the academic year, but will not be required to perform service projects.
- B. Limitation: Each Representative may have only one vote. Students holding more than one eligible voting position will inform the SGA Secretary of all positions for which he/she is eligible to vote and which one he/she chooses to represent.
- C. Voting by Alternative Representation:
 1. A representative may leave her/his vote by with an alternative representative of his/her committee or club/organization.
- D. Revocation of Voting Rights:
 1. Representatives may lose their voting right if they:
 - a. Fail to complete the required SGA service projects by the end of the semester.
 - b. Are found guilty under the rules for impeachment.
 - c. Miss more than three (3) meetings in one semester.
 - d. Fail to maintain a 2.0 GPA.
- E. Penalty of Losing Voting Rights:
 1. Any representative who loses her/his voting rights also forfeits his/her constituency's voting rights. Residence Life and Clubs/Organizations may elect a new representative and regain their voting rights.
 2. Any representative who loses his/her voting right forfeits his/her constituency's ability to request funds for from SGA or to be a recipient of SGA funds through a Student Activity Fund (SAF) request.
- F. Appeal Process for Revocation of Voting Rights: In the event that a representative loses his/her constituency's voting rights due to extenuating circumstances, he/she may present a written appeal to the SGA officers requesting reinstatement of his/her constituency's voting right. The SGA officers will then present the appeal, with their recommendation, to the general assembly at the next meeting. A majority vote of the general assembly may reinstate the voting rights of the representative's constituency for the rest of the semester; however, his/her constituency's requirements to remain in good standing from before the revocation of voting right are not reinstated; his/her constituency will have to complete all of the requirements necessary to remain in good standing.

Comment [JS6]: Yes, this does refer to the organization

Comment [JS7]: Does this clear the confusion? See Article VII, Section 2.

Article IX: Class Officers

Section 1: Names

The freshman class, sophomore class, junior class, and senior class will each be led by a president, vice-president, secretary, and treasurer.

Section 2: Terms of Office

- A. The term of office for freshman class officers will extend from election until the end of the academic year.
- B. The term of office for sophomore and junior class officers will extend from graduation of the academic year in which they were elected until graduation of the following academic year.
- C. The term of office for senior class officers will extend from graduation of the academic year in which they were elected throughout their alumni years.

Section 3: Relationship with SGA

Class officers report to the SGA officers. SGA conducts the elections, provides a formal parent organization, and bestows special representative status upon all officers. Class officers will:

- A. Select an advisor from among the faculty or staff who is not an advisor to SGA.
- B. Maintain separate financial accounts through the Student Activities Office.
- C. Not be eligible to request funds from SGA for single class events.
- D. Undertake responsibilities and duties as designated by the SGA officers.
- E. Fulfill all requirements as designated in the SGA Class Officers' Handbook.
- F. Maintain a 2.5 grade point average throughout their term.

Article X: Finances

Section 1: Financial Records

- A. Record Keeping: All financial records relating to the expenditures of SGA will be maintained by the SGA Treasurer for a period of no less than five years. After five years, records may be selectively discarded, with only those items necessary to accurately document the history of SGA being retained.
- B. Audit: To ensure correct and accurate bookkeeping, the SAO staff will audit the financial records of SGA at least once annually.
- C. Open Records: All financial records of SGA will be open to student and administrative review. Any student request to access the financial records of SGA will be made to the SGA Treasurer with at least 24-hours notice given. At the discretion of the SGA Treasurer, copies of records rather than original documents may be presented to those requesting access to files.

Section 2: Budget

- A. Frequency and Extent: A budget of the SGA General Account must be passed by the general assembly for each semester. Funding for the Student Activity Fund (SAF) account will be included in the budget and a complete financial report of all accounts must be presented to the general assembly along with the budget each semester.
- B. Proposal Process:
 - 1. The SGA Treasurer will, in cooperation with the other SGA officers and committee chairpersons, determine the estimated financial requirements of the SGA and draft a budget accordingly.

2. The Budget and Finance Committee (BFC) will review the proposed budget and offer revisions if needed.
3. The SGA Treasurer will submit the proposed budget as amended by the BFC for a first reading to the general assembly by the second week of each semester. If deemed necessary, the SGA Treasurer must propose an alternate summer budget no later than the 13th week of the spring semester.
4. The general assembly will vote on the proposed budget by the third week of each fall semester. If a separate summer budget is to be approved, it will be voted upon no later than the 14th week of the spring semester.

ARTICLE XI: RESOLUTIONS

Section 1: Description and Use

Resolutions are written documents urging the college or an organization outside of Berry to take notice of an important issue or to pursue a clearly laid out course of action. Student concerns relating to Berry College must be discussed in committees or with appropriate administrators, faculty, or staff before a resolution is presented.

Section 2: Process

- A. The concerned party should discuss the matter with the SGA President.
- B. After this discussion, the concerned party and the SGA President should work together to determine an appropriate course of action. Each party should discuss the course of action with its organization officers.
- C. Once approved by both the SGA officers and the concerned party, the resolution will be presented to the party to which it is directed. Following this discussion, the resolution for discussion at an SGA meeting.
- D. Following this discussion, the SGA officers and the concerned party will determine how it will react to feedback presented and bring revisions back to the next SGA meeting.
- E. Once the revisions are presented, the general assembly will vote as to whether or not it should be adopted.
- F. If adopted, the SGA Officers will present the resolution to the party to which it is directed.

Comment [JS8]: Does this clarify a little more?

ARTICLE XII: MEETINGS

Section 1: General Meetings

The general assembly will meet once weekly during the academic year unless otherwise announced by the SGA President with approval from the Administrative Advisors. General meetings are defined as meetings where officers and committees make reports and where motions may be made.

Section 2: Special Meetings

Special meetings may be called at any time by the SGA President or the majority decision of the SGA officers. The purpose of each meeting will be announced. Special meetings may be

designated as special business meetings or may be reserved for discussion or information distribution only. If attendance is to be counted at a special meeting, at least 72 hours notice must be given to general assembly.

Section 3: Passage of Motions

Motions will be decided upon by votes in accordance to parliamentary procedure, unless otherwise stated in this constitution.

Section 4: Open Meetings

All meetings of the general assembly will be open to any person, unless declared closed by a two-thirds majority of the voting members present at a meeting.

Section 5: Parliamentary Procedure

The rules contained in the most recent printed edition of *Sturgis' Standard Code for Parliamentary Procedure* will govern SGA in all cases to which they are applicable, unless otherwise stated within the provisions of this constitution. This parliamentary procedure is intended to give structure to SGA meetings and is only to be followed insofar as it is beneficial to the meeting.

Section 6: Quorum

A quorum of the general assembly is defined as being one half of all representatives who have voting rights at the time quorum is called. Quorum for SGA committees is also half of the committee representatives who have voting rights.

Article XIII: Bylaws

Section 1: Empowerment

SGA is empowered to write additional bylaws governing its meetings, deliberations, committees, functions, projects, services, and all other activities performed by SGA so long as they are not in conflict with this constitution or with the policies of Berry College.

Section 2: Policies and Procedures

- A. Each SGA officer is further authorized to write, institute, and enforce adherence to any policies and procedures directly related to the performance of his/her duties without the approval of the general assembly.
 1. The Treasurer, as chairperson of the BFC, is specifically charged with the creation and enforcement of all policies and procedures governing the distribution of SGA funds.
 2. The Vice-President for Administration is specifically charged with the creation and enforcement of all policies and procedures governing elections conducted by the SGA.
 3. With a written and presented reason, the general assembly may repeal or amend any policies or procedures implemented by the SGA officers by a majority vote.
 4. All bylaw changed must be approved by a majority vote of the general assembly.

Article XIV: Ratification, Amendments, and Interpretation

Section 1: Ratification

This Constitution will supersede all previous constitutions, bylaws, and all implied rulings and will have full force upon receiving the signature of the College President on _____ following its adoption by a two-thirds vote of the general assembly, its acceptance by the student body by a majority referendum vote, and upon approval of the Student Life Council and the President of Berry College.

Section 2: Amendments

Amendments to this Constitution will be initiated in the following manner:

- A. The SGA officers, a representative, or a specially formed committee will propose the amendment by reading it or distributing a printed copy to all representatives present at a SGA general meeting. This will be the first reading.
- B. At the next meeting, the general assembly may vote on the proposed amendment. A two-thirds vote is required for approval of the amendment.
- C. If approved by the general assembly, the SGA officers will publicize the proposed amendment to the student body and provide copies to students upon request.
- D. The proposed amendment will be submitted to the student body by referendum for approval. A simple majority of the votes will be sufficient for the proposed amendment to pass.
- E. The proposed amendment will then be submitted to the Student Life Council. If amended by the Student Life Council, the proposed amendment will return for a vote of the general assembly; the general assembly may make no amendment, but may decline the proposed amendment as amended by the Student Life Council.
- F. If passed by the Student Life Council and then by the general assembly, the proposed amendment will be sent to the President of Berry College for consideration.
- G. If approved by the College President, the amendment will take immediate effect.

Section 3: Constitutional Interpretation

- A. All questions about the interpretation of the SGA constitution will be presented to Vice-President for Administration, who will convene a committee to investigate the matter.
- B. Objections by the majority of the SGA officers or the majority of the general assembly to the committee's interpretation of this constitution and bylaws will be presented to the Student Life Council for a decision, with all business requiring said decision being postponed until such time as the Student Life Council meets to decide the issue.

Section 4: Review

On a three-year rotating basis, the Vice-President for Administration will convene a committee to review and, if necessary, revise and amend the SGA constitution and bylaws.